



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

AGENDA

**View Livestream at the time of the proceedings at
<https://www.amherstburg.ca/livestream>**

**Monday, February 28, 2022
6:00 PM**

For information pertaining to this agenda or to arrange for any additional accessibility needs please contact the Clerk's Division at clerk@amherstburg.ca.

Information will be gathered in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). All comments and communications received will become part of the public record unless you expressly request the Town to remove it. If you want to learn more about why and how the Town collects your information, write to the Town Clerk's Office, 271 Sandwich Street South, Amherstburg, ON N9V 2A5 or call 519-736-0012.

Pages

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

4. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

5. 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:

5.1.	Special In-Camera Council Meeting - Public Minutes - January 24, 2022	8
5.2.	Special In-Camera Council Meeting - Public Minutes - February 14, 2022	11
5.3.	Regular Council Meeting Minutes - February 14, 2022	16
5.4.	Special In-Camera Council Meeting - Public Minutes - February 15, 2022	36

6. DELEGATIONS

There are no Delegations.

7. REPORTS – CORPORATE SERVICES

There are no reports.

8. REPORTS - COMMUNITY AND PROTECTIVE SERVICES

There are no reports.

9. REPORTS - INFRASTRUCTURE SERVICES

There are no reports.

10. REPORTS - PLANNING AND DEVELOPMENT SERVICES

There are no reports.

11. REPORTS - CAO's OFFICE

11.1. Amendment to By-law 2001-43 - A By-law Regulating the Emission of Sounds

40

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated February 11, 2022 regarding an amendment to By-law 2001-43 **BE RECEIVED**; and,
2. Council **PASS** the by-law amendment to section 3 of By-Law 2001-43 (A By-Law regulating the emission of sounds).

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated January 18, 2022 regarding a new Keeping of Animals and the Care and Control of Animals By-Law **BE RECEIVED**;
2. **By-law 2022-008** being the Keeping of Animals and the Care and Control of Animals By-Law be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
3. **By-law 2005-24, 2005-69, 2009-57, 2015-123 & 2011-77 BE REPEALED.**

11.3. Road Closure of Whitewood Ridge Boulevard, Conveyance of a Portion of Whitewood Ridge Boulevard, Road Dedication of Hickory View Court as a Public Highway and Development Agreement for Hickory View Court

It is recommended that:

1. The request from Boblo Developments Inc. for the road closure of Whitewood Ridge Boulevard, Part 31, 12R-16411 **BE APPROVED**;
2. **By-law 2022-015** being a by-law to close Whitewood Ridge Boulevard be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign the same;
3. Council **APPROVE** the transfer of a portion of the former Whitewood Ridge Boulevard, RP 12R-28927, Part 7 to Boblo Developments Inc.;
4. The dedication of Part 4 on 12R-28919 (easterly extension of Hickory View Court) as a Public Highway **BE APPROVED**;
5. **By-law 2022-016** being a by-law to dedicate Part 4 on 12R-28919 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;
6. The execution of a Development Agreement with Boblo Developments Inc. associated with Consent File numbers B/38-42/21 inclusive **BE APPROVED**; and,
7. **By-law 2022-017** being a by-law to authorize the signing of a Development Agreement for the development of six residential building lots on Part of Bois Blanc.

12. INFORMATION REPORTS

That the following reports **BE RECEIVED**:

12.1. Amherstburg Water Treatment Plant Submission of the 2021 Annual Summary Report

13. CONSENT CORRESPONDENCE

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

13.1.	2022 Windsor-Essex's Vital Signs - Sponsorship Package	134
13.2.	Endorsement for Bill C-229, An Act to Amend the Criminal Code (Banning Symbols of Hate) - Peter Julian, MP, New Westminster-Burnaby	135
13.3.	Support for the Expansion of Northern Ontario School of Medicine (NOSM) - Municipality of Shuniah Resolution	137
13.4.	Catch and Release Justice - Township of Perth Resolution	138
13.5.	Gypsy Moth Spraying - Township of Limerick Resolution	143
13.6.	Request to Dissolve the Ontario Land Tribunal - Town of Halton Hills Resolution	144

14. UNFINISHED BUSINESS

14.1.	Unfinished Business Lists as at February 28, 2022	149
--------------	--	------------

15. NEW BUSINESS

16. NOTICE OF MOTION

There are no Notices of Motion.

17. BY-LAWS

- 17.1. **By-law 2022-023 - A By-law to Submit a Question to the Electors of the Town of Amherstburg at a Vote to be Held on October 24, 2022** 155

That **By-law 2022-023** being a by-law to Submit a Question to the Electors of the Town of Amherstburg at a Vote to be Held on October 24, 2022 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

- 17.2. **By-law 2022-028 - To Appoint a Chief Administrative Officer for the Town of Amherstburg** 156

That **By-law 2022-028** being a by-law to Appoint a Chief Administrative Officer 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.

- 17.3. **By-law 2022-029 - Confirmatory By-law** 157

That **By-law 2022-029** being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on February 15, 22, and 28, 2022, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

18. ADJOURNMENT

That Council rise and adjourn at p.m.



**TOWN OF AMHERSTBURG
COUNCIL MEETING
MINUTES**

**Monday, January 24, 2022
5:30 PM
Virtual**

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

Staff Present Tony Haddad, Interim CAO
Valerie Critchley, Interim Director of Legislative Services/Clerk
Tammy Fowkes, Deputy Clerk (Public Portion of the Meeting)

Mayor DiCarlo was in attendance in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

1. CALL TO ORDER

The Mayor called the meeting to order at 5:09 p.m.

2. ROLL CALL

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures.

4. LAND ACKNOWLEDGEMENT

The following land acknowledgement was read, "We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island."

5. SPECIAL IN-CAMERA MEETING

Moved By Councillor Simone
Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 5:10p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and 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 Meeting Agenda Items)

None.

Moved into In-Camera session

Discussion on the items of business (item A)

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council rise from the special in-Camera session at 5:46pm and move back in to open session.

The Mayor put the motion.

Motion Carried

Item A –

Moved By Deputy Mayor Meloche

Seconded By Councillor Prue

That the verbal report of Interim Chief Administrative Officer regarding a personnel matter about identifiable individuals BE RECEIVED and that Administration BE DIRECTED to proceed in accordance with the verbal directions of Council.

The Mayor put the motion.

Motion Carried.

ADJOURNMENT

Moved By Councillor Courtney

Seconded By Deputy Mayor Meloche

That Council rise and adjourn at 5:48pm.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY



TOWN OF AMHERSTBURG
SPECIAL IN-CAMERA COUNCIL MEETING
PUBLIC MINUTES

Monday, February 14, 2022
4:30 PM
Virtual

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

Staff Present Tony Haddad, Interim CAO
Valerie Critchley, Interim Director of Legislative Services/Clerk
Tammy Fowkes, Deputy Clerk (Public Portion of the Meeting)
Donna King, Manager of Human Resources
Sabrina Bilyk, Human Resources Coordinator
Nancy Jammu-Taylor, External Legal Counsel (Item A)

Mayor DiCarlo was in attendance in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

1. CALL TO ORDER

The Mayor called the meeting to order at 4:35 p.m.

2. ROLL CALL

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

4. LAND ACKNOWLEDGEMENT

The following land acknowledgement was read, "We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island."

5. SPECIAL IN-CAMERA MEETING

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 4:37p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and 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.

Item B – Section 239(2)(c) – A proposed or pending acquisition or disposition of land by the Municipality or Local Board.

Item C – Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the Municipality or Local Board.

The Mayor put the Motion.

Motion Carried

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

1. The Mayor declares a conflict of interest on Item C as he owns property in the vicinity of the land being discussed.

Moved into In-Camera session

Discussion on the items of business: Items A, B and C (as the Mayor declared a conflict on Item C, he left the meeting at 4:49pm and the Deputy Mayor took the Chair for the remainder of the In Camera Meeting).

Moved By Councillor Prue

Seconded By Councillor Renaud

That Council rise from the special in-Camera session at 6:05pm and move back in to open session.

The Deputy Mayor put the motion.

Motion Carried

Item A –

Moved By Councillor Courtney

Seconded By Deputy Mayor Meloche

That the verbal report of Interim Chief Administrative Officer regarding a personnel matter about identifiable individuals BE RECEIVED and that Administration BE DIRECTED to proceed in accordance with the verbal directions of Council.

The Deputy Mayor put the motion.

Motion Carried.

Item B –

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

1. That **APPROVAL BE GIVEN** to the sale of the property known municipally as 300 Victoria Street under the following terms and conditions:

PROPERTY BEING SOLD: An approximate 24,654 square foot (180' x 137') site located at the north west corner of Simcoe Street and Victoria Street and described legally as PT. E. PT Lot 2, Concession 1, Malden, and more particularly as Part 2, 12R-18093, Amherstburg;

BUYER: 2787763 Ontario Limited;

SALE PRICE: \$800,000 plus HST if applicable;

DEPOSIT: \$40,000.00;

CLOSING DATE: The transaction will be completed on March 30, 2022

CONDITIONS:

The offer is solely conditional upon acceptance by Town Council within weeks of the initial acceptance of the offer by the Chief Administrative Officer, failing which the offer becomes null and void and the Buyer's deposit will be returned in full without interest, bonus or penalty; and

2. That the Mayor and Clerk **BE AUTHORIZED** to sign any documents required to complete the transaction prepared in form and content satisfactory to the Town's solicitor.

The Deputy Mayor put the motion.

Motion Carried.

Item C –

Moved By Councillor McArthur
Seconded By Councillor Simone

That the confidential report of the Director of Legislative Services/Clerk Interim Chief Administrative Officer regarding a proposed disposition of real property BE RECEIVED.

The Deputy Mayor put the motion.

Motion Carried.

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Deputy Mayor Meloche

That Council rise and adjourn at 6:06pm.

The Deputy Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, February 14, 2022
6:00 PM**

MINUTES

PRESENT

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

Tony Haddad, Interim CAO
Valerie Critchley, Interim Director, Legislative Services/Clerk
Tammy Fowkes, Deputy Clerk

Electronic Meeting with Public Participation via livestream.

CALL TO ORDER

The Mayor called the meeting to order at 4:34 p.m.

ROLL CALL

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20220214-01

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 4:37 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A – Sections 239 (2)(b) - Personal matters about identifiable individuals, 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.

Item B - Section 239 (2)(c) - A proposed or pending acquisition or disposition of land by the Municipality or Local Board.

Item C - Section 239 (2)(c) – A proposed or pending acquisition or disposition of land by the municipality or Local Board.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 6:06 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone
Seconded By Councillor Renaud

That Council resume Regular session at 6:24 p.m.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Item 15.5 - Councillor Courtney advised that he owns property in close proximity to Centennial Park. He further advised that, after speaking with the Integrity Commissioner, there is no conflict of pecuniary interest.

Items 10.2, 10.3, 10.4, 12.1, 12.2, 12.3, 15.5 - Mayor DiCarlo declared a conflict of pecuniary interest with respect to the noted items. He further advised that, after speaking with the Integrity Commissioner, the conflict of interest is based on the Council considerations for Jack Purdie Park specifically, and/or the competing considerations of Jack Purdie Park and Centennial Parks, as they relate to the location of his residence and his position regarding the future of the parks in relation to each other.

LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

REPORT OUT FROM IN-CAMERA SESSION - February 14, 2022

Council met on February 14, 2022, for a Special In-Camera Meeting at 4:30 p.m. and discussed 3 items as provided for under Section 239 of the Municipal Act:

Resolution # 20220214-02

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

Item A was heard under Section 239(2)(b)(d)&(f) of the Act. As a result of that discussion, the following is before Council for consideration:

That:

- 1. The report from the Manager of Human Resources BE RECEIVED; and,**
- 2. Administration BE DIRECTED to proceed on the verbal directions of Council.**

The Mayor put the Motion.

Motion Carried

Item B was heard under Section 239(2)(c). As a result of that discussion, the following is before Council for consideration:

Resolution # 20220214-03

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That:

1. **APPROVAL BE GIVEN** to the sale of the property known municipally as 300 Victoria Street under the following terms and conditions:

PROPERTY BEING SOLD: An approximate 24,654 square foot (180' x 137') site located at the north west corner of Simcoe Street and Victoria Street and described legally as PT. E. PT Lot 2, Concession 1, Malden, and more particularly as Part 2,12R-18093, Amherstburg;

BUYER: 2787763 Ontario Limited;

SALE PRICE: \$800,000 plus HST if applicable;

DEPOSIT: \$40,000.00;

CLOSING DATE: The transaction will be completed on March 30, 2022.

CONDITIONS: The offer is solely conditional upon acceptance by Town Council within 6 weeks of the initial acceptance of the offer by the Chief Administrative Officer, failing which the offer becomes null and void and the Buyer's deposit will be returned in full without interest, bonus or penalty; and,

2. That the Mayor and Clerk **BE AUTHORIZED** to sign any documents required to complete the transaction prepared in form and content satisfactory to the Town's solicitor.

The Mayor put the Motion.

Motion Carried

Item C was heard under Section 239(2)(c). As a result of that discussion, the following is before Council for consideration:

Resolution # 20220214-04

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the report BE RECEIVED.

The Mayor put the Motion.

Motion Carried

The CAO introduced Melissa Osborne, Director of Development Services, and Tracy Prince, Director of Corporate Services.

MINUTES OF PREVIOUS MEETING

Resolution # 20220214-05

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

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 **Regular Council Meeting Minutes - January 24, 2022**
- 9.2 **Special Council Meeting Minutes - 2022 Operating Budget - January 26, 2022**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 10.1 **John Parks Drain No.1 Improvements - Frank and Gina Storino, Landowners**

Items 13.3 and 19.1 were moved forward.

Resolution # 20220214-06

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

- 1. **The delegation BE RECEIVED;**
- 2. **Correspondence from Frank and Gina Storino dated February 2, 2022 requesting an extension to the maximum debenture term and financial**

assistance relating to their drainage assessments for Improvements to the John Parks Drain No.1 BE RECEIVED;

3. ~~The request from Frank and Gina Storino regarding financial assistance relating to their drainage assessments for Improvements to the John Parks Drain No.1~~ **BE CONSIDERED;** and,
4. **The request from Frank and Gina Storino regarding an extension to the maximum debenture term to 10 (ten) years relating to their drainage assessments for Improvements to the John Parks Drain No.1 BE APPROVED;**
5. **The Drainage Board Meeting Minutes of February 1, 2022 BE RECEIVED;**
6. **An over-expenditure not to exceed \$89,157 for the Repair and Improvement to the John Parks Drain No.1 project, for a total cost not to exceed \$234,417 including net HST BE APPROVED and BE FUNDED by recoveries from benefitting property owners, as recommended by the Drainage Board;**
7. **The tender for the John Parks Drain No.1 BE AWARDED to J.C.S. Construction Inc. for an amount not to exceed \$171,574.60 plus H.S.T.; as recommended by the Drainage Board;**
8. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with J.C.S. Construction Inc. for completion of the John Parks Drain No. 1 Improvements, as recommended by the Drainage Board;**
9. **An over-expenditure not to exceed \$101,200 for the Repair and Improvement to the John Parks Drain No.2 project, for a total cost not to exceed \$296,382 including net HST BE APPROVED and BE FUNDED by recoveries from benefitting property owners, as recommended by the Drainage Board;**
10. **The tender for the John Parks Drain No.2 Council BE AWARDED by Council to South Shore Contracting of Essex County Inc. for an amount not to exceed \$244,900 plus H.S.T., as recommended by the Drainage Board;**
11. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with South Shore Contracting of Essex County Inc. for completion of the John Parks Drain No. 2 Improvements, as recommended by the Drainage Board;**

12. **The engineer's report for the McBride Road Branch of the Willow Beach Drain Conveyance Improvements BE CONSIDERED; and,**
13. **By-law 2022-002 being a by-law to provide for the McBride Road Branch of the Willow Beach Drain Conveyance Improvements based on the Drainage Report by N.J. Peralta Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

10.2 Stillbrook Accessible Retirement Residences - Dr. Peter Nord

Items 10.3, 10.4, and 15.5 were moved forward.

Mayor DiCarlo vacated the Chair for Items 10.2, 10.3, 10.4, and 15.5 due to his declared pecuniary interest.

Deputy Mayor Meloche assumed the Chair at 6:54 p.m.

Resolution # 20220214-07

Moved By Councillor Prue
Seconded By Councillor Courtney

That:

1. **The delegation for Items 10.2, 10.3, and 10.4 BE RECEIVED;**
2. **Item 15.5 being a report regarding a proposed seniors assisted living development from Stillbrook Retirement Residences BE RECEIVED.**

The Deputy Mayor put the Motion.

Motion Carried

10.3 Item # 15.5 - Proposal from Stillbrook Retirement Residences - Sharon Coleman

As dealt with above

10.4 Item # 15.5 - Proposal from Stillbrook Retirement Residences - Diane Pouget

As dealt with above

Mayor DiCarlo assumed the Chair at 8:39 p.m.

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council recess for a break at 8:40 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council resume Regular session at 8:57 p.m.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

11.1 2022 Final Approved Operating Budget

Resolution # 20220214-08

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

- 1. The 2022 Operating Budget BE ADOPTED and the 2022 total own purposes tax levy of \$26,828,975 including \$25,492,486 general levy and \$1,336,489 special capital levy, BE APPROVED; and,**
- 2. Administration REPORT BACK with a Final Levy By-law for adoption of the 2022 tax rates, based on the approved 2022 own purposes tax levy.**

The Mayor put the Motion.

Motion Carried

11.2 2022 Capital Budget

Resolution # 20220214-09

Moved By Councillor Courtney
Seconded By Councillor Renaud

That the 2022 Capital Budget BE TABLED and that Council review the proposed projects at a Special Meeting on Tuesday, February 22, 2022.

The Mayor put the Motion.

Motion Carried

REPORTS - COMMUNITY AND PROTECTIVE SERVICES

12.1 Centennial Park and Jack Purdie Park Update

Mayor DiCarlo vacated Chair for Items 12.1, 12.2, and 12.3 due to his declared pecuniary interest.

Deputy Mayor Meloche assumed the Chair at 9:00 p.m.

Resolution # 20220214-10

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

- 1. Council APPROVE funds for the re-development of H. Murray Smith/ Centennial Park and Jack Purdie Park in the amount of \$100,000 each as recommended in the proposed 2022 Capital Budget; and,**
- 2. The Director of Parks, Recreation, Facilities & Culture (“PFRC”) BE DIRECTED to continue with the park re-development public consultation process for H. Murray Smith/ Centennial Park and Jack Purdie Park based on public feedback received to date.**

The Deputy Mayor put the Motion.

Motion Carried

12.2 Former ACS Building Contents Disposal

Resolution # 20220214-11

Moved By Councillor Prue
Seconded By Councillor Simone

That Council DIRECT Administration to proceed with disposal through sale or auction of fixtures and items inside of the former ACS Building and DIRECT the proceeds to the Facilities operational budget centre.

The Deputy Mayor put the Motion.

Motion Carried

Moved By Councillor Prue
Seconded By Councillor McArthur

That the meeting BE EXTENDED to 11:00 p.m.

The Mayor put the Motion.

Motion Carried

12.3 Playground Equipment

Resolution # 20220214-12

Moved By Councillor Prue
Seconded By Councillor Simone

That:

- 1. Council APPROVE the removal of non-compliant playground equipment identified in this report; and,**
- 2. Council DEFER discussion on funding of the playground replacement for Briar Ridge Park and Jack Purdie Park to the 2022 Capital Budget discussions on February 22, 2022.**

The Deputy Mayor put the Motion.

Motion Carried

Mayor DiCarlo assumed the Chair at 9:52 p.m.

REPORTS - INFRASTRUCTURE SERVICES

13.1 Amendments to Traffic By-Law 2011-69

Resolution # 20220214-13

Moved By Councillor McArthur
Seconded By Councillor Renaud

That By-law 2022-006 being a By-law to Amend By-law 2011-69 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

13.2 Gore Street and Ramsay Street Traffic Concern

Resolution # 20220214-14

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That:

- 1. An unbudgeted expenditure for the preparation of engineering, design, plans and tender documents for the Improvements to the Intersection of Gore Street and Ramsay Street not to exceed \$10,000 BE APPROVED and the over-expenditure BE FUNDED from the Public Works Operations – Professional Fees; and,**
- 2. Administration BE DIRECTED to report back on construction estimates for the Improvements to the Intersection of Gore Street and Ramsay Street in the 2023 Capital Budget for Council’s consideration.**

The Mayor put the Motion.

Motion Carried

13.3 John Parks Drain No.1 – Request for Debenture Extension and Financial Assistance

As dealt with in Item 10.1.

13.4 2021 Fleet Vehicle Purchase Update

Resolution # 20220214-15

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That:

- 1. An over-expenditure for the purchase of a mid-size extended cab pick up truck not to exceed \$1,491 BE APPROVED for a total cost not to exceed \$35,306 including net HST and that the over-expenditure BE FUNDED from the Fleet Reserve; and,**
- 2. An over-expenditure for the purchase of a ¾ ton crew cab pick up truck not to exceed \$5,556 BE APPROVED for a total cost not to exceed**

\$51,338 including net HST and that the over-expenditure BE FUNDED from the Fleet Reserve.

The Mayor put the Motion.

Motion Carried

REPORTS - PLANNING AND DEVELOPMENT SERVICES

There were no reports.

REPORTS - CAO's OFFICE

15.1 2022 Municipal Election – Voting Method

Resolution # 20220214-16

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That:

- 1. The Clerk BE DIRECTED to notify the Minister of Municipal Affairs & Housing as well as the public, of its intention to consider and pass, on February 28, 2022, a By-law to place the following question on the 2022 municipal election ballot:**

Are you in favour of a Ward Election System?; and,

- 2. The Clerk BE DIRECTED to bring a By-law to place a question on the 2022 municipal election ballot to the February 28, 2022 meeting of Council for Council's final consideration and approval.**

The Mayor put the Motion.

Motion Carried

15.2 New Yard Maintenance By-Law

Resolution # 20220214-17

Moved By Councillor Renaud

Seconded By Councillor Prue

That:

- 1. The report from the Manager of Licensing and Enforcement dated January 17, 2022 regarding a new Yard Maintenance By-Law BE RECEIVED;**

2. **By-law 2022-007 being a Yard Maintenance By-Law be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,**

3. **By-law 2005-60 & 2005-26 BE REPEALED.**

The Mayor put the Motion.

Motion Carried

15.3 Amendments to the Salary Administration Policy and the Drugs and Alcohol Policy

Resolution # 20220214-18

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. **The following policies BE AMENDED as recommended in the report from the Acting Manager of Human Resources dated January 24, 2022:**

- a. **Salary Administration Policy**
- b. **Drugs and Alcohol Policy**

The Mayor put the Motion.

Motion Carried

15.4 Portable Sign Exemption from Moratorium/Waiving of Fees

Resolution # 20220214-19

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

- 1. **The report from the Manager of Licensing and Enforcement dated January 27, 2022 regarding Portable Signs BE RECEIVED; and,**
- 2. **Council LIFT the current moratorium on portable signs for the rest of the calendar year of 2022; and,**
- 3. **Council WAIVE the portable sign fees for 2022.**

The Mayor put the Motion.

Motion Carried

15.5 Proposed Seniors/Assisted Living Development Proposal from Stillbrook Retirement Residences Inc.

As dealt with in Item 10.2.

15.6 Road Closure of Whitewood Ridge Boulevard, Conveyance of a Portion of Whitewood Ridge Boulevard, Road Dedication of Hickory View Court as a Public Highway and Development Agreement for Hickory View Court

Resolution # 20220214-20

Moved By Councillor Prue
Seconded By Councillor Simone

That Item 15.6 BE DEFERRED to the February 28, 2022, Regular Council Meeting.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20220214-21

Moved By Councillor Simone
Seconded By Councillor McArthur

That the following reports BE RECEIVED for information:

16.1 2021 Year End Building Activity Report

16.2 By-Law Enforcement Request for Service Timelines

16.3 2021 Census of Population – Town of Amherstburg

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20220214-22

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That the following consent correspondence BE RECEIVED:

- 17.1 **Integrated Management Plan for Plastics - Essex County Support for City of Windsor Resolution**
- 17.2 **Addressing and Closing the Revolving Door of Justice - City of Brantford Resolution**
- 17.3 **Regional Food and Organics and Biosolids Waste Management Project - Essex-Windsor Solid Waster Authority Board**
- 17.4 **Bridge and Culvert Replacements in Rural Municipalities, Funding Request - Township of Adjala-Tosorontio Resolution**
- 17.5 **FCM Voice - Federation of Canadian Municipalities**
- 17.6 **Intake 3 Municipal Modernization Program, Government Funding - Ministry of Municipal Affairs and Housing**
- 17.7 **Judicial Resources in the Provincial Offence Courts - Town of Mono Correspondence**
- 17.8 **Ontario Wildlife Damage Compensation Program - Federal and Provincial Ministers of Agriculture**
- 17.9 **Province-wide Assessment Update for the 2022 and 2023 Taxation Years - Municipality of Shuniah Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20220214-23

Moved By Councillor Prue
Seconded By Councillor Simone

Item # 17.1 – **That the resolution from the City of Windsor regarding the Integrated Management Plan for Plastics BE SUPPORTED.**

The Mayor put the Motion.

CORRESPONDENCE

18.1 Housing Affordability Task Force Report and Call to Re-examine Hospital Capital Funding - AMO Policy Update

Resolution # 20210214-24

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

- 1. The correspondence dated February 8, 2022 regarding Housing Affordability Task Force Report and Call to Re-examine Hospital Capital Funding - AMO Policy Update BE RECEIVED; and,**
- 2. The work of AMO and its position to provide a coordinated response to the Housing Affordability Task Force Report BE SUPPORTED.**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

19.1 Drainage Board Meeting Minutes - February 1, 2022

As dealt with in Item 10.1

UNFINISHED BUSINESS

1. Councillor Courtney asked for an update with respect to regulating Air BnB's.

The Manager of Licensing and Enforcement advised that he is anticipating a report before Council in the 2nd Quarter of 2022.

2. Councillor Courtney asked for an update with respect to the Greenhouse By-law.

The Manager of Licensing and Enforcement advised that he will follow up with the details and provide an update to Council.

3. Councillor Prue advised that CQ-2102 regarding playground equipment removal can be removed from the Unfinished Business List.
4. Councillor Prue advised that CQ-2104 regarding Gore Street and Ramsey Street can be removed from the Unfinished Business List.

NEW BUSINESS

1. Councillor Simone asked for an update with respect to the field gun that was recovered during construction of the new high school.

The Mayor advised that it was cleaned and being stored with the Parks Department and he will follow up with next steps.

2. Councillor Simone advised that residents have reported a streetlight that is out on Atlantic Avenue and Pacific Avenue.

The Director of Infrastructure Services advised that she will follow up with the concern; however, if it is determined to be an underground issue, a fix will need to wait until more favourable weather.

3. Councillor Prue advised that the Environment Committee is requesting \$6000 to plant trees on the southeast lands at the Libro Centre on April 23, 2022, Earth Day initiative.

The CAO advised that the Environment Committee and the Thrive initiative is one of 2 trees planting initiatives underway, including the Earth Day.

4. Councillor McArthur advised of resident concerns with respect to the dog park survey and the proposed locations. He further advised that the residents he spoke to in the Golfview subdivision are opposed to having the dog park in Golfview.

5. Deputy Mayor Meloche advised of a ribbon cutting ceremony he attended for a new doctor in Town.

6. Deputy Mayor Meloche asked if there were any funding initiatives for new businesses that open in Town.

The CAO advised that nothing currently exists but it can potentially be included as a part of the Community Improvement Plan that is coming to Council in late 2022.

7. Resolution # 20220214-25

Moved By Councillor Prue
Seconded By Councillor Simone

That Administration BE DIRECTED to bring a report regarding Toronto's Green Standard to see if that initiative is feasible in Amherstburg.

The Mayor put the Motion.

Motion Carried

8. Councillor Renaud asked for an update with respect to the rain barrel program.

The Director of Infrastructure Services advised that there are currently 74 out of 100 rain barrels reserved.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Items 23.1 – 23.7 were moved together.

Moved By Councillor Simone
Seconded By Councillor Courtney

23.1 By-Law 2022-010 - To Appoint Provincial Offenses Officers

Resolution # 20220214-26

That By-law 2022-010 being a by-law to Appoint Provincial Offenses Officers be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

23.2 By-Law 2022-011 - To Appoint By-Law Enforcement Officers Weed

Resolution # 20220214-27

That By-law 2022-011 being a by-law to Appoint By-law Enforcement Officer Weed Inspectors be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

23.3 By-law 2021-073 - Tremblay Drain - Replacement Bridge For MN 7823 - 3rd & Final Reading

Resolution # 20220214-28

That By-law 2021-073 being a by-law to provide for the Tremblay Drain - Replacement Bridge for MN 7823 be taken as having been read a 3rd & Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

23.4 By-law 2021-074 - 3rd Concession Drain North - Bridge For Blais - 3rd & Final Reading

Resolution # 20220214-29

That By-law 2021-074 being a by-law to provide for the 3rd Concession Drain North - Bridge For Blais be taken as having been read a 3rd & Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

23.5 By-law 2022-019 - To Appoint a Clerk and Deputy Clerks

Resolution # 20220214-30

That By-law 2022-019 being a by-law to Appoint a Clerk and Deputy Clerks 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.

23.6 By-law 2022-020 - To Appoint a Treasurer and Deputy Treasurer

Resolution # 20220214-31

That By-law 2022-020 being a by-law to Appoint a Treasurer and Deputy Treasurer 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.

23.7 By-law 2022-021 - Confirmatory By-law

Resolution # 20220214-32

That By-law 2022-021 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on January 24th and February 14th, 2022, 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 Prue

That Council rise and adjourn at 10:57 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY



TOWN OF AMHERSTBURG
SPECIAL IN CAMERA COUNCIL MEETING
PUBLIC MINUTES

Tuesday, February 15, 2022
4:30 PM
Virtual

PRESENT

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

REGRETS: Councillor Peter Courtney

Staff Present

Tony Haddad
Valerie Critchley, Director of Legislative Services/Clerk
Tammy Fowkes, Deputy Clerk (Public Portion of the Meeting)
Andrew Dumont, Boyden Executive Search

Mayor DiCarlo was in attendance in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

CALL TO ORDER

The Mayor called the meeting to order at 5:09 p.m.

ROLL CALL

All members were present save and except Councillor Courtney who sent regrets.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

None disclosed.

LAND ACKNOWLEDGEMENT

The following land acknowledgement was read, "We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island."

SPECIAL IN-CAMERA MEETING

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That Council move into an In-Camera Meeting of Council at 5:10p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees –update on a Recruitment Matter.

The Mayor put the Motion.

Motion Carried

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

None disclosed.

Moved into In-Camera session

Discussion on the items of business: Item A

Moved By Councillor Renaud

Seconded By Councillor Prue

That Council rise from the special in-Camera session at 6:14pm and move back in to open session.

The Mayor put the motion.

Motion Carried

Item A –

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That the verbal report of Interim Chief Administrative Officer regarding a personnel matter about identifiable individuals BE RECEIVED and that Administration BE DIRECTED to proceed in accordance with the verbal directions of Council.

The Mayor put the motion.

Motion Carried.

ADJOURNMENT

Moved By Councillor Renaud
Seconded By Councillor McArthur

That Council rise and adjourn at 6:16pm.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY



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: Bill Tetler	Report Date: February 22, 2022
Author's Phone: 519-736-0012 ext. 2251	Date to Council: February 28, 2022
Author's E-mail: btetler@amherstburg.ca	Resolution #: 20200113-005

To: Mayor and Members of Town Council

Subject: Amendment to By-law 2001-43

1. RECOMMENDATION:

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated February 11, 2022 regarding an amendment to By-law 2001-43 **BE RECEIVED**; and,
2. That Council **PASS** the by-law amendment to section 3 of By-Law 2001-43 (A By-Law regulating the emission of sounds).

3. BACKGROUND:

On September 18, 2019 By-Law Enforcement received a noise complaint under By-law 2001-43 for use of combustion engines at 4819 Concession North. Through the investigation it was found that the property is zoned agricultural and was being used to fly a remote controlled flying device propelled by a combustion engine. The inspection revealed that the property was used regularly for this purpose. This is an offence under By-law 2001-43, Section 3, table 3-1, section 1. A letter was sent to the property owner and the property lessee Sun Parlour R/C Flyers Inc. to cease any activity that constitutes an offence under By-law 2001-43 immediately.

Subsequently on November 25, 2019 the Sun Parlour R/C Flyers Inc. submitted an application for a noise exemption which was before Council on January 13th, 2020 for their consideration.

Council will recall that at its meeting held January 13th, 2020, the following resolution was passed:

Resolution # 20200113-005
Moved by Councillor Prue
Seconded by Councillor Simone

That:

1. Administration BE DIRECTED to bring back a report with an amendment to Section 3 of Noise By-law 2001-43.

By-law Number 2001-43, A By-law Respecting the Emission of Sound in the Town of Amherstburg provides the following information as it relates to Section 3 on combustion engine noise:

“No person within the municipality shall emit or cause or permit the emission of sound resulting from any act listed in Table 3.1, hereinafter set out, if clearly audible at a point of reception located in an area of the municipality indicated within a prohibited time shown for such an area.

Table 3-1, section 1 -

The operation of a combustion engine which,

- (i) is, or
- (ii) is used in, or
- (iii) is intended for use in,

a toy, or a model or replica of any device, which model or replica has no function other than amusement and which is not a conveyance.”

3. **DISCUSSION:**

By-law 2001-43, A By-law Respecting the Emission of Sound in the Town of Amherstburg, specifies that noise must disturb an individual’s peace and quiet while **inside a residence**. The noise that was at the root of the initial complaint emanated from the Sun Parlour R/C Flyers Club which has been in existence since 1966 and has been calling 4819 Concession North home since 1975. It should be noted that this is the first complaint that has been received with respect to this activity. Administration has spoken with several municipalities within Ontario that also have established R/C Flyers clubs in order to ascertain how their noise by-laws deal with such activity and the following is their response;

City of Peterborough

- **Noise By-law enforced by local Police force – no complaints**

City of Sarnia

- **Noise By-law enforced by local Police force – no complaints**

Town of Leamington

- **No complaints received**

Town of Chatham-Kent

- **Did not respond back**

City of Hamilton

- **Did not respond back**

Noise By-law of Other Municipalities

- Central Elgin – prohibited between 2100hrs and 0900hrs in open space
- Kingsville – prohibited between 2200hrs and 0700hrs – no defined areas
- Lakeshore – prohibited between 2200hrs and 0800hrs – agricultural area
- Lambton – prohibited between 2000hrs and 0700hrs – residential area
- Lasalle – prohibited between 2100hrs and 0900hrs – agricultural area
- Middlesex – prohibited between 2100hrs and 0900hrs – rural area

From this review, it would appear that the majority of municipalities where this activity is present do allow for the use of combustion engines within specified timeframes. As a result, Administration recommends that Amherstburg follow a similar course and allow the use of these engines in agricultural areas during set time frames which will be determined by Council.

4. RISK ANALYSIS:

There is no risk analysis associated with this report.

5. FINANCIAL MATTERS:

There is no financial impact associated with this report.

6. CONSULTATIONS:

City of Sarnia
City of Peterborough
Town of Leamington
Municipality of Chatham-Kent
City of Hamilton

7. CONCLUSION:

Research conducted on the above noted municipalities suggest there is not a lot of complaints received with respect to combustion engines in flying recreational model airplanes. Administration is recommending creating an additional column to table 3-1 of section 3 to By-law 2001-43. This will separate residential and agricultural into different categories. By allowing this separation it gives administration the flexibility to recommend that combustion engines be allowed to operate within the timeframe specified in the options presented below for Council's consideration:

Option 1

- prohibited from 8:00PM to 9:00AM

Option 2

- prohibited from 8:00PM to 9:00AM or used for more than 1 hour in total between 9:00AM and 8:00PM of one day

Option 3

- prohibited from 8:00PM to 9:00AM or used for more than the 2nd and 4th weekend in every calendar month (Friday to Sunday)

Option 4

- Status quo – prohibited at all times



Bill Tetler

Manager, Licensing and Enforcement

BT

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX
Thomas Bateman Paul Sousa				

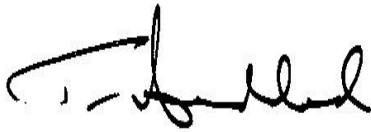
Report Approval Details

Document Title:	Amendment to By-law 2001-43.docx
Attachments:	
Final Approval Date:	Feb 23, 2022

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



Tiffany Hong



Tony Haddad



Valerie Critchley



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: Bill Tetler	Report Date: January 17, 2022
Author's Phone: 519 736-0012 ext. 2251	Date to Council: February 28, 2022
Author's E-mail: btetler@amherstburg.ca	Resolution #:

To: **Mayor and Members of Town Council**

Subject: **Keeping of Animals and the Care and Control of Animals By-Law**

1. **RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated January 18, 2022 regarding a new Keeping of Animals and the Care and Control of Animals By-Law **BE RECEIVED**;
2. **By-law 2022-008** being the Keeping of Animals and the Care and Control of Animals By-Law be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and
3. **By-law 2005-24, 2005-69, 2009-57, 2015-123 & 2011-77 BE REPEALED.**

2. **BACKGROUND:**

Council at its meeting held July 12, 2021 will recall the following resolution being proposed, with respect to a delegation made by the group "Better Laws for Paws," and the Town's existing Animal Care and Control By-laws;

Unfinished business **20120712-230**

"The delegation **BE RECEIVED**, and, Administration **BE DIRECTED** to bring back a report outlining any areas in which the Town's By-law can be improved based on the information brought forward by the delegates."

3. DISCUSSION:

The Licensing & Enforcement Department is responsible for enforcing the Town's Animal Control and Exotic Pet By-laws. In order to improve operational efficiencies and in response to CR 20210712-230 the By-Law Enforcement Unit has undertaken a review of our current Animal By-Laws. This report consolidates 5 By-Laws (2005-24, 2005-69, 2009-57, 2015-123, 2011-77) into one By-Law encompassing all animal enforcement. The proposed By-Law does incorporate a number of items listed during the presentation from Better Laws for Paws. During the presentation the delegates highlighted some key points as it relates to tethering which is addressed in the proposed By-Law under Part 5. The delegates also touched on standards of care for animals and crates/kennels which is addressed under Part 3 of the proposed By-Law. This By-law enhances the Town's enforcement capabilities and address short comings in previously By-Laws.

4. RISK ANALYSIS:

There is no associated risks with this report

5. FINANCIAL MATTERS:

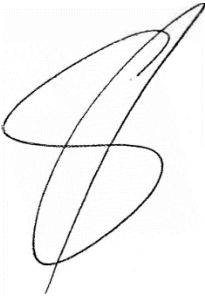
There are no financial impacts associated with this report.

6. CONSULTATIONS:

Town of Amherstburg's By-Law Enforcement Officers

7. CONCLUSION:

With the new Keeping of Animals and Care and Control of Animals By-Law in place, the By-Law Enforcement Unit will be able to better enforce these By-Laws in a manner that protects all animals. The By-Law Enforcement Unit is committed to ensuring all animals are treated with a standard of care. The By-Law Enforcement Unit will continue to work diligently to investigate all complaints to ensure compliance. The By-Law Enforcement Unit will continue to work closely with our Provincial Inspectors to ensure all animals are treated fairly.



Bill Tetler
Manager, Licensing and Enforcement

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX
Better Laws for Paws				

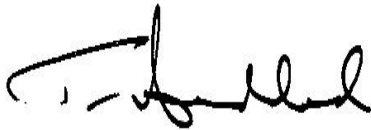
Report Approval Details

Document Title:	Keeping of Animals and the Care and Control of Animals By-law.docx
Attachments:	- Animal Control Bylaw Amendment 2.pdf
Final Approval Date:	Feb 7, 2022

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



Tiffany Hong



Tony Haddad



Valerie Critchley

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2022-008

A By-law to regulate the Keeping of Animals and the Care and Control of Animals within the Town of Amherstburg

WHEREAS the Municipal Act, the Dog Owners' Liability Act, the Pounds Act, the Animals for Research Act, the Environmental Protection Act, and the Protection of Livestock and Poultry from Dogs Act contain provisions enabling municipalities to regulate and identify animals;

AND WHEREAS Sections 8, 9 and 10 of the Municipal Act, 2001 authorize the Town of Amherstburg to pass bylaws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6 and 8 of subsection 10(2) authorize by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property;

AND WHEREAS Sections 8, 11(2) and 11(3) of the Municipal Act, 2001, confer the powers for a municipality to pass By-laws to regulate, prohibit and require persons to do things respecting animals and in relation to the health, safety and well-being of persons, the social well-being of the municipality and the protection of persons;

AND WHEREAS Section 103 and 105 of the Act provides specifically that a by-law may provide for the impounding of animals;

AND WHEREAS Section 103 and 105 of the Act provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council could become the cause of public nuisances;

AND WHEREAS Section 391 of the Municipal Act, 2001, enables a municipality to pass By-laws imposing fees or charges on persons;

AND WHEREAS Section 425 of the Act authorizes the Town of Amherstburg to pass by-laws providing that a person who contravenes a by-law of the Town of Amherstburg passed under that Act is guilty of an offence;

AND WHEREAS section 426 of the Municipal Act, 2001, S.O.2001 c.25 as amended, states no person shall hinder or obstruct, or attempt to hinder or obstruct, any person how is exercising a power or performing a duty under this act or under a by-law passed under this act 2006, c. 32, Sched A, s. 184

AND WHEREAS Section 436 of the Municipal Act provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law; and,

AND WHEREAS Section 444 of the Municipal Act provides that a municipality may make an order requiring a Person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity; and

AND WHEREAS Section 445 of the Municipal Act provides that a municipality may make an order requiring the Person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS the Province has amended the Dog Owners' Liability Act and the Animals for Research Act, to restrict, regulate and prohibit pit bull dogs, including the requirement to sterilize, muzzle and leash existing pit bull dogs;

AND WHEREAS PART XIV of the Municipal Act, 2001, authorizes a municipality to enforce its By-laws;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg considers it necessary and desirable to provide for the care and control of animals within the Town of Amherstburg;

NOW THEREFORE the Council of The Corporation of the Town of Amherstburg ENACTS AS FOLLOWS:

Short Title

This By-law shall be known as the “**Animal Care and Control By-law**”.

Part 1 – DEFINITIONS

1.1 In this By-law:

“**Abandon**” means the surrender, relinquishment or cessation of control of an animal by an individual who previously had control of the animal with the intention of not reclaiming control of the animal and shall be deemed to have occurred where an animal is located on lands and premises not owned or leased by that individual;

“**Animal**” means any member of the animal kingdom, other than a human;

“**Animal product**” means meat, fibre, fur, milk, eggs, or other products derived from an animal;

“**Animal Shelter**” means a facility operated by the Town for the care, keeping and impounding of animals and may include any Town Staff thereof where the context permits;

“**At large**” means where an animal is in any place other than its owner's lot and is not physically restrained by a capable person by means of a leash or otherwise;

“Attack” means an aggressive and violent action against a person, an assault resulting in bleeding, bone breakage, sprains, serious bruising, multiple injuries, serious injury or death

“Bite” - means piercing or puncturing of the skin as a result of contact with a dog’s tooth or teeth;

“Cat” means any felidae which is commonly domesticated including those which are or appear to have become feral;

“Control” means the act of preventing an Animal from creating a hazard to any person or domestic Animal or damage to property;

“Corporation” means The Corporation of the Town of Amherstburg;

“Dangerous dog” means any dog that, in the absence of a mitigating factor, has demonstrated the propensity to act in a significantly menacing or aggressive fashion or displayed an apparent attitude of attack towards any person or an owner’s animal or has bitten, attacked or caused injury to any person or an owner’s animal;

“Designate” means an employee of the Town who has been selected by the Director to administer or enforce all or part of this By-law on their behalf;

“Director” means the Manager, Licensing and Enforcement for the Town, a designate or, in the event of any organizational changes, a successor or equivalent position;

“Dispose” means the act by a person of throwing away or getting rid of an animal or animals on lands and premises not owned or leased by that person and shall be deemed to have occurred where an animal is thrown, placed, deposited, ejected from a motor vehicle or caused to be thrown, placed, deposited, ejected from a motor vehicle;

“Distress” means the state of being in need of proper care, water, food or shelter or being injured, sick or in pain, suffering, or being abused or subject to undue or unnecessary hardship, privation or neglect;

“Dog” means a domesticated canine animal, male or female, two months of age and older;

“Doghouse” means an exterior building or structure that is used, or designed to be used, to provide shelter to one or more dogs;

“Dog run” means a pen that is exclusively used, or designed to be used, to provide one or more dogs access to an outside area while remaining within;

“Dog Owners’ Liability Act” – means the Dog Owners’ Liability Act, R.S.O. 1990, c. D. 16, as amended;

“Domestic fowl” means and includes chickens, geese, ducks, turkeys, and other such poultry and the young of any of them, and includes game birds where the game birds

are kept pursuant to a licence under the Game and Fish Act, R.S.O. 1980, c. 182, as amended, or the Migratory Bird Convention Act, R.S.C. 1970, c. M-12, as amended;

“Dwelling Unit” -. means a room or suite of two or more rooms designated or intended for residential use by a person or persons in which culinary and sanitary conveniences are provided for the exclusive use of such person or persons and having a private entrance from outside or from a common hallway or stairway inside and which is located in a residentially zoned part of the Town;

“Enclosure” shall mean a building or structure that:

- (a) is properly ventilated;
- (b) in the opinion of the local medical officer of health, does not house animals in such a manner or in such number as to be injurious or dangerous to health;
- (c) is maintained in such a manner as to prevent odours arising from it;
- (d) may be readily sanitized and is kept in a clean condition;
- (e) in the opinion of the local medical officer of health, does not house animals in such a manner or in such number as to be injurious or dangerous to health;
- (f) is at least forty (40) feet from any school, church, dwelling or other premises used for human habitation or occupancy other than premises occupied exclusively by the animal keeper or members of the keeper's immediate family or in accordance with Zoning By-law 1999-52 as amended.
- (g) is screened as far as practicable, from adjacent premises and streets by hedges, shrubs, or other suitable screening;

"Enforcement Officer" shall mean:

- (a) Municipal Law Enforcement Officer, By-Law Enforcement Officer, Police Officer or other law enforcement officer as appointed by Council; or
- (b) Person duly appointed by Council for seizing and impounding dogs running at large in the Town of Amherstburg;
- (c) Police Officer appointed pursuant to the Police Services Act, R.S.O. 1990, c.P.15; or
- (d) Agent or Inspector pursuant to the Ontario Society for the Prevention -of Cruelty to Animals Act, R.S.O. 1990, c. 036.

"Exotic animal" means an animal not indigenous to Canada and not commonly kept as a household pet in Canada, whether or not such animal is a "wild animal" as defined herein;

“Extreme Weather” shall mean a cold warning, heat warning or other weather warning alert issued by Environment Canada for weather in the Town of Amherstburg, including and not limited to extreme cold or hot weather, snow storms, freezing rain, heaving rainfall, hurricanes, tornadoes, and/or strong winds.

“Feed” or “feeding” means to intentionally furnish or make food available;

“Guardian” means any person who owns, keeps, possesses or harbours a dog or dogs and “own”, “owns” or “owned” have a corresponding meaning, and where the guardian is a minor means the parent, guardian or person having custody of the minor;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by the general public for the passage of vehicles;

“Keep” - means to have temporary or permanent control or possession of an animal, and keeping has the same meaning;

“Leash” means a rope chain or other restraining device for a dog that may not exceed 1.8 metres;

“Leash free park” means a park, designated pursuant to this By-law, in which dogs are permitted to run freely;

“Licence Plate” means the numbered plate issued by the Ministry of Transportation or other regulatory authority if the vehicle is registered outside of the Province of Ontario, and required to be affixed to and displayed by the Motor Vehicle;

“Lot” means a parcel of land described in a deed or other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision, other than a registered plan of subdivision which has been deemed not to be a registered plan of subdivision by a By-law passed pursuant to Section 51 of the Planning Act, 1990 as amended from time to time, or any successors thereto, and does not include a water lot as defined herein

“Lot line” means any boundary of a lot or the vertical projection thereof.

“Manager” - means the Manager of Licensing and Enforcement for the Town, or his or her designate;

“Microchip” means a standard identification device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of an owner of the animal;

“Mitigating factor” shall mean circumstances which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:

- (a) the dog was, at the time of the aggressive behaviour, acting in defence to an attack by a person or domestic animal;
- (b) the dog was, at the time of the aggressive behaviour, acting in defence of its young or to a person or domestic animal trespassing on the property of its owner;

(c) the dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.

“Motor Vehicle” includes an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in this by-law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle traction engine, farm tractor, self-propelled implement of husbandry or road building machine and does not include an E-bike;

“Motor Vehicle Owner” means the person registered as the owner of a motor vehicle with the Ontario Ministry of Transportation or any other regulatory authority if the vehicle is registered outside the Province of the Ontario, and shall also mean and include the owner of the Licence Plate affixed to and displayed by the Motor Vehicle;

“Multi-Residential Property” means a Property used for or permitted to be used for multiple dwelling units and, includes hotels and motels;

“Municipal Act, 2001” means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

“Municipal boundary” means the geographic boundary encompassing the Town of Amherstburg;

“Municipal Pound” means a pound maintained on behalf of the Town;

“Muzzle” means a humane fastening or covering device that is of sufficient strength and design to prevent any dog wearing it over its mouth from biting and which shall not be able to be removed by the dog but which does not interfere with the breathing, panting or vision of the dog;

“Normal Farm Practice” means a practice that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances;

“Owner” means any person who keeps, possesses, harbours or has custody, guardianship or control of an animal and, where the owner is a minor, any person responsible for the custody of the minor shall be deemed to be the owner of the animal;

“Person” means an individual, association, firm, partnership, corporation, trust, incorporated company, organization and includes the directors and officers of a corporation, a corporation created under the Condominium Act, 1998, S.O. 1998, c. 19, as amended, and the trustees, agents, heirs, executors or other legal representatives of a person to whom the context can apply according to law;

“Police dog” means a dog trained for and actively engaged in law enforcement activities on behalf of a police force;

“Pound” means premises that are used for the detention, maintenance or disposal of dogs that have been impounded pursuant to a by-law of the municipality, but does not include any premises, or part thereof, that are not used by any person or body of persons, including the Ontario Society for the Prevention of Cruelty to Animals or any society affiliated therewith, for the detention, maintenance or disposal of dogs so impounded;

“Premises” means any land, building, structure, place or part thereof and, in a multiple occupancy premises, each single occupancy shall be considered separate premises;

“Protective care” means the temporary keeping of an animal by the Animal Shelter for the purposes of protecting its health and safety;

“Public authority” means any department or appointed agency of the Government of Canada, Province of Ontario, County of Essex, the Town, conservation authority or other governmental body;

“Recognized pigeon club” means a club, association or organization which, at the discretion of the Town, has as its main purpose the exhibition or racing of pigeons;

“Research Facility” means premises on which animals are used in research and includes premises used for collecting, assembling or maintaining of animals in connection with a research facility, and registered under the Animals for Research Act, R.S.O. 1980, c. 22;

“Senior rate” - means a person who is fifty-five (55) years or older and is a resident of the Town of Amherstburg;

“Service dog” means a dog trained by a recognized organization to provide service to the visually-impaired, hearing-impaired or to persons with other disabilities;

“Tether” means a rope, chain or any restraining device attached to an inanimate object that prevents an animal from moving away from a localized area, the words "Tethered" and "Tethering" have a corresponding meaning;

“Town” means The Corporation of the Town of Amherstburg;

“Town designate” means an individual that is an employee of the Town who has been appointed pursuant to a Town By-law as a Municipal By-law Enforcement Officer and shall include the Director;

“Trap, Neuter and Return program” means any operation where feral cats are trapped in order to be sterilized and then returned to the outdoors;

“Unsafe weather” means weather conditions including but not limited to extreme heat and cold, snow storms, freezing or heavy rain and strong winds;

“Valid Rabies Certificate” - means a rabies certificate issued by a licensed veterinarian certifying the dog has been immunized and verifying that it will be current on the date of application for a licence or renewal licence;

“Wild animal” means any animals which are not domesticated and which live outside in their natural habitat;

“Yard” means an open, uncovered space on a lot, appurtenant to a building and unoccupied by buildings except as specifically permitted under the Zoning By-law;

“Yard, front” means a yard extending across the full width of the lot between the front lot line and the nearest front wall of the main building located on the lot;

“Yard, rear” means a yard extending across the full width of the lot between the rear lot line and the nearest rear wall of the main building located on the lot;

“Zone” or **“zoned”** means a designated area of land use in accordance with the Zoning By-law; **“Zoning By-law”** means the Town of Amherstburg Zoning By-law, as amended.

Part 2 - EXEMPTIONS

This by-law shall not apply to;

- 2.1** an animal hospital, a clinic or kennel lawfully operated and supervised by a veterinarian for the exclusive purpose of treating sick or injured animals, who holds a licence to engage in the practice of veterinary medicine issued under the Veterinarians Act, R.S.O. 1990, c.V. 3.
- 2.2** The Windsor/Essex County Humane Society, or a shelter lawfully operated by the Ontario Society for the Prevention of Cruelty to Animals OSPCA
- 2.3** Municipal Dog Pound
- 2.4** Research facility registered under the Animals for Research Act, R.S.O. 1990
- 2.5** Pet Shops
- 2.6** Zoos, fair, exhibition, dog show or circus operated or licensed by a municipal or other governmental authority
- 2.7** Service dogs, police service dogs or other specially trained dogs used for investigative purposes while under the ownership of any police service or other federal, provincial or municipal agency
- 2.8** Any person licensed or exempted as an operator of an animal supply facility in accordance with the Animals For Research Act, as amended, or the employees of such facility, during the course of their duties

- 2.9** Any person who operates an elementary school, secondary school, college, university or provincial institution that contains a research facility exempted from registration under the Animals for Research Act, as amended;

Part 3 – GENERAL STANDARDS OF CARE

- 3.1** Every owner of an animal shall ensure that such animal is kept in a humane manner free of abuse and neglect and is provided with the necessities and conditions to maintain and protect the animal's well-being including but not limited to the following:
- (1) adequate food and water;
 - (2) an environment which is maintained in a sanitary condition and not overcrowded by other animals;
 - (3) appropriate enclosure for the animal which provides adequate space to move and protection from exposure to the elements such as unsafe weather; and
 - (4) if required, veterinary care to prevent and relieve any distress to the animal caused by injury, disease or otherwise.
- 3.2** No owner shall cause or permit their animal to remain outside during extreme weather which may pose a risk to the animal with the exception of where such animal is outside for a short period of time and supervised by its owner or has access to a shelter which provides adequate protection from the elements.
- 3.3** No person shall cause or permit an animal to be left unattended in a vehicle in a manner that may pose a risk to its health or safety from lack of proper ventilation, temperature, unsafe weather or otherwise.
- 3.4** For the purpose of Section 3.3 an Enforcement Officer who has reasonable grounds to believe that a dog left unattended in a motor vehicle is in imminent physical danger may take steps to remove the dog from the vehicle and shall not be held liable for any damage to the vehicle by so doing.
- 3.5** No person shall cause or permit an animal to be transported outside the passenger compartment of a vehicle unless the animal is contained in an enclosed trailer or cage which provides adequate ventilation, space and shelter from the elements and is secured or fastened in a manner to protect the animal from any sudden changes in the vehicle's movement.
- 3.6** Without limiting any other Section within this By-law, every owner shall ensure that any enclosure provided for their animal is:
- (1) adequately ventilated;
 - (2) constructed and located to permit access to light;
 - (3) maintained in a clean and sanitary condition and free of offensive odours;

(4) of a size to permit all animals therein to comfortably extend their bodies to their full natural extent, stand, sit, turn around, lie down and if appropriate for such animal perch; and

(5) kept in good repair and maintained to ensure that it does not create any danger to the health of any animal contained therein for any reason.

Part 4 - PROHIBITED ACTIVITIES

- 4.1** No person shall keep or permit to be kept more than three (3) dogs in any one dwelling unit or on any premises in a residential area unless they hold a valid kennel licence from the Canadian Kennel Club.
- 4.2** No person shall, within the Town fail to prohibit a dog from running at large.
- 4.3** No person shall give false information when applying for a licence pursuant to this by-law.
- 4.4** No person shall, within the Town, permit a dog to enter onto private property without the consent of the property owner.
- 4.5** No person shall, within the Town, fail to forthwith remove and dispose of dog excrement from any property within the Town.
- 4.6** Excrement - Notwithstanding section 4.6 of this by-law, persons with disabilities are exempt from this provision.
- 4.7** No person shall, within the Town, forcibly retrieve a dog from an enforcement officer or a vehicle under the enforcement officer's control.
- 4.8** No person shall, within the Town, have a dog under control on a leash exceeding 1.8 metre in length.
- 4.9** No person shall, within the Town, fail to notify the Licensing Officer forthwith upon any change in information previously provided to the Town when licensing the dog.

Part 5 - RESPONSIBILITY OF DOG OWNER

- 5.1** No owner shall permit his or her dog to bite or attack without provocation a person or domestic animal.
- 5.2** No person shall tease, torment, annoy or abuse any dog; or untie, loosen or otherwise free any dog which is not in distress unless such person has the authorization of the owner or the lawful authority to do so
- 5.3** No person shall keep a dog tethered on a rope, chain, cord or similar restraining device unless:

- (1) the tether is a minimum of three metres in length and does not permit the dog to go beyond the limit of the dog owner's property;
- (2) the dog has unrestricted movement within the range of the tether;
- (3) the dog is not tethered for longer than 4 hours in a 24 hour period;
- (4) the dog has access to water, shade and shelter while tethered; and the dog cannot injure itself as a result of the tethering

5.4 No person shall keep a dog tethered where a Choke Collar, a Choke Chain or a Prong Collar forms part of the tether or a rope, chain, cord or similar restraining device is tied directly around a dog's neck.

Part 6 - DOG AT LARGE

6.1 No owner of a Dog shall permit the Dog to run at large in the Town except in designated off-leash areas. Dogs within a Multi-residential property must be on a leash that does not exceed 1.8m in length and under the control of a person capable of handling the dog(s) or on a tether securely fastened to the dwelling it resides at and that tether shall not exceed 1.8m in length.

6.2 Every Owner of a Dog shall, while the Dog is not on the Owner's Premises, control the Dog by means of a Leash that is held or affixed to their person or another competent person.

6.3 A Dog shall not be deemed to be controlled by a Leash if the Leash is attached to an inanimate or immovable object, a motor vehicle or a bicycle.

6.4 Sections 6.1 to 6.3 of this By-law shall not apply to:

- police working Dogs while they are in the course of fulfilling their duties;

or

- hunting Dogs that are under the direct supervision of a Person who is a bona fide hunter actively engaged in hunting in accordance with the Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41, as amended, and other applicable law during a permitted season to whom has been issued such necessary licences and permits as may be required by the laws of the Dominion of Canada, the Province of Ontario and the Town and provided that such Person has obtained the prior consent of the Owner of the parcel of land on which the hunting Dogs are At large, which consent is obtained not more than one year prior to the date of the occasion on which the Dogs are at large.

Part 7 - DANGEROUS DOG

- 7.1** The Enforcement Officer may designate a dog as being a dangerous dog.
- 7.2** Where the Enforcement Officer has designated a dog as a dangerous dog, the Enforcement Officer shall serve notice or cause notice to be served to the dog owner.
- 7.3** Notice shall be served personally or by registered mail to the owner's home address.
- 7.4** Notice shall include:
- (a) Description of the dog;
 - (b) Statement that the Enforcement Officer has deemed the dog dangerous;
 - (c) Requirements that the owner must comply with and when they take effect;
 - (d) Statement that the owner may appeal the decision in writing, within fourteen (14) business days of the date of the notice.
- 7.5** Where the Enforcement Officer has deemed the dog as a dangerous dog, the owner may only appeal the muzzling requirement to the Dangerous Dog Committee of the Town of Amherstburg by filing an appeal with the Clerk within fourteen (14) days of the date of the notice.
- 7.6** All appeals shall be in writing and include:
- (a) Reason(s) or grounds for the appeal;
 - (b) Identification of the appellant and any other party;
 - (c) Name of the agent, representative or lawyer representing the applicant (if applicable);
 - (d) Municipal address, telephone number and email address for each person identified in clause (b) and (c).
- 7.7** Where an owner appeals the muzzling requirement under Section 7.5, the Dangerous Dog Committee shall hear the appeal by way of a hearing to determine whether the dog is dangerous and may, after the hearing confirm, or alter the designation, or direct the owner to do anything under this By-law, as the Dangerous Dog Committee considers proper and for such purpose as may substitute its opinion for that of the Enforcement Officer.

- 7.8** Notwithstanding that an owner has appealed to the Dangerous Dog Committee under Section 7.5, the designation in Section 7.1 and the conditions imposed under Section 8 remain in effect until the appeal is disposed of.
- 7.9** The decision of the Dangerous Dog Committee is final.
- 7.10** No member of Dangerous Dog Committee or its staff is personally liable for anything done by it, or him or her under the authority of this By-law.

Part 8 - RESTRICTIONS RELATING TO A DANGEROUS DOGS

- 8.1** Where the Enforcement Officer designates a dog as being a dangerous dog, and serves the owner with the notice of such designation, the Enforcement Officer may include any of the conditions set out in Section 8.1.1 through Section 8.1.12 inclusive, as deemed necessary by the Enforcement Officer:
- 8.1.1** to licence such dangerous dog with the Town in accordance with the applicable by-law;
 - 8.1.2** to keep the dangerous dog confined within the Owner's dwelling, or in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing it from escaping therefrom and preventing the entry therein of unsupervised children. Such pen must meet the satisfaction of the Enforcement Officer;
 - 8.1.3** to keep the dangerous dog confined within the Owner's dwelling, or confined to the owner's fenced yard of adequate construction to prevent the dog from escaping therefrom and preventing entry therein of unsupervised children to the satisfaction of the Enforcement Officer;
 - 8.1.4** to keep the dangerous dog under effective control of a person at least eighteen (18) years old;
 - 8.1.5** to keep the dangerous dog on a leash at all times when it is not on the owner's property;
 - 8.1.6** to display, at the entrance to the owner's dwelling which a person would normally approach, a warning sign that there is a dangerous dog on the property. The sign shall be posted in such a manner that it cannot be easily removed by passersby and it is clearly visible to a person approaching the entrance of the owner's property. The sign shall be subject to approval of the Enforcement Officer.
 - 8.1.7** to securely attach a muzzle as defined in this By-law to the dangerous dog at all times when it is off the owner's property and not in an enclosed property;

8.1.8 to provide the Enforcement Officer with the new address and telephone number of the owner within two (2) business days of moving the dangerous dog;

8.1.9 to provide the Enforcement Officer with the name, address and telephone number of the new owner within two (2) business days of selling or giving away the dangerous dog;

8.1.10 to advise the Enforcement Officer forthwith if the dangerous dog has bitten or attacked any person or animal;

8.1.11 impound the dog at the owner's expense for a maximum of ten (10) days or until such time as the owner of the said dog has complied with all the requirements contained in this By-law for the keep of a dangerous dog;

8.1.12 to obtain up to date rabies vaccination and provide proof satisfactory to the Enforcement Officer.

8.2 No person shall abandon a dangerous dog other than to a pound operated by, or on behalf of a municipality in Ontario, or to a registered research facility or supply facility under the Animals for Research Act.

8.3 The owner of a dog deemed dangerous, shall comply with the conditions imposed by the Enforcement Officer within ten (10) days and provide proof satisfactory to the Enforcement Officer.

8.4 Should the owner fail to comply with the requirements contained in this By-law and imposed on the owner for the keeping of a dangerous dog within a ten (10) day period, the Town may seize the dangerous dog until such time as the owner complies with the requirements to the satisfaction of the Enforcement Officer.

8.5 Every owner of a dangerous dog who is unable or unwilling to meet the requirements of this By-law shall surrender such dog into the care and control of the Enforcement Officer.

8.6 A dog is no longer deemed Dangerous when the dog dies or the Enforcement Officer is satisfied that it no longer resides in the Town.

8.7 No person shall interfere with, hinder or impeded an Enforcement Officer in the performance of any duty authorized by this By-law or provincial legislation.

Part 9 - ABANDONMENT OR DISPOSAL OF AN ANIMAL

9.1 No person shall abandon or dispose of an animal within the Town of Amherstburg unless at an approved facility.

9.2 Where a motor vehicle is used for the purpose of abandoning or disposing of an animal in contravention of this By-law, the Motor Vehicle Owner commits an

offence contrary to subsection 9.1 of this By-law by directing, authorizing, consenting to, acquiescing in or participating in the use of the Motor Vehicle by the person committing the offence.

- 9.3** No person shall be convicted of an offence under this By-law if the person establishes that the person exercised all due diligence to prevent the commission of the offence; or the person proves that the animal was present on the lands and premises with the prior, written consent of the owner or tenant of the lands and premises.
- 9.4** A person who has reason to believe that an animal has been abandoned or disposed of in contravention of the provisions of this By-law shall report the particulars of the contravention to the By-law Enforcement Officer during regular business hours of the Town of Amherstburg or to the local Police Service.

Part 10 - LICENSING

- 10.1** Every owner of a dog shall register and obtain from the Town, or its agent, a licence for each dog that he or she owns prior to May 1st of each year and pay the applicable fee in accordance with the Town's user fee by-law.
- (a) A person claiming entitlement to a lower dog licence fee on the basis that the dog in question has been spayed or neutered, shall produce a Certificate to the Issuer verifying such claim.
 - (b) No person shall produce to the Issuer a Certificate respecting a dog other than the dog for which the Certificate was issued
- 10.2** Every person upon becoming an owner and every new resident that is an owner of a dog, shall within fifteen (15) days register and obtain a licence from the Town or its agents a licence for each dog that he or she owns.
- 10.3** No owner of a newborn dog born to a dog of the owner shall be required to obtain a licence for the said newborn until the newborn dog has attained the age of 3 months. After which time the owner shall be required to licence and register the said newborn dog within 15 days of that dog attaining the age of 3 months.
- 10.4** Every application for a licence shall be accompanied by the following:
- a) A completed application on the form provided by the Town;
 - b) Proof of spaying or neutering of dog, as applicable.
 - c) The applicable licence fee as set out in schedule "A" to this by-law;
 - d) Any additional documents as the Town sees fit, such as proof of vaccinations, proof of breed, and any costs incurred in obtaining such documents shall be at the applicant's expense.

- 10.5** Certificate of Anti-Rabies Vaccination upon application for a licence, the owner of the dog may be required to produce a certificate signed by a practicing veterinarian that the dog has been inoculated with an anti-rabies vaccine within a period of twenty-four (24) months prior to the date of application for a licence.
- 10.6** An owner of a personal assistance dog shall be required to obtain a licence in accordance with this by-law but will be exempt from the licence fee.
- 10.7** Upon application for a licence, the owner of a pit bull dog may be required to provide proof, satisfactory to the Town that the pit bull dog:
- a) Is classified as a restricted or grandfathered pit bull in accordance with the Dog Owners' Liability Act; and
 - b) Has been sterilized, or provide a veterinarian's written opinion that the pit bull dog is physically unfit to be sterilized, in accordance with the Dog Owners' Liability Act;
 - c) Has been vaccinated against rabies.
- 10.8** In addition to the requirements set out in section 7 of this by-law, every owner with a dog that has been deemed a dangerous dog, shall identify and register the dog as deemed a dangerous dog with the Town verifying the dog's status as to their designation and shall provide proof of a current and up to date rabies vaccination.
- 10.9** Every licence issued by the Town shall expire annually on the 30th day of April in the year in respect to which it was issued.
- 10.10** Prior to May 1st of each year, every person who is the owner of a dog shall register and obtain from the Town or its agents a licence for each dog that he or she owns.
- 10.11** Where a licence is not purchased by May 1st of each year, a late fee shall be applied as prescribed in accordance with the Town's user fee by-law.
- 10.12** The tag shall be affixed securely on the dog's collar or restraining device at all times.
- 10.13** Every licence issued by the Licensing Dept. may be transferred after such application and payment of the applicable fee upon the following occurrences:
- a) Transfer in ownership of a dog during any licensing year;
 - b) Replacement of dog upon death of a licensed dog;
 - c) Transfer of current year valid dog licence from any municipality resided in before moving to the Town.

- 10.14** Where a licence is not purchased within thirty (30) days of acquiring a dog, a late payment penalty shall be applied in accordance with the Town's user fee by-law.
- 10.15** Where a tag has been lost, an application shall be made to the Licensing Officer for a replacement dog tag together with the applicable fee as prescribed in accordance with the Town's user fee by-law.
- 10.16** The application for a replacement dog tag shall be accompanied by proof that the current year's licence fee has been paid and the applicable replacement tag fee.
- 10.17** No person shall be entitled to a licence rebate under this by-law.
- 10.18** The onus of proving a person has a valid dog tag licence is on the person alleging the licence.

Part 11 - RESTRICTED PIT BULL DOGS

- 11.1** No person shall own a pit bull dog that is not deemed to be a restricted or grandfathered pit bull dog, in accordance with the Dog Owners' Liability Act.
- 11.2** The owner of a restricted or grandfathered pit bull dog shall comply with the provisions as set out within the Dog Owners Liability Act.
- 11.3** A pit bull that is not recognized by the Town as a restricted or grandfathered pit bull, or a restricted pit bull that is not in compliance with the provisions set out in the Dog Owners' Liability Act shall be subject to seizure by the enforcement officer.
- 11.4** The onus of proof that a dog is not a pit bull, or that the dog is a restricted or grandfathered pit bull dog, lies with the owner of the dog. Proof deemed to be acceptable may include: certified registration papers, veterinary medical records, from a veterinarian who are a registered member of the College of Veterinarians of Ontario, or a signed statement by a veterinarian.

Part 12 - FEES

- 12.1** Licence fees shall be set and approved by Council from time to time and are listed in Schedule "A" to this by-law in accordance with the Town's user fee by-law.
- 12.2** Notwithstanding any requirements contained herein, personal assistance dogs shall be required to be licensed but the owner is exempt from the payment of all licence fees pursuant to this by-law.
- 12.3** Where a dog is claimed from the pound keeper, the owner shall provide proof of ownership of the dog, as well as proof of a current dog licence issued by the Town.

Part 13 - IMPOUNDMENT

- 13.1** The Animal Control Officer and By-law Enforcement Officer may, and any Police Officer may, seize any dog found running at large as defined in this by-law.
- 13.2** Every dog seized by a Police Officer or By-law Enforcement Officer shall forthwith be delivered to the municipal pound.
- 13.3** The Animal Control Officer may impound or cause to be impounded any dog seized by him or her delivered to him or her by a Police Officer or By-law Enforcement Officer.
- 13.4** A By-law Enforcement Officer or person designated by Council shall be permitted to enter onto land at any time for the purpose of enforcing this by-law and any orders or conditions imposed under the authority of this by-law.
- 13.5** An Animal Control Officer shall be permitted to enter onto land at any time for the purpose of seizing a dog running at large.
- 13.6** A person exercising a power of entry on behalf of the Town under this by-law must, upon request, display or produce proper identification.
- 13.7** The owner or keeper of an animal impounded for running at large shall be entitled to redeem such animal within 72 hours from the time of impoundment, exclusive of the day of impoundment, statutory holidays, and days during which the pound is otherwise closed, upon paying any fines and expenses according to law.
- 13.8** The owner of a dog that has been impounded shall, upon application to the pound keeper, claim the dog before the pound keeper is entitled to dispose of the dog.
- 13.9** Where a dog that is impounded is not claimed by the owner within the redemption period, the pound keeper may retain the dog for such further time as he may consider proper and during that time the pound keeper may:
- a) sell the dog for such price as he may consider proper;
 - b) euthanize the dog;
 - c) dispose of the dog as he sees fit.
- 13.10** Where a dog that is captured or taken into custody is injured or in the opinion of the pound keeper, should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the trained person appointed by the pound keeper, may euthanize the dog in a humane manner as soon after capture or taking into custody as he may determine, and may do so without permitting any person to reclaim the dog or without offering it for sale.

13.11 No compensation, damages, fees or any other sum of money on account of or by reason of the impounding, euthanizing or other disposal of the impounded dog in the course of the administration and enforcement of this by-law shall be:

- a) recovered by any owner or other person; or
- b) paid by the Pound keeper or the Town of Amherstburg

Part 14 - CATS

14.1 No owner shall keep or permit to be kept in excess of 4 cats on a lot.

14.2 For the purposes of Section 15.1, a cat shall not count towards the total permitted number if kept in accordance with the following:

- (a) within a pet store;
- (b) temporarily kept by a rescue organization, recognized by the Town, for the purposes of being fostered and subsequently adopted or in connection with a Trap, Neuter and Return program; or
- (c) on a lot within an agricultural or rural zone for the purposes of providing outdoor pest control to support an active agricultural operation.

14.3 No owner shall cause or permit their cats to create an adverse impact to any adjacent or nearby lot as a result of odour, noise, roaming of cats or otherwise.

PART 15 - KEEPING OF ANIMALS

15.1 No person shall possess, keep, sell, make available for sale, or harbour any prohibited animal saving and excepting where permitted by Zoning By law 1999-52.

15.2 Any wild animal unless such animal is under releasable age and cannot fend for itself, or is injured and unable to fend for itself and the facilities for keeping the animal must be such that there is no danger to people and to other animals. When any wild animal being kept for the aforementioned reasons, becomes able to fend for itself, it must then be released back into the wild or to the care of an animal shelter operated by the Essex County Humane Society or Erie Wildlife Rescue Inc.

15.3 Any person who owns an animal shall:

- (1) treat it in a humane manner;
- (2) keep it so that,
 - (a) offensive odours and the transfer of disease are minimized
 - (b) a female animal in heat does not attract other animals,

- (c) there is a suitable exercise area for each animal, and
 - (d) the animal cannot readily escape;
- (3) provide the necessary food, water, housing and attention as required to keep the animal in good health and free from harm; and
- (4) remove forthwith any excrement of the said animal and dispose of it in a sanitary manner.

(a) Any person who owns an animal that is customarily kept outside shall at all times:

(i) Provide it with protection from the elements including harmful temperatures;

(ii) Provide a structurally sound, weatherproof, insulated shelter, of a size and design having regard for the animal's weight of type of coat;

(iii) Provide an enclosure which has sufficient space to allow the animal the ability to turn around freely and to easily sit, stand and lie in a fully extended position.

15.4 No person shall keep, or cause to be kept, at or in any premises,

(1) more than two (2) of each kind of animal not otherwise prohibited by this by-law with the exception of cats in accordance with Section 14.1 and dogs in accordance with Section 4.1

15.5 The number of animals stated in section 4.1, 14.1 & 15.4 are the maximum numbers that are permissible for any premises, regardless of the number of persons occupying the premises.

15.6 No person who owns any animal shall permit such animal to be at large within the Town of Amherstburg.

(2) For the purpose of this section, an animal is deemed to be at large when:

(a) found on a highway or other public property, or on private property other than the premises upon which it is habitually kept, and

(b) not under the control of any person

15.7 Section 15.6 shall not apply to cats.

15.8 No person within the town shall own/posses/harbour an animal listed in Schedule "B" unless the animal is otherwise permitted under this by-law.

15.9 Any domestic fowl unless permitted under Zoning By-law 1999-52 for the Town of Amherstburg, as amended.

Part 16 – FEEDING OF WILDLIFE

- 16.1** No person shall intentionally feed a Wild Animal or leave food or Attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by a Wild Animal, feral or stray domestic Animal on private or public property.
- 16.2** Section 16.1 does not apply to the feeding of songbirds on a property, provided the following feeding requirements are met by the resident:
- (a) seed is placed in a bird feeding device that is sufficiently above grade as to not attract or be accessible by Wild Animals;
 - (b) bird feeding practices do not attract large flock of homing birds such as wild, feral or domestic Pigeons; and
 - (c) spillage of seed upon the ground is removed by the property Owner or resident forthwith and disposed of in such a manner that it does not attract Wild Animals, feral or stray domestic animals.
- 16.3** Section 16.1 does not apply in the following situations:
- (a) the leaving of food as bait in a trap by a property Owner or resident to capture a sick or injured Animal inhabiting or habituating their property pursuant to this By-law;
 - (b) the leaving of food as bait by a licensed trapper, an employee of a Wildlife or pest control agency licensed by the province, a Municipal Law Enforcement Officer, or Windsor Police Officer, or other Government Entity in the performance of their duties;
 - (c) the leaving of food for a colony of Stray or feral Cats for the purpose of trap, neuter or spay, and manage program approved by the Director.

Part 17 – NOISE

- 17.1** No owner shall permit persistent barking, calling, whining or other noise making by his or her dog that is clearly audible at a point of reception located in the Town.

Part 18 - ENFORCEMENT

- 18.1** Every person who contravenes any section of the by-law is, upon conviction, guilty of an offence and shall be liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c.P. 33, as amended, and be subjected to any other penalties permitted by law for each offence. Each day such violation continues, shall constitute a separate offence and may be punishable as such.
- 18.2** In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which

the offence continues and any person guilty of such an offence is liable to a fine in an amount of not less than that established by this by-law for each such day.

- 18.3** If there is a conflict between a provision of the Dog Owners' Liability Act or of a regulation under that Act, or any other Act relating to pit bulls, or another by-law relating to pit bulls, and a provision of this by-law relating to pit bulls, the provision that is the most restrictive in relation to controls or bans on pit bulls prevail.
- 18.4** This By-law maybe enforced by the Chief of Police, by a Provincial Offences Officer, by an Animal Control Officer or by a Pound Keeper.

Part 19 - PENALTY

- 19.1** Any person who contravenes any provisions of this by-law is guilty of an offence and is liable, upon conviction, to the maximum penalty as prescribed by the Provincial Offences Act, R.S.O., 1990, c.P. 33, as amended, and all such penalties and costs may be recovered under the Provincial Offences Act.

Part 20 - SEVERABILITY

- 20.1** Where a court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of the By-law shall continue in force unless the court makes an order to the contrary.
- 20.2** When any requirement of this By-law is at a variance with other By-law in effect in the Town or with provincial or federal statute or regulation, the more restrictive requirement shall apply unless otherwise stated in the legislation.
- 20.3** If there is a conflict between provisions of the Dog Owner's Liability Act, R.S.O. 1990, C.D. 16 or a regulation under that Act, or any other Act relating to dangerous dogs, and a provision of this By-law relating to dangerous dogs, the provision that is most restriction in relation to the control of dangerous dogs prevails.

Part 21 – REPEAL OF BY-LAWS

- 21.1** That By-law’s 2005-24, 2005-69, 2009-57, 2015-123 and 2011-77 be repealed.
- 21.2** This by-law shall come into force and take effect on the day of final passing thereof.

Mayor

Aldo DiCarlo,

Valerie Critchley, Clerk

- First reading –
- Second reading –
- Third reading –

SCHEDULE “A” TO BY-LAW 2022-008 FEES AND PENALTIES in accordance with the Town’s User Fee By-Law

PURCHASED:	January 1 to April 30	After April 30
Spayed or Neutered	\$16.00	\$26.00
Seniors rate (55+)	\$11.00	\$21.00
Not Spayed or Neutered	\$26.00	\$36.00
Seniors rate (55+)	\$21.00	\$31.00
Personal Assistance Dogs (Proof required)	\$0	\$0

SCHEDULE “B” to BY-LAW NO. 2022-008

PROHIBITED ANIMAL COMMON NAME/EXAMPLES*

Prohibited Animal	Common Name/Examples*
All venomous Arachnida	Tarantulas
All venomous Scorpiones	Scorpion
All Artiodactyl Ungulates (except domestic goats, sheep, pig, cattle)	Camel, antelope, llamas, giraffes, hippopotamus
All Canidae (other than common dog)	Wolf, jackal, coyote or hybrids thereof
All Chiropterae	Bat
All Crocodilia	Alligator, crocodile
All Edenates	Anteater, armadillo, sloth
All felids (other than common cat)	Leopard, lion, tiger, lynx, panther, puma, cheetah, jaguar, bobcat, ocelot, or hybrids thereof
All Herpestidae	Mongoose
All Hyaenidae	Hyena
All insectivore (except hedgehog)	Shrews, moles
All Marsupialia	Bandicoot, kangaroo, opossum, wombat, koala, Tasmanian devil

All Mephitidae	Skunk
All Mustelidae (except domestic ferrets)	Marten, polecat, weasel, otters, badgers, mink, fisher, wolverine
All Perissodactyl ungulates (except domestic horse, donkey, mule, jackass)	Tapir, zebra, rhinoceroses
All Pinnipediae	Seal, walrus, sea lions
All non-human Primates	Ape, lemur, monkey, gorilla
All Proboscidea	Elephant
All Procyonidae	Coati, raccoon, ringtails
All Raptors (except falcons for the purpose of falconry)	Eagle, hawk, owl, vulture, falcons
All Ratites	Cassowary, ostrich, emus, rheas
All Ursidae	Bear
All Venomous Reptilia	Venomous snakes, lizard
All Serpentes of the families Pythonidae and Boidae	Pythons, boas, anaconda
All Viverridae	Civet
All venomous and poisonous animals	

Note: The common names referred to in the right hand column are some of the names of animals included in the classes of animals referred to in the left hand column

of this schedule. The common names are provided for information purposes only and are not intended to limit the extent of the classes of animals referred to.

** Note: Permissible animals include domestic ferrets, gerbils, domestic guinea pigs, hamsters, mice, rats, degu, chinchilla, gerboa, mini pigs, hedgehogs, rabbits.



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.

Table with 2 columns: Author's Name, Report Date, Author's Phone, Date to Council, Author's E-mail, Resolution #.

To: Mayor and Members of Town Council

Subject: Road Closure of Whitewood Ridge Boulevard, Conveyance of a Portion of Whitewood Ridge Boulevard, Road Dedication of Hickory View Court as a Public Highway and Development Agreement for Hickory View Court

1. RECOMMENDATION:

It is recommended that:

- 1. The request from Boblo Developments Inc. for the road closure of Whitewood Ridge Boulevard, Part 31, 12R-16411 BE APPROVED;
2. By-law 2022-015 being a by-law to close Whitewood Ridge Boulevard be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same;
3. Council APPROVE the transfer of a portion of the former Whitewood Ridge Boulevard, RP 12R-28927, Part 7 to Boblo Developments Inc.;
4. The dedication of Part 4 on 12R-28919 (easterly extension of Hickory View Court) as a Public Highway BE APPROVED;
5. By-law 2022-016 being a by-law to dedicate Part 4 on 12R-28919 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.
6. The execution of a Development Agreement with Boblo Developments Inc. associated with Consent File numbers B/38-42/21 inclusive BE APPROVED; and,
7. By-law 2022-017 being a by-law to authorize the signing of a Development Agreement for the development of six residential building lots on Part of Bois Blanc

Island, designated as RP 12R-28927, Parts 1-7, Amherstburg, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

Town staff received a letter from Boblo Developments Inc. requesting the closure of Whitewood Ridge Boulevard and the conveyance of a portion of the closed right-of-way (see attached 12R-16141, Part 31 regarding the road closure and 12R-28927, Part 7 regarding the land conveyance). Once closed, a portion of the former right-of-way is required to be dedicated as a public highway, Hickory View Court, to facilitate the easterly extension of the existing street to finish the loop (see Part 4, 12R-28919 attached).

An application has also been received for approval of a Development Agreement to satisfy certain conditions associated with Consent File Numbers B/38-42/21 inclusive from Boblo Developments Inc. Section 53(41) of the Planning Act, requires that conditions must be fulfilled on a provisional consent within one year.

On June 29, 2021, Boblo Developments Inc. obtained approval with conditions from the Committee of Adjustment to sever five residential lots which are located on Hickory View Court. Consent Approval requires the developer to execute a Consent/Development Agreement to ensure appropriate monitored development of the lands.



Figure 1

3. DISCUSSION:

In 1998, Whitewood Ridge Boulevard, Part 31, 12R-16141, was conveyed to the Town and road dedication by-law 1998-61 was approved to dedicate the subject lands as a public highway on Boblo Island. Since this time the developer has advised that the lots along Whitewood Ridge Boulevard will not be developed, the lands will remain in a natural state.

As a result, there is no longer a need for Whitewood Ridge Boulevard to remain as a municipal right-of-way. The recommendation to Council is to stop up and close the entire right-of-way (Part 31, 12R-16141).

Whitewood Ridge Boulevard is a 66' wide right-of-way. At the east end, Part 7 on 12R-28927 depicts an approximate 46' wide portion that will be conveyed back to Boblo Island Developments with the Town maintaining ownership of a 20' wide section for our sanitary sewer. As portions of these lands are no longer required for public access, they will be returned to the developer for a nominal fee (\$1).

The east portion of the former right-of-way will then be re-dedicated as a public highway as part of Hickory View Court. A By-law dedicating Part 4 on 12R-28919 as a Public Highway is being presented for Council's consideration. The Municipal Act, R.S.O. 2001, c.25 Sections 24-68 authorizes the Council of every municipality to pass a By-law for establishing, laying out, acquiring, assuming, or naming a highway. Administration is recommending the passage and registration of a By-law designating the parcel as public highways. It is appropriate at this point to dedicate this part as a public highway to continue to facilitate the residential development on Hickory View Court.

The lands subject to the development agreement are legally described as Part of Blanc Island, RP 12R-28927, Parts 1 to 7. The provisional consent provided for the approval of a total of five residential lots (Parts 1 to 5) with a retained parcel (Part 6) that will merge with the conveyed lands (Part 7) resulting in a sixth residential lot. The lots will be serviced with municipal water and municipal sewers.

The subject property is designated Recreational Development in the Town of Amherstburg's Official Plan. The lots are located within a primary settlement area as defined by the County of Essex. The subject property is zoned Resort Residential/Resort Commercial (RR/RC) Zone and Environmental Protection (EP) Zone. The lands subject to the conveyance, road dedication and development agreement are entirely within the RR/RC Zone.

The RR/RC Zone does not have minimum lot sizes or frontages, however proposed lot sizes, frontages and the intended land use for the severed parcels are consistent with the existing interior residential building lots on Boblo Island.

The Committee of Adjustment approved the severances and included as a condition of consent that the applicant enter into a Consent/Development Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services Department.

The Development Agreement deals with the normal site servicing issues, schedules, required approvals from the various Ministries and Agencies, securities, legal obligations for completion of the work and inspections, alterations to the plans, interpretation and application of the agreement.

The proposed development conforms to the Town's planning documents and the Development Agreement addresses site servicing matters in accordance with the requirements of the Planning Act.

4. RISK ANALYSIS:

There is no clear risk to not completing the closure or the conveyance, although, as this area will now remain naturalized it would be best to limit public ROW access. The Town will continue to maintain access to the Town's sanitary sewer through the retained 20' portion.

The recommendations in this report represent a typical level of risk associated with municipal liability for public services. Maintenance and repair of municipal infrastructure will continue to be the responsibility of the Town of Amherstburg.

The Development Agreement provides that building permits cannot be applied for until all services in the agreement have been installed and accepted by the Town. The Development Agreement will be registered against the lands to which it applies.

The Development Agreement is a condition of approval for the consent granted by the Committee of Adjustment for file numbers B/38-42/21. If approval is not granted for the Development Agreement the conditions will not be fulfilled, the consent will lapse and the lots will not be severed for development purposes.

5. FINANCIAL MATTERS:

There is no financial impact to this report in regards to the road closure, conveyance and road dedication. The conveyance of lands back to the developer for \$1 is negligible.

The costs associated with the requests, applications and planning processes are the responsibility of the developer.

The proposed development supports growth and stability in the Town's residential assessment base. Applicable fees and charges will be collected on the new building lots to be created through the consent process.

6. CONSULTATIONS:

The Infrastructure Services Department and Planning division were consulted and confirmed no concerns with the road closure, conveyance, road dedication and development agreement. Both confirmed that it is appropriate to proceed with the reconfiguration and development of the subject lands.

The applications for consent were sent for review to the Infrastructure Services Department, Building Division, County of Essex, ERCA and various other agencies. All comments were considered at the time of approval of consent. The notice of public meeting was sent to all residences within 60 m of the proposed consents.

7. CONCLUSION:

It is recommended that the road closure be approved by Council and By-law 2022-015 be adopted. The by-law will then be sent for registration.

It is also recommended that Part 7, 12R-28927 be conveyed to Boblo Developments Inc.

The Municipal Act, R.S.O. 2001, c 25 Sections 24-68 provides specific municipal powers regarding highways. It is appropriate to dedicate this Part as a public highway at this time by By-law 2022-016. The by-law will then be sent for registration.

Administration recommends that the Development Agreement for Hickory View Court be approved and By-law 2022-017 be adopted as recommended. The agreement will then be sent for registration.



Valerie Critchley
Director, Legislative Services & Clerk

JM

DEPARTMENTS/OTHERS CONSULTED:

Name: Infrastructure Services Department
Phone #: 519 736-3664 ext. 2313

Name: Planning division
Phone #: 519 736-5408 ext. 2134

Report Approval Details

Document Title:	Rd Closure and Conveyance of Whitewood Ridge, Rd Ded. of Hickory View as a Public Hiwy and Dev Agmt for Hickory View.docx
Attachments:	- 2022 02 28- Road Closure of Whitewood Ridge, Road Dedication of Hickory View, Dev Agmt for Hickory View Court-ATTACHEMENTS.pdf
Final Approval Date:	Feb 14, 2022

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



Tiffany Hong



Tony Haddad



Valerie Critchley



BEARING REFERENCE
 BEARINGS SHOWN HEREON ARE NAD 27, 6" UTM, ZONE 17 GRID BEARINGS (1978 ADJUSTMENT), REFERRED TO THE CENTRAL MERIDIAN 81° 00' W LONGITUDE, DERIVED FROM GPS OBSERVATIONS.

PARTS SCHEDULE				PARTS SCHEDULE			
PART	AREA	DESCRIPTION	P.L.N.	PART	AREA	DESCRIPTION	P.L.N.
1	12,897 sq.ft.	PART OF BOIS BLANC ISLAND (BOB-LO ISLAND)	PART OF P.L.N. 01564-0001 REMAINDER OF 1282519	10	5,828 sq.ft.	PART OF BOIS BLANC ISLAND (BOB-LO ISLAND)	PART OF P.L.N. 01564-0001 REMAINDER OF 1282519
2	5,512 sq.ft.			11	5,810 sq.ft.		
3	7,248 sq.ft.			12	5,733 sq.ft.		
4	6,998 sq.ft.			13	5,710 sq.ft.		
5	7,008 sq.ft.			14	5,728 sq.ft.		
6	6,725 sq.ft.			15	6,158 sq.ft.		
7	6,737 sq.ft.			16	6,863 sq.ft.		
8	6,529 sq.ft.			17	6,856 sq.ft.		
9	10,748 sq.ft.			18	5,202 sq.ft.		

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

PLAN 12R-16141
 RECEIVED AND DEPOSITED

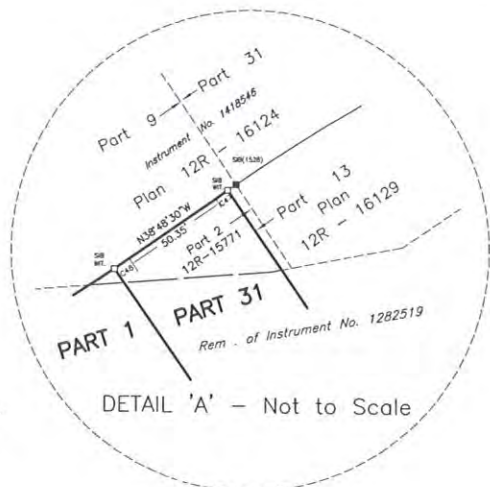
DATE: MARCH 24, 1998 DATE: 1998-03-24

W.C. STUBBERFIELD
 ONTARIO LAND SURVEYOR

AN ASSISTANT DEPUTY LAND REGISTRAR FOR THE REGISTRY DIVISION OF ESSEX (12)

PARTS SCHEDULE			
PART	AREA	DESCRIPTION	P.L.N.
19	5,383 sq.ft.	PART OF BOIS BLANC ISLAND (BOB-LO ISLAND)	PART OF P.L.N. 01564-0001 REMAINDER OF 1282519
20	5,382 sq.ft.		
21	5,382 sq.ft.		
22	5,388 sq.ft.		
23	5,378 sq.ft.		
24	5,089 sq.ft.		
25	5,335 sq.ft.		
26	5,525 sq.ft.		
27	5,580 sq.ft.		
28	5,500 sq.ft.		
29	5,509 sq.ft.		
30	19,534 sq.ft.		
31	56,436 sq.ft.		

PARTS 1 to 31(inclusive) - Part of P.I.N. 01564-0001



PLAN OF SURVEY
 OF
 PART OF BOIS BLANC ISLAND (BOB-LO ISLAND)
 GEOGRAPHIC TOWNSHIP OF MALDEN
 NOW IN THE
 TOWN OF AMHERSTBURG
 COUNTY OF ESSEX, ONTARIO
 VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZARE INC.
 SCALE: 1"=60'

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	123.00'	20.39'	20.37'	N64°20'10"E
C2	253.00'	38.42'	38.39'	N64°44'00"E
C3	123.00'	35.33'	35.21'	N51°21'30"E
C4	253.00'	76.18'	75.89'	N51°45'20"E
C5	123.00'	35.16'	35.04'	N34°56'30"E
C6	253.00'	72.47'	72.22'	N34°55'30"E
C7	123.00'	35.32'	35.20'	N18°31'30"E
C8	253.00'	72.51'	72.26'	N18°30'30"E
C9	123.00'	33.61'	33.51'	N02°28'10"E
C10	253.00'	69.85'	69.63'	N02°23'10"E
C11	123.00'	33.54'	33.43'	N1°10'20"W
C12	253.00'	70.10'	69.88'	N1°32'40"W
C13	123.00'	49.89'	49.55'	N32°36'10"W
C14	123.00'	18.73'	18.71'	N48°35'00"W
C15	238.00'	2.98'	2.98'	N69°06'50"E
C16	238.00'	12.89'	12.89'	N67°12'10"E
C17	238.00'	33.29'	33.26'	N61°38'40"E
C18	368.00'	53.31'	53.26'	N61°30'10"E
C19	238.00'	33.76'	33.73'	N53°34'30"E
C20	368.00'	52.54'	52.50'	N53°15'40"E
C21	238.00'	36.58'	36.55'	N45°06'30"E
C22	368.00'	51.61'	51.57'	N45°09'10"E
C23	238.00'	35.33'	35.30'	N36°27'10"E
C24	368.00'	52.50'	52.46'	N37°02'50"E
C25	238.00'	13.17'	13.17'	N30°36'50"E
C26	368.00'	23.89'	23.89'	N31°06'00"E
C27	172.00'	70.64'	70.14'	N40°47'40"E
C28	172.00'	77.41'	76.76'	N65°27'10"E

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C29	238.00'	35.19'	35.16'	N62°46'00"E
C30	360.00'	53.21'	53.16'	N62°48'00"E
C31	238.00'	35.19'	35.16'	N54°17'40"E
C32	360.00'	53.21'	53.16'	N54°17'50"E
C33	238.00'	35.19'	35.16'	N45°49'20"E
C34	360.00'	53.21'	53.16'	N45°49'50"E
C35	238.00'	35.19'	35.16'	N37°21'00"E
C36	360.00'	53.20'	53.15'	N37°21'40"E
C37	238.00'	16.96'	16.96'	N31°04'20"E
C38	360.00'	25.76'	25.76'	N31°04'40"E
C39	172.00'	59.05'	58.76'	N38°51'50"E
C40	50.00'	14.02'	13.97'	N37°03'30"E
C41	50.00'	21.28'	21.12'	N57°17'00"E
C42	172.00'	62.37'	62.03'	N59°05'10"E
C43	398.00'	24.44'	24.44'	N67°42'50"E
C44	628.99'	39.29'	39.28'	N68°02'40"E
C45	628.99'	42.69'	42.68'	N64°18'00"E
C46	398.00'	49.09'	49.06'	N62°25'20"E
C47	1027.00'	7.09'	7.09'	N38°36'40"W
C48	581.03'	8.56'	8.56'	N38°23'10"W
C49	77.00'	19.74'	19.69'	N45°36'10"W

"IMPERIAL" DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

LEGEND

- SB DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR
- SSB DENOTES 1" X 1" X 2'-0" SHORT STANDARD IRON BAR
- IB DENOTES 5/8" X 5/8" X 2'-0" IRON BAR
- RB DENOTES 3/4" DIAMETER X 2'-0" ROUND IRON BAR
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET AND MARKED 1528
- WT DENOTES WITNESS 1 DENOTES PERPENDICULAR
- (S) DENOTES SET (M) DENOTES MEASURED (D) DENOTES DEED
- (S/P) DENOTES SET PROPORTIONALLY (D/U) DENOTES ORIGIN UNKNOWN
- (P) DENOTES PLAN 12R-15373 (M) DENOTES PLAN 12R-15667
- (1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC., O.L.S.
- (1201) DENOTES CLARKE SURVEYORS INC., O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE REGISTRY ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 23rd DAY OF MARCH, 1998

DATE: MARCH 23, 1998

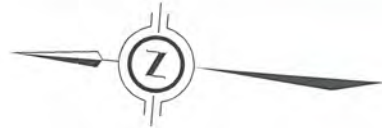
W.C. STUBBERFIELD
 ONTARIO LAND SURVEYOR
 for VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZARE INC.

WINDSOR 475 Devonshire Road, Suite 205 N9Y 2L5 Ph: (519) 255-1173 Fax: (519) 255-1173

VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC.
 ONTARIO LAND SURVEYORS www.vshbbsurveyors.com

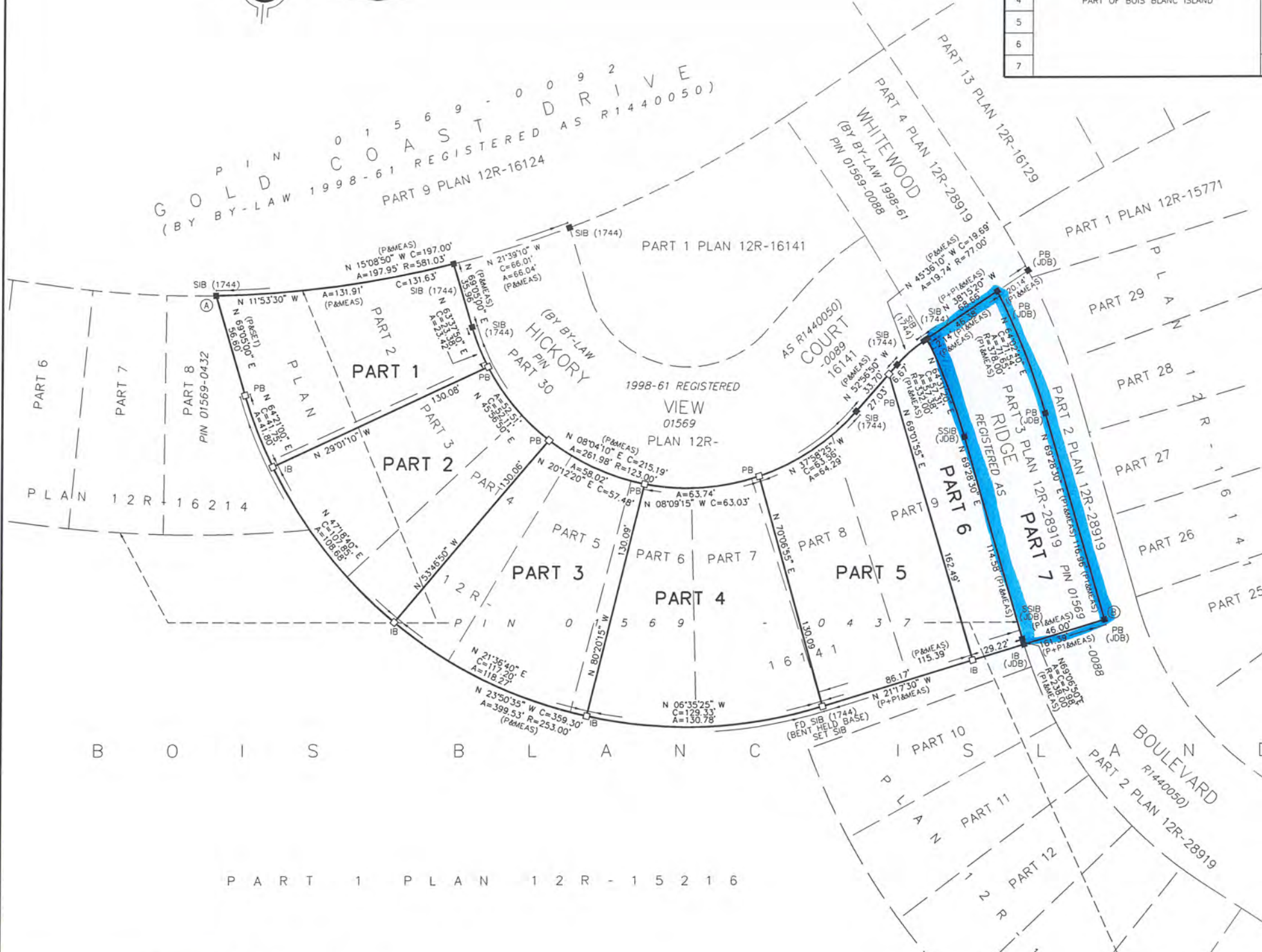
LEAMINGTON 187 Talbot Street East N9H 1L8 Ph: (519) 222-2175 Fax: (519) 222-2175

DRAWN BY: N.M.G. CAD DATE: JUN/31/2008 5:35PM
 CHECKED BY: W.C.S. CAD FILE NO.: F:\DMC\12R-16141.DWG
 WORK ORDER: 4-15643 FILE NO.: S-240(WIND) PLAN FILE NO.: C-1543

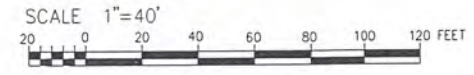


PARTS SCHEDULE				
PART	LOT	CONCESSION	P.I.N.	AREA
1				0.228 Acres.
2				0.241 Acres.
3				0.263 Acres.
4		PART OF BOIS BLANC ISLAND	PART OF 01569-0437	0.290 Acres.
5				0.276 Acres.
6				0.115 Acres.
7			PART OF 01569-0088	0.192 Acres.

PLAN 12R-28927
 Received and deposited
 February 7th, 2022
 Jane Potter
 Representative for the
 Land Registrar for the
 Land Titles Division of
 Essex (No.12)



PLAN OF SURVEY
 PART OF BOIS BLANC ISLAND
 GEOGRAPHIC TOWNSHIP OF MALDEN
 NOW IN THE
 TOWN OF AMHERSTBURG
 COUNTY OF ESSEX



THE INTENDED PLOT SIZE OF THIS PLAN IS 24" IN WIDTH BY 18" IN HEIGHT WHEN PLOTTED AT A SCALE OF 1":40'

VERHAEGEN LAND SURVEYORS - A DIVISION OF JD BARNES LIMITED

IMPERIAL DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
WT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
1744	DENOTES	VERHAEGEN LAND SURVEYORS, OLS
NI	DENOTES	NO IDENTIFICATION
P	DENOTES	PLAN 12R-16141
P1	DENOTES	PLAN 12R-28919

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON JANUARY 20th, 2022.

FEBRUARY 2nd, 2022
 DATE
 ALEC S. MANTHA
 ONTARIO LAND SURVEYOR
 THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2185253

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).
 COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.

POINT ID	EASTING	NORTHING
ORP (A)	1 065 079.88'	15 299 475.24'
ORP (B)	1 064 939.96'	15 298 976.18'

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.
 THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 518.33' N 15°39'40" E

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999957.

VERHAEGEN SURVEYING
 LAND SURVEYORS MAPPING
 A Division of GTS

J. D. Barnes Limited
 187 TALBOT ST E, LEAMINGTON, ON, N8H 1L8
 T: (519) 322-2375 F: (519) 322-2875 www.jdbarnes.com

DRAWN BY: AM	CHECKED BY: AM	REFERENCE NO.: 21-48-024-02
CAD Date: February 2nd, 2022		FILE NO.: E-MALDEN-BOBLO
CAD File: 21-48-024-02.dwg		

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2022-015**

By-law to close Whitewood Ridge Boulevard, Boblo Island

WHEREAS it is deemed expedient to close Whitewood Ridge Boulevard described as follows;

Legal Description All of Whitewood Ridge Boulevard on Plan 12R-16141, Part 31 (PIN 01569-0088)

AND WHEREAS Council adopted a report prepared by Valerie Critchley, Director, Legislative Services/Clerk at the Council Meeting of February 28, 2022 which recommended the said road closure takes place;

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

1. That the following parts of Whitewood Ridge Boulevard as shown on Plan 12R-16141, Part 31 attached to this by-law, shall be closed:

Plan 12R-16141, Part 31, all of Whitewood Ridge Boulevard- PIN 01569-0088

2. That this by-law shall come into force and take effect after the final passing thereof on the day upon which it is registered in the Registry Office for the Registry Division of Essex (No. 12).
3. That the Mayor and the Clerk of the Corporation be and are hereby authorized to do all acts and sign all documents which will be necessary to close the said parts of the road and convey the said lands or a portion of the said lands as provided herein, and to otherwise carry out the intent of this by-law.

Read a first, second and third time and finally passed this 28th day of February, 2022.

MAYOR- ALDO DICARLO

CLERK- VALERIE CRITCHLEY

**THE CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2022-016**

**By-law to dedicate certain lands in the
Town of Amherstburg as a Public Highway
(easterly extension of Hickory View Court)**

WHEREAS the Municipal Act, R.S.O. 2001, c.25 Sections 24-68 authorizes the Council of every municipality to pass a by-law for establishing, laying out, acquiring, assuming, or naming a highway;

AND WHEREAS land has been transferred to the Town to be dedicated as a public highway for the extension of Hickory View Court and it is now appropriate to dedicate Part of Bois Blanc Island, designated as Part 4, Plan 12R-28919 as follows:

12R-28919, Part 4

894.36 square metres

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

1. THAT the lands described as Part 4, 12R-28919, Part of PIN 01569-0088, with a size of area of 894.36 square metres in the Town of Amherstburg, County of Essex, Province of Ontario is hereby dedicated as a public highway, and forms part of Hickory View Court.
2. THAT this By-law shall come into force and take effect immediately upon the final passing thereof at which time all by-laws that are inconsistent with the provisions of this by-law and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law.

Read a first, second and third time and finally passed this 28th day of February, 2022.

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY

**THE CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2022-017**

**By-law to authorize the execution of a Development Agreement
between Boblo Developments Inc.
and the Corporation of the Town of Amherstburg**

WHEREAS Boblo Developments Inc. have proposed the subdivision and servicing of lands owned by them within Hickory View Court, legally described as Part of Bois Blanc Island, RP 12R-28927, Parts 1 to 7 (formerly Township of Malden) now in the Town of Amherstburg;

AND WHEREAS the Corporation of the Town of Amherstburg have settled with Boblo Developments Inc. the requirements for the provisions of Municipal Services within the area to be subdivided, which requirements are set out in the agreement hereto annexed, and which agreement is ratified and adopted by Boblo Developments Inc.;

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

1. That the Corporation of the Town of Amherstburg enter into a Development Agreement with Boblo Developments Inc. in the form annexed hereto, and the Mayor and Clerk be and they are hereby authorized to sign the original and copies thereof and affix the Corporate Seal thereto.
2. This By-law shall come into force and effect on the date of final passage hereof.

Read a first, second and third time and finally passed this 28th day of February, 2022.

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY

TABLE OF CONTENTS

1. Schedules - 3 -

2. Recitals - 3 -

3. Installation of Services - 3 -

4. Certificate of Liability Insurance..... - 4 -

5. Save and Hold Harmless..... - 4 -

6. Drawings and Tenders - 4 -

7. Construction of Services by Contractors - 4 -

8. Inspection - 4 -

9. Approval for Commencement of Work - 5 -

10. Work Schedule/Quality of Work..... - 5 -

11. Developers Responsibilities Until Final Acceptance..... - 5 -

12. Building Permits - 6 -

13. Registration Requirements..... - 6 -

14. Installation of Services and Associated Fees - 7 -

15. Financial Security..... - 7 -

16. Maintenance Security..... - 7 -

7 -

17. Iron Bars..... - 7 -

18. Staking of Bars Prior to Construction - 7 -

19. Developers Responsibilities in Regard to Damages..... - 7 -

20. Additional Work - 8 -

21. Rear Yard Drainage - 8 -

22. Access to Property - 8 -

23. Grading/Dumping/Removal of Material..... - 8 -

24. Grass and Weed Maintenance..... - 8 -

25. Municipal Address Numbers..... - 8 -

26. Initial Acceptance of Services..... - 9 -

27. Final Acceptance of Services - 9 -

28. Easements - 9 -

29. Town's Fees - 9 -

30. Register Notice of Agreement - 9 -

31. Development Charge - 9 -

32. Town Engineer - 10 -

33. Use of General Terms - 10 -

34. Enforcement of Agreement - 10 -

35. No Waiver of Rights - 10 -

36. Parkland – Cash in Lieu - 10 -

37. Schools - 10 -

38. Cure Period - 11 -

39. Notice - 11 -

40. Agreement Binding on Parties..... - 12 -

DEVELOPMENT AGREEMENT

THIS AGREEMENT made in quadruplicate this 28th day of February, 2022.

BETWEEN:

BOBLO DEVELOPMENTS INC.
(hereinafter called the “**Developer**”)

OF THE FIRST PART;

- and -

THE CORPORATION OF THE TOWN OF AMHERSTBURG
(hereinafter called the “**Town**”)

OF THE SECOND PART;

WHEREAS the Developer proposes the subdivision, development, servicing and sale of lands within Hickory View Court, legally described as Part of Bois Blanc Island, RP 12R-28927, Parts 1 to 7 (formerly Township of Malden), now in the Town of Amherstburg, County of Essex which lands are more particularly described in Schedule “A” annexed hereto;

AND WHEREAS the Amherstburg Committee of Adjustment granted consent on June 29, 2021 for the subdivision of lands to create five (5) lots for purposes of single unit dwellings, subject to conditions imposed including a provision that the Developer agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town concerning the provision of grading, installation/decommissioning of services, drainage, road rehabilitation, watermain looping, parkland dedication and other matters;

AND WHEREAS the Developer represents and warrants to the Town that it is now the registered Developer of all of the lands described in Schedule “A” annexed hereto and that all of the right, title and interest of its predecessors in title and all the right and authority to complete the subdivision and to develop the lands is vested in it.

NOW THEREFORE IN CONSIDERATION of the premises and of the Town certifying to the Committee of Adjustment that the requirements of the Town have been met, the parties hereto agree as follows:

1. Schedules

The following Schedules are attached hereto, are hereby made a part of this Agreement, as fully and to all intents and purposes as though recited in full herein:

- i. Schedule “A” Legal Description;
- ii. Schedule “B” Design Criteria;
- iii. Schedule “C” Interpretation;
- iv. Schedule “D” Registered Reference Plan;
- v. Schedule “E” Lot Grading Plan – including road rehabilitation
- vi. Schedule “F” Lot Servicing Plan – Including watermain looping

2. Recitals

The foregoing Recitals are true in substance and in fact and are hereby incorporated herein by reference.

3. Installation of Services

The Developer will design, construct and install Services at its own expense on the Lands described in Schedule “A” annexed hereto, all of the services referred to in Schedule “B” in accordance with such design criteria, detailed plans and work schedules to be filed in the office of the Clerk of the Town, with good materials, in

a good, workmanlike and timely manner, in accordance with good and accepted engineering practices, and to the satisfaction of the Town, and in all cases the Town engineer.

4. Certificate of Liability Insurance

The Developer will provide to the Town, on or before the commencement of any construction and installation of any of the Services called for herein, a certificate of liability insurance satisfactory to the Town, naming the Town as an additional insured party. The insurance shall protect the Developer and the Town against any liability that might arise out of the construction or installation of any of the Services herein referred to, and the said Developer shall continue such insurance in full force and effect so long as any Services are to be constructed or installed, and for a period of two (2) years after completion and Final Acceptance of the last of such Services. The limits of liability for public liability and property damage coverage under such insurance shall not be less than \$5,000,000.00. Before commencement of the installation of the Services, the Developer's consulting engineer shall provide satisfactory evidence to the Town that the said consulting engineer maintains a policy of public liability insurance and errors and omissions insurance satisfactory to the Town, which policy is to be maintained in full force and effect until the Services are completed and formally accepted (final acceptance) by the Town.

5. Save and Hold Harmless

The Developer covenants and agrees to save the Town harmless from any and all claims, demands, loss, costs, or damages, including legal costs on a substantial indemnity basis in any way arising from or related to the subdivision and the proposed development thereof, arising or accruing to anyone up to two years after the completion and Final acceptance of the last of the Services in the subdivision.

6. Drawings and Tenders

The Developer shall submit all plans, design drawings, grading plans and specification lists, all of which shall carry the seal of the professional engineer who is responsible for such design and be signed by him, to the Town for examination by them and the Town engineer. In the case of any Services to be constructed by contract, the Developer shall also submit to the Town a copy of each set of "information for tenders" documents and each proposed contract together with the names of the proposed contractors and sub-contractors to be engaged. The Developer shall file with the Town work schedules for the construction and installation of all Services, whether by the Developer, the contractors, sub-contractors or others. The Developer shall obtain the approval in writing of the Town to all of the foregoing, except the selection of contractors or sub-contractors before granting any contract or commencing any work. The design criteria contained in Schedule "B" hereto shall constitute the minimum conditions upon which tenders are made, contracts let, or work done. The Developer's consulting engineer, or successor thereto, shall continue to be retained by the Developer until the works are complete and formally accepted by the Town.

7. Construction of Services by Contractors

In case of construction of Services by contractors, the Developer shall comply with all of the holdback provisions of the Construction Lien Act. In the construction of all Services the Developer shall indemnify and save the Town harmless from any and all claims, actions and demands resulting from the construction and installation of Services.

8. Inspection

The Town, and its authorized agents, including the Town engineer, shall have the right at any time and from time to time to inspect all services during and after construction and to inspect and test all materials proposed to be used in the construction of any of the services. The costs of such inspections and tests shall

be paid by the Developer within 30 days of written demand by the Town. If at any time, the construction of any service or material is, in the opinion of the Town engineer, acting reasonably, not in accordance with the plans and specifications or not in accordance with good engineering practices or any of the provisions of this agreement, the Town engineer may order the materials to be replaced or the work to be placed in satisfactory condition within such time as he may specify, and in the event of the Developer failing to comply or obtain compliance with such order, the Town engineer may stop work upon such services, or in his sole discretion upon all services. The Developer shall at all times provide all information requested by the Town, its authorized agents and the Town engineer in relation to the various materials and services and shall at any time at his expense expose any municipal service for inspection by the Town engineer. Notwithstanding the generality of the foregoing, the rights of the Town and its authorized agents including the Town engineer hereunder shall be limited to a period of one year after the initial acceptance of the last of the services within or required to facilitate the servicing of lots where such inspection, testing or other action is proposed.

9. Approval for Commencement of Work

No work shall commence without the approval of the Town and any work requiring the approval or consent of any other governmental authority shall not commence until such approval or consent has also been obtained. No watermain, drainage/storm sewer, gas or hydro line shall be connected to any existing municipal services without the written approval of whichever of the Town or approval authority has jurisdiction over such municipal system.

10. Work Schedule/Quality of Work

The Developer will prepare and submit to the Town, plans for the installation of Services for each phase of the development and will request a pre-construction meeting with the Town and its consultants in order to establish a work schedule acceptable to the Town and shall proceed with reasonable development procedures and in accordance with such work schedule. Subject to Force Majeure, if the Developer fails to proceed with reasonable development procedures and in accordance with the accepted work schedule or if in the opinion of the Town Engineer the Services are not being installed in accordance with the drawings, or specifications approved therefore, or in accordance with good engineering practices in a good, workmanlike manner, using good materials, then the Town shall give the Developer thirty (30) days to Cure any default following which and in addition to any other remedy the Town may have, the Town may, without further notice, enter upon the lands of the Developer and proceed to supply all materials and do all necessary work in connection with the installation of the Services, including the repair or reconstruction of faulty work, and replacement of materials not in accordance with the drawings or specifications and the Town shall charge the cost thereof, including all engineering and other fees to the Developer, who shall forthwith pay the same within thirty (30) days of a written demand therefor by the Town. In the event that the payment is not received within thirty (30) days of the written demand by the Town, the amount expended shall constitute and be a lien and charge upon the lands of the developer and may be collected as real property taxes in accordance with the Municipal Act as amended from time to time.

11. Developers Responsibilities Until Final Acceptance

Until such time as the Town has finally accepted each of the Services, including roadways herein referred to, the Developer shall be responsible therefor. The responsibility of the Developer prior to Final Acceptance by the Town shall include liability for all types of maintenance in connection therewith. If the Developer should in the opinion of the Town or of its agents or employees fail to maintain any Service including roadways, prior to the Final Acceptance by the Town, the Town may without notice in case of emergency, or in any other case on 30 days' notice, if such default is not Cured by the Developer during the 30 day notice, maintain the same, but in so doing, the Town shall for all purposes be deemed to

have acted as agent for the Developer, without in any way being deemed to have finally accepted such Service, or to have incurred any liability for future maintenance, and the Town shall be entitled to reimbursement for the cost of any such maintenance, within thirty (30) days of written demand therefor, and the Town shall further be relieved of liability for damages caused unintentionally, in the course of such maintenance. Snow removal, salting or sanding by the Town shall not constitute acceptance of the roads by maintenance thereof. The Developer shall also be responsible for the cleaning and flushing of sewers throughout the development until such time as the maintenance period for the construction of the Services has expired. The Town shall have the right to inspect the said sewers from time to time and, if deemed necessary, may require the Developer to clean and flush same immediately, and the Developer hereby agrees to perform such cleaning and flushing on demand to the entire satisfaction of the Town.

12. Building Permits

The Developer covenants and agrees on behalf of itself and its successors in title to any lot, not to apply for any building permit for the construction of any building on any lots covered by this agreement until all of the services relating to all of the lots therein have been installed and accepted by the Town.

(a) Tree Provision/Mailbox Requirements

The Developer shall:

i. Tree Provision

The Developer will provide to the Town, before the commencement of any construction or installation of any service, an irrevocable letter of credit (self-renewing and without burden of proof), or a certified cheque, satisfactory to the Town, the value of the trees to be planted (i.e. \$500 x the number of lots in the phase). The trees will be installed by the developer on the lots where homes have been constructed and the front and side yards have been seeded and sodded, once per year annually in the fall. The Town will review the number of trees planted annually and refund the tree deposits for those trees planted on a pro rata basis. The trees will be planted in accordance with the Town's Tree By-law on the municipal ROW, and at a minimum of 60 mm in caliper based on the Tree By-law; and

ii. Super Mailboxes (if applicable)

Contact Canada Post to determine the location of super mailboxes, mail delivery location, and shall notify all purchasers of the exact location thereof. The location of any super mailbox also to be satisfactory to the Town.

(b) Landscaping Requirements

The front lawn and exterior side yard of each lot shall be sodded, seeded or otherwise landscaped within six months of the construction of a house thereon, and such sodding, seeding or landscaping shall be continued over the unpaved portion of the road allowance, including any lands between the road, to the front of such lot. Such sodding, seeding or landscaping shall be maintained in perpetuity. The Developer shall impose a covenant to this effect in the transfer of each lot conveyed by it.

13. Registration Requirements

The Developer covenants and agrees to cause the local Land Registrar to register, immediately after registration of the draft reference plan, as annexed to each lot in the proposed development, a condition of restriction running with the lands, that such lot is not to be built upon unless the provisions of paragraph 11 of this agreement, limiting entitlement to building permits has been complied with.

14. Installation of Services and Associated Fees

The Developer will be responsible to provide to the Town all applicable fees for the installation of water connection, meters and meter pits for each lot, and any further costs necessary as determined by the Building Division and Public Works, for the installation of water connections prior to the issuance of building permits. Any required culverts on Town property must be approved by the Town's Engineering and Public Works Department and will require a right-of-way permit for each culvert. Application for the permit must be accompanied by applicable fees and deposits as required for a right-of-way permit.

15. Financial Security

The Developer will provide to the Town, before the commencement of any construction or installation of any service, an irrevocable letter of credit (self-renewing and without burden of proof), or a certified cheque or a subdivision demand security satisfactory to the Town, in an amount equal to 50% of the value set by the Town for all Services to guarantee satisfactory installation of all Services. This value will be established based on the prices in the tender. The Developer must provide the completed tender form from the contractor to the Town. If work is not tendered the Consulting Engineer must provide a tender form that provides an estimate of cost to establish the value of securities. If the provision of Services to the lots requires the construction or installation of any services outside the subdivision, the foregoing provisions as to the security equal to 100% of the value for Services shall extend to and be required in connection with any Service extending outside.

16. Maintenance Security

The Developer shall provide to the Town an irrevocable letter of credit, (self-renewing and without burden of proof), or a certified cheque or a subdivision demand security satisfactory to the Town, in an amount equal to 25% of the value set by the Town upon initial acceptance thereof, for all servicing of lots within the subdivision, until Final Acceptance of services after completion and initial acceptance by the Town of the last service provided. If the Town agrees and/or requests that some of the work be delayed, Performance Securities for 100% of the outstanding works would be required in addition to the Maintenance Security.

17. Iron Bars

The Developer will file with the Town a surveyor's certificate dated within 30 days before the application for initial acceptance by the Town of asphalt surfacing on roadways, to the effect that all Standard Iron Bars shown upon the plan of subdivision have been located or replaced.

18. Staking of Bars Prior to Construction

Before the sale of any lot or the issue of any building permit within the subdivision the Developer shall stake to the satisfaction of the Town engineer, the locations of all Standard Iron Bars, and shall maintain such staking to the satisfaction of the Town, its respective servants and agents and the Town engineer, in relation to each lot until the home foundation is installed and all services to the proposed home have been provided. The Developer will provide to the Town engineer on request, and to any proposed builder, all usual information as to grades and levels for each lot within the subdivision.

19. Developers Responsibilities in Regard to Damages

The Developer undertakes and agrees to pay for any damage caused to any existing road, road allowance, structure or plant and any costs involved in the relocation of or repair or connection to any existing services arising in any way from or in connection with this agreement or the provision of services called for herein including the changing of grades of existing adjacent roads, and also any taxes or other charges levied or to be levied upon the lands to be subdivided, until

such time as the lands have been assessed and entered on the collector's roll according to the proposed and presently registered plans.

20. Additional Work

If at any time prior to final acceptance of the last of the services by the Town it is of the opinion that additional works are proven necessary to provide adequately any of the public services specified in the schedules hereto, which were not reasonably foreseeable at the date of this Agreement then the Developer shall construct, install or perform such additional work at the request of the Town provided that if the Developer disagrees that such additional works are necessary, the question shall be resolved by a single arbitrator if the parties can agree on one, otherwise by a panel of three arbitrators proceeding under The Arbitrations Act.

21. Rear Yard Drainage

Rear lot drainage will be installed on each lot, in connection with the construction of a house thereon, and shall be connected to the storm sewer system. The specifications, design and installation of such rear yard drainage shall be acceptable to, and subject to the approval of the Town engineer. On an application for a building permit on any lot within the lands to be subdivided, the builder shall produce a plan or sketch satisfactory to the Chief Building Official of the proposed rear yard drainage, which shall be deemed to be a requirement to meet the Surface Drainage and Drainage Disposal requirements of the Building Code. The installation of such rear yard drainage shall be subject to the same inspections as foundation drains and the Chief Building Official may issue work orders to stop work orders in relation thereto (as applicable).

The rear yard drainage system as designed by a qualified engineer shall be provided for each lot. The Developer shall ensure an easement is finalized providing for the joint maintenance of the drainage system by the property owners in perpetuity in the transfer of each lot conveyed by it.

22. Access to Property

The Developer shall ensure access to the proposed five (5) lots be provided prior to the stamping of the deeds. To have appropriate access the road rehabilitation must be completed, including asphalt.

23. Grading/Dumping/Removal of Material

The Developer shall carry out all grading of all lands, in accordance with the grading plans to be filed in the office of the Chief Building Official of the Town Amherstburg, and shall forthwith carry out temporary or permanent drainage work that the Town engineer may certify to be necessary to eliminate ponding erosion, channeling of underground water or other drainage problems. The Developer shall neither dump nor permit to be dumped any fill or debris, or remove or permit the removal of any soil or fill from any of the lands to be subdivided without the written consent of the Town engineer. In seeking consent of the Town engineer to the removal of topsoil the Developer shall establish that when final grades are established for all of the lots and blocks within the subdivision there will be topsoil to a depth of at least four inches (4") over the entire area.

24. Grass and Weed Maintenance

The Developer shall be responsible for the proper maintenance of grass and weeds throughout the development under the direction of the Town until such time as a building permit is issued on a lot or the lot is transferred to a new owner. The Developer is required to place notice on title of this requirement on each lot conveyed by it.

25. Municipal Address Numbers

The Developer shall ascertain from the Town the appropriate municipal address numbers for each lot, and shall provide such numbers to prospective purchasers,

builders and lenders.

26. Initial Acceptance of Services

The Developer shall apply for initial acceptance of each individual service by filing with the Town a certificate under the hand and seal of its project engineer that the construction and/or installation of such services has been completed in accordance with the design criteria and the plans and specifications therefore approved and filed by the Town before construction, and by filing as-built drawings of such service, and a certificate of payment therefor and of compliance with the Construction Lien Act. The Town and its authorized agents, including the Town engineer, shall carry out such inspections as they deem necessary, and such service shall then be initially accepted after the Town engineer certifying that such service has been completed in accordance with the agreement, providing that all the covenants of this agreement have been complied with to the date of such certificate. After initial acceptance and after maintenance securities or bonds have been filed, the performance bond or security in lieu thereof relating to such service shall be released.

27. Final Acceptance of Services

The Town shall finally accept the services upon the Town engineer and the Town being satisfied that all covenants under this agreement have been fully complied with and all repairs and replacement required during the maintenance period has been carried out within such phase, and then authorizing release of the maintenance securities or bonds.

28. Easements

The Developer covenants and agrees that such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority and registered on title, including a covenant being registered on title of the most easterly lot acknowledging that the property abuts an active Public Works yard.

29. Town's Fees

The Developer undertakes, covenants and agrees to pay any planning, engineering, legal, auditing or other fees or disbursements incurred by the Town relating in any way to the proposed subdivision, or the servicing thereof, or to this agreement, including negotiations and preparations prior to its execution and including the entire fees and disbursements of the Town engineer when acting pursuant to the terms of this agreement, and any clerical or administrative expense of the Town relating in any way to or arising from this agreement, forthwith upon being invoiced therefor.

30. Register Notice of Agreement

The Developer covenants and agrees to cause the Local Land Registrar to register notice of this agreement against all of the lands affected hereby, immediately after registration of the draft reference plan, and to obtain acknowledgment, consent and postponement agreements, from any and all encumbrances registered prior to registration of such notice.

31. Development Charge

The Developer and subsequent owners acknowledge that the lands subdivided by this agreement are subject to the Town of Amherstburg Development Charges By-Law in effect at the time of building permit issuance and any other applicable development fees as determined by the Town from time to time. The Charges herein shall be in effect at the time of the issuance of a building permit. The Developer undertakes and agrees to provide that all Offers of Purchase and Sale include information that satisfies Subsection 59(4) of the Development Charges Act, with acknowledgement of Education Development Charges and any other applicable legislation such as the Planning Act.

32. Town Engineer

Throughout this agreement the term Town Engineer shall mean the professional engineer or firm of professional engineers retained by the Town to carry out the duties referred to in this agreement. Notwithstanding the above, the Town may agree to the use of a single engineering firm. However, should any dispute arise as a result of this agreement, the selected engineering firm shall be responsible to the Town, and the Developer shall be required to retain its own professional engineer.

33. Use of General Terms

Throughout this agreement the singular shall be deemed to include the plural, and the masculine, feminine and neuter genders shall be interchangeable as the context and applicable situations may require.

34. Enforcement of Agreement

The Developer will not call into question directly or indirectly in any proceeding whatsoever in law or in equity or before any administrative or other tribunal the right of the Town to enter into this agreement and to enforce each and every term, covenant and condition thereof and this provision may be pleaded by the Town in any such action or proceeding as a complete and conclusive estoppel of any denial of such right. If any provision of this agreement shall be found to be or deemed illegal or invalid, the remainder of the agreement shall not be affected thereby.

In the event of any default or breach of this Agreement by the Developer, which causes the Town to incur any cost, expense or damage, including the reasonable costs of utilizing its own employees, to remedy the default or breach, and in addition to any other remedy available to the Town in law or in equity, the Town is entitled to payment by the Development for the amounts incurred by the Town within thirty (30) days of notice of the demand for reimbursement being sent to the Developer. If the Developer fails to pay the amount of the demand in full, the amount outstanding shall constitute and shall be a lien and charge upon the lands of the Developer and may be collected as real property taxes in the same manner and priority as described in the provisions of the Municipal Act as amended from time to time

35. No Waiver of Rights

No indulgence or forbearance by the Town shall be deemed to constitute a waiver by the Town of its rights to insist on performance in a full and timely manner of all the covenants contained herein, and any such waiver, in order to be binding, must be in writing and duly authorized by the Town Council. No such waiver of any provisions, conditions or covenants shall be deemed to be a waiver of the right to later require full and timely compliance with the same terms, conditions or covenants, or with any other terms, covenants or conditions of this agreement at any time.

36. Parkland – Cash in Lieu

In accordance with the requirements of the Planning Act the Developer shall convey Cash in Lieu of parkland. The applicable parkland fee shall be paid in full prior to the stamping of the deeds as required in the standard conditions of consent.

37. Schools

In accordance with the requirements of the Greater Essex County District School Board and the Windsor Essex District Catholic School Board, the Developer is required to place notice on title for purchasers of the lots to be aware that students may not be able to attend the closest school and could be bused to a distant school with available capacity.

38. Cure Period

Throughout this Agreement, where reference is made to the Town undertaking works on behalf of the Developer because of default or some other reason, it is agreed that the Developer will be given thirty (30) days to Cure any such deficiency, default or other problem or commence to Cure default and proceed diligently to remedy same prior to the Town undertaking the required works unless such deficiency, default or other problem is deemed to be an emergency.

39. Notice

Any notice, direction or other instrument required or permitted to be given by any party under this Agreement shall be in writing and shall be sufficiently given if delivered personally, sent by prepaid first-class mail or transmitted by telecopier or other form of electronic communication during transmission of which no indication of failure or receipt is communicated to the sender:

In the case of notice to the Developer:

Boblo Developments Inc.
2199 Blackacre Drive
Oldcastle, ON N0R 1L0

In the case of notice to the Town:

271 Sandwich Street South
Amherstburg, ON N9V 2A5
Attention: The Clerk
Fax: (519) 736-5403

Manager of Planning Services
Fax: (519) 736-9859

Manager of Engineering
Fax: (519) 736-7080

Any such notice, direction or other instrument if delivered personally, shall be deemed to have been given and received on the date on which it was received at such address, or, if sent by mail, shall be deemed to have been given and received on the date which is five (5) days after which it was mailed, provided that if either such day is not a Business Day, then the notice shall be deemed to have been given and received on the Business Day next following such day. Any notice transmitted by telecopier or other form of electronic communication shall be deemed to have been given and received on the date of its transmission provided that if such day is not a Business Day or it is received after the end of normal business hours on the date of its transmission at the place of receipt, then it shall be deemed to have been given and received at the opening of business in the office of the recipient on the first Business Day next following the transmission thereof. If normal mail service, telex, telecopier or other form of electronic communication is interrupted by strike, slowdown, Force Majeure, or other cause, a notice, direction or other instrument sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice shall utilize any other such service which has not been so interrupted to deliver such notice.

40. Agreement Binding on Parties

This agreement shall enure to the benefit of, and be binding upon the parties hereto, and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Parties have executed this Agreement, as of the date set out above, under the hands and seals of their respective and duly-authorized signing officers.

DEVELOPER: BOBLO DEVELOPMENTS INC.

Per Dominic Amicone

I have authority to bind the Corporation

**THE CORPORATION OF THE
TOWN OF AMHERSTBURG**

Per Aldo DiCarlo, Mayor

Per Valerie Critchley, Clerk

We have authority to bind the Corporation

*Authorized and approved by By-law
No. 2022-017 enacted the 28th day of
February, 2022.*

SCHEDULE A
LEGAL DESCRIPTION

The following is a description of the land to which this instrument applies.

Part of Bois Blanc Island,
Designated as Parts 1 to 7, 12R-28927,
Town of Amherstburg,
County of Essex,
Province of Ontario

DRAFT

SCHEDULE B
DESIGN CRITERIA

**FOR SERVICES TO BE PROVIDED IN THE
HICKORY VIEW COURT (5 LOTS)
BOBLO ISLAND
TOWN OF AMHERSTBURG**

The required service connections and drainage shall be constructed in accordance with plans and specifications prepared by a professional engineer, registered to practice in the Province of Ontario, and acceptable to the Town of Amherstburg. Criteria, upon which these services are to be designed, are as described in this schedule.

1. Storm Drainage

Storm drainage connections to be installed / decommissioned based on plans and specifications prepared by a professional engineer.

Private service connections (including cleanouts) from the storm sewers to the front property line of each building lot shall be provided and the developer shall install one private service connection for each unit. The minimum size of service connections shall be 150mm diameter. Private storm service connections and clean-outs shall not be constructed under future driveways.

2. Sanitary Sewers

Sanitary sewer connections to be installed / decommissioned based on plans and specifications prepared by a professional engineer. Each building lot shall be provided with access to an individual sanitary sewer service connection for each unit. The minimum sanitary service connection size shall be 125mm in diameter. Each sanitary service shall be provided with a clean out situated at the property line as per clean out detail on the approved engineering drawings.

3. Watermains

Where required the Developer shall construct and install / decommission connections to all lots in accordance with the approved engineering drawings. Each lot shall be serviced by a single water service connected to the mainline.

Minimum Cover	1.5m
Lot Connection	19 mm dia.
Pipe Material	Copper (Type "K")

Design and installation shall be in accordance to the Town's watermain specification to the satisfaction of the Town of Amherstburg.

The Developer shall obtain a certificate of approval from the Ministry of the Environment, Design Approval Branch.

4. Hydro Service

The Developer shall construct and install a sufficient hydro distribution system to service the development with connections to the 5 lots therein and connect the same to the existing hydro distribution system. Individual lot services, where possible, shall be provided on common lot lines so that residential hydro meters face each other. The hydro distribution system within the development shall be grounded to the water distribution system if applicable. All hydro service within the development shall be designed and installed in accordance with the requirements and criteria of the Town of Amherstburg and Hydro One.

5. Telephone

The Developer shall arrange for Bell Telephone to provide underground telephone service to all of the lots within the development.

6. Gas (if applicable)

The Developer shall arrange for Union Gas Company to provide underground gas service to all of the lots within the subdivision.

7. Adjustments

The grade of any and all water service boxes, valves chambers, hydrants, manholes, drains and transformer boxes shall be adjusted by the Developer when and as may be required by the Town engineer.

8. Temporary Services

Upon a connection of any type being made to the hydro or water services, a temporary meter or meters of a type and in a location or locations satisfactory to the Town shall be installed and continuously maintained until all hydro and/or water used within the subdivision, once the same is accepted by the Town, is metered through approved private connections. The Developer shall be responsible for, and will promptly pay or cause to be paid all charges for hydro and water supplied to the subdivision.

9. Easements (if applicable)

The Developer agrees that such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.

10. Rear Yard Drainage

- a) Rear yard drainage shall be provided for each building lot in the locations and according to the specifications prescribed by the approved engineering drawings and as approved by the Corporation. Rear yard drainage shall be installed contemporaneously with the construction of dwellings on each building lot. A separate rear yard drainage system consisting of shared grassed swales shall be provided for each building lot. Rear yard drains shall be installed in accordance with the Drainage Reports approved by Council.
- b) The Developer shall, at its own expense, prepare a lot grading and rear yard drainage plan for each individual building lot within this development and shall file same with the Corporation. The lot grading plan shall show proposed dwelling elevation, proposed elevations at lot corners and direction of flow of the rear yard drain. The final elevations of all dwellings and other buildings, minimum opening elevations, where applicable and the final lot grades relating thereto and the rear yard drainage shall conform to the proposed lot grading and rear yard drainage plan filed for that lot. The consulting engineer, or a certified Ontario Land Surveyor, shall certify upon completion of the construction of the dwelling and building on each lot that the said lot grading and rear yard drainage plan has been complied with, in accordance with the approved engineering drawings, and until such time as the said certification has been received by the Corporation, occupancy of the dwelling on the subject building lot shall not be permitted.

11. Special Servicing Requirements

The construction of structures shall conform to the following requirements:

- a) Roof or rain water leaders shall **NOT** be connected to the storm sewer. They are to be discharged to ground on splashpads. Weeping tile drains from each respective building must be discharged to a storm sewer. A sump pump connected to the storm sewer must be provided for each building.
- b) Sump pump overflow piping must be installed

- c) Weeping tile drains shall not be connected to the sanitary sewers.
- d) Basement floor drains shall be connected to the sanitary sewers provided for each dwelling.
- e) All homes must be designed to include a sewage ejector pump. Gravity flow from the home will not be accepted.
- f) Rear yard drainage, including 300 mm. diameter pre-fabricated polyethylene catch basins, shall be provided for each building lot in the locations and according to the design and specifications as shown on the approved engineering drawings.
- g) A lot grading plan shall be included in the final set of plans approved for construction of the works. The consulting engineer or a certified land surveyor shall certify, upon completion of the works, that the lot grades and catch basin elevation are in accordance with the design and that the lands abutting the subdivision are draining adequately. The Developer acknowledges that, until such time as the provisions of this paragraph have been complied with, no final inspection of any building shall be permitted and any and all securities delivered to the Corporation by the Developer herein shall be held to ensure the provisions of this paragraph are complied with.

DEVELOPER: BOBLO DEVELOPMENTS INC.

Per _____
 Dominic Amicone

I have authority to bind the Corporation

**THE CORPORATION OF THE
 TOWN OF AMHERSTBURG**

Per _____
 Aldo DiCarlo, Mayor

Per _____
 Valerie Critchley, Clerk

We have authority to bind the Corporation

*Authorized and approved by By-law
 No. 2022-017 enacted the 28th day of
 February, 2022.*

SCHEDULE "C"
INTERPRETATION

The following definitions shall apply in the interpretation of this Agreement:

"Cure" means that the Developer has commenced the works required to address the Event of Default that has been identified and for which notice in accordance with this Agreement has been provided and is proceeding diligently to remedy any deficiency or default.

"Event of Default" means if the Developer fails in the performance of an obligation under this Agreement, and the Town issues a notice of such failure or default and a demand for performance, observance or compliance has been given. In such cases, the Town must allow the Developer a minimum of thirty (30) days to Cure the default unless such default is determined to be an emergency by the Town in which case a minimum less than thirty (30) days can be established for the Developer to Cure the default.

"Final Acceptance" means the date, commencing no sooner than the expiry of the maintenance period wherein the Developer's Consulting Engineer has provided a declaration to the Town confirming that the works and Services have been completed in accordance with the terms of this Agreement and the Town engineer formally accepts the Services in writing.

"Force Majeure" means and includes acts of God, terrorist attacks, weather conditions, labour disputes, shortage of labour and materials and any happening, condition or thing beyond the control of a person which could not reasonably have been anticipated and avoided by such person which delays or prevents such person from performing any of its obligations hereunder, financial inability excepted.

"Lands" means those lands as described in Schedule "A" attached hereto.

"Services" means the storm sewers, sanitary sewers, waterlines, roads, curbs and hydro services, including those components of infrastructure.

DEVELOPER: BOBLO DEVELOPMENTS INC.

Per _____
Dominic Amicone

I have authority to bind the Corporation

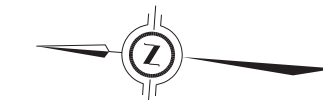
