



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING  
Monday, September 10, 2018  
6:00 PM**

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

**MINUTES**

**PRESENT**

Mayor Aldo DiCarlo  
Deputy Mayor Bart DiPasquale  
Councillor Joan Courtney  
Councillor Rick Fryer  
Councillor Jason Lavigne  
Councillor Leo Meloche  
Councillor Diane Pouget

Mark Galvin, Acting CAO  
Paula Parker, Municipal Clerk  
Tammy Fowkes, Deputy Clerk

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:02 p.m.

**NATIONAL ANTHEM**

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

Councillor Meloche declared a conflict of interest with respect to item # 12.1 due to his brother being management in the Fire Department.

Councillor Pouget declared a conflict of interest with respect the following items:

- Item # 13.3 due to her residence being in close proximity to the Belle Vue House
- Item # 14.1 due to a member of her family being employed with the Windsor Police Service

Councillor Lavigne declared a conflict of interest with respect to item # 13.3 due to his parent's residence being in close proximity to the Belle Vue House.

**MINUTES OF PREVIOUS MEETING**

Resolution # 20180910-287

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Fryer

**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 Council Meeting Minutes - Planning - August 13, 2018**
- 4.2 **Regular Council Meeting Minutes - August 13, 2018**

The Mayor put the Motion.

**Motion Carried**

**DELEGATIONS**

- 5.1 **Support for Youth Councils for Windsor-Essex Municipalities - Jacey Silvaggi, Youth Council Coalition of Canada**

Mr. Silvaggi asked that the Town endorse the Youth Council Coalition of Canada's request to apply for grant funding on behalf of the Town.

Resolution # 20180910-288

**Moved By** Councillor Fryer  
**Seconded By** Councillor Courtney

**That:**

1. **The delegation BE RECEIVED;**
2. **Administration BE DIRECTED to bring back a report regarding the creation of a Youth Council in the Town; and,**
3. **The Youth Coalition Council of Canada's request BE ENDORSED with respect to applying for grant funding on behalf of the Town.**

The Mayor put the Motion.

**Motion Carried**

## **PRESENTATIONS**

### **6.1 Legalization of Cannabis - Nicole Rubli, Manager of Licensing and Enforcement**

Resolution # 20180910-289

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That:**

1. **The presentation BE RECEIVED;**
2. **The report from the Manager of Licensing and Enforcement dated August 23, 2018, regarding the Legalization of Cannabis – Update BE RECEIVED;**
3. **Administration BE DIRECTED to hold a Public Information/Consultation Session regarding the community impact of the Legalization of Cannabis; and,**
4. **Administration BE DIRECTED to bring back a report with information on the province's one time opt-out option to host private retail Cannabis outlets.**

The Mayor put the Motion.

**Motion Carried**

**REPORTS – POLICE SERVICES**

There were no reports.

**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**

**11.1 Legalization of Cannabis – Update**

*(As dealt with above in item # 6.1)*

**11.2 2018 Special Events Approval III**

Resolution # 20180910-290

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

**That:**

- 1. The report from the Public Events Committee (PEC) dated September 4 2018, regarding 2018 Special Events Approval III BE RECEIVED;**
- 2. The events BE APPROVED as listed:**

- 2018 Legion Week Parade – September 15, 2018**

3. The following events BE EXEMPT and PERMITTED for road closure to begin prior to 5pm;
  - 2018 Legion Week Parade – September 15, 2018
4. The Public Events Committee BE DIRECTED to confirm the requirements identified by the Committee are met prior to the event.

The Mayor put the Motion.

**Motion Carried**

### **11.3 Fence Variance Request – 104 Angstrom Crescent**

Resolution # 20180910-291

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

**That:**

1. The report from the Manager of Licensing and Enforcement dated August 28, 2018, regarding Fence Variance Request – 104 Angstrom Crescent BE RECEIVED; and,
2. The request for a variance at 104 Angstrom Crescent from Fence By-law 2002-84, Section 3(i) to allow for a rear yard fence of 2.44 metres high BE APPROVED.

The Mayor put the Motion.

**Motion Carried**

### **11.4 Amending Development Agreement for 191 Concession 3 N**

Resolution # 20180910-292

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

**That:**

1. The report from the Manager of Planning Services dated August 31, 2018, regarding the Amending Development Agreement for 191 Concession 3 N, By-law 2018-93, BE RECEIVED;

2. **The amendments to the development agreement for 191 Concession 3 N BE APPROVED; and,**
3. **By-law 2018-93 being a by-law to Authorize the Signing of an Amending Development Agreement 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**

#### **11.5 Road Dedication of Reserves in Kingsbridge Subdivision South**

Resolution # 20180910-293

**Moved By** Councillor Lavigne

**Seconded By** Deputy Mayor DiPasquale

**That:**

1. **The report from the Manager of Planning Services dated August 24, 2018 regarding the Road Dedication of Reserves in Kingsbridge Subdivision South as Public Highways BE RECEIVED;**
2. **The dedication of Part of Block 119, 12M-397 designated as Part 1, 12R-27432 and Part of Block 122, 12M-397 designated as Part 2, 12R-27432 and Block 85, 12M-564 as a Public Highway BE APPROVED; and,**
3. **By-law 2018-90 being a by-law to dedicate Part of Block 119, 12M-397 designated as Part 1, 12R27432 and Part of Block 122, 12M-397 designated as Part 2, 12R27432 and Block 85, 12M-564 as a public highway 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**

## **REPORTS - CAO's OFFICE**

### **12.1 Request to Waive User Fees**

Councillor Meloche vacated his seat during discussion and voting due to his previously declared conflict of pecuniary interest.

Resolution # 20180910-294

**Moved By** Councillor Fryer

**Seconded By** Councillor Courtney

**That:**

- 1. The report from the Chief Administrative Officer dated August 22, 2018, regarding the Request to Waive User Fees BE RECEIVED; and,**
- 2. The user fees outlined in the P & C Memo BE DENIED.**

The Mayor put the Motion.

**Motion Carried**

## **INFORMATION REPORTS**

Resolution # 20180910-295

**Moved By** Councillor Lavigne

**Seconded By** Councillor Fryer

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

### **13.1 Angstrom Crescent and Asset Management Plan Improvement Priority**

### **13.2 Accounts Payable for the Months of July and August 2018**

The Mayor put the Motion.

**Motion Carried**

### **13.3 Belle Vue Restoration Project - Roof Stabilization Change Order**

Councillors Lavigne and Pouget vacated their seats during discussion and voting due to their previously declared conflicts of pecuniary interest.

Resolution # 20180910-296

**Moved By** Deputy Mayor DiPasquale

**Seconded By** Councillor Meloche

**That the report BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT CORRESPONDENCE**

Councillors Pouget vacated her seat during discussion and voting due to her previously declared conflict of pecuniary interest.

Resolution # 20180910-297

**Moved By** Councillor Meloche

**Seconded By** Councillor Fryer

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

**14.1 Policing Services Decision of June 26, 2018 - Ontario Civilian Police Commission**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180910-298

**Moved By** Councillor Fryer

**Seconded By** Councillor Courtney

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

**14.2 Emergency Management and Civil Protection Act (EMCPA) - Office of the Fire Marshal and Emergency Management**

**14.3 FOCUS Accreditation - Community Living Essex County**

**14.4 Crimes Against Children and Youth - Child and Youth Advocacy Centers of Ontario Network**



- 14.5 **Regulating the Display and Distribution of Objectionable Images - Town of Oakville Resolution**
- 14.6 **Support for Sufficient Funding for Rural Fire Services - Township of North Frontenac Resolution**
- 14.7 **Provincial Agricultural Systems Mapping - Township of Selwyn Resolution**

The Mayor put the Motion.

**Motion Carried**

### **CORRESPONDENCE**

- 15.1 **2018 Legion Week - Royal Canadian Legion, Fort Malden Branch 157**

Resolution # 20180910-299

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That:**

1. **The correspondence from the Royal Canadian Legion, Fort Malden Branch 157, regarding 2018 Legion Week BE RECEIVED; and,**
2. **September 15-23, 2018, BE PROCLAIMED as 2018 Legion Week in the Town of Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT OTHER MINUTES**

Resolution # 20180910-300

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That the following minutes BE RECEIVED:**

- 16.1 **Co-An Park Meeting Minutes - June 13, 2018**

## 16.2 Committee of Adjustment Meeting Minutes - June 26, 2018

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

There was no Unfinished Business brought forward.

### **NEW BUSINESS**

Resolution # 20180910-301

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**That Administration BE DIRECTED to look at surrounding municipalities and their by-law regarding dogs and kennels and bring back a report for Council's consideration.**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180910-302

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**That Administration BE DIRECTED to look at surrounding municipalities regarding fill by-laws and bring a report back for Council's consideration.**

The Mayor put the Motion.

**Motion Carried**

### **REPORT OUT FROM IN CAMERA SESSION**

There was nothing to report out.

## **NOTICE OF MOTION**

There were no Notices of Motion.

## **BY-LAWS**

### **21.1 By-law 2018-91 - To Appoint Lottery Licensing Officers**

Resolution # 20180910-303

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That By-law 2018-91 being a by-law to Appoint Lottery Licensing Officers for the Town of Amherstburg 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**

Resolution # 20180910-303

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That By-law 2018-87 being a by-law to amend Zoning By-law 1999-52 for 253, 257-265 Dalhousie Street 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**

### **21.2 By-law 2018-92 - Confirmatory By-law**

Resolution # 20180910-304

**Moved By** Councillor Meloche

**Seconded By** Councillor Courtney

**That By-law 2018-92 being a by-law to confirm all resolutions of the Municipal Council Meetings held August 30<sup>th</sup> and September 10<sup>th</sup>, 2018, 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**

The Clerk advised Council that Item A – Asset Transfer to the Town – will not be heard this evening.

Resolution # 20180910-305

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That Council move into an In-Camera Meeting of Council at 7:39 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:**

**ITEM B - Police Services Contract - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, Section 239(2)(k) - A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.**

The Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT OF IN-CAMERA COUNCIL MEETING**

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Fryer

**That Council rise and adjourn at 8:26 p.m.**

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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MUNICIPAL CLERK – PAULA PARKER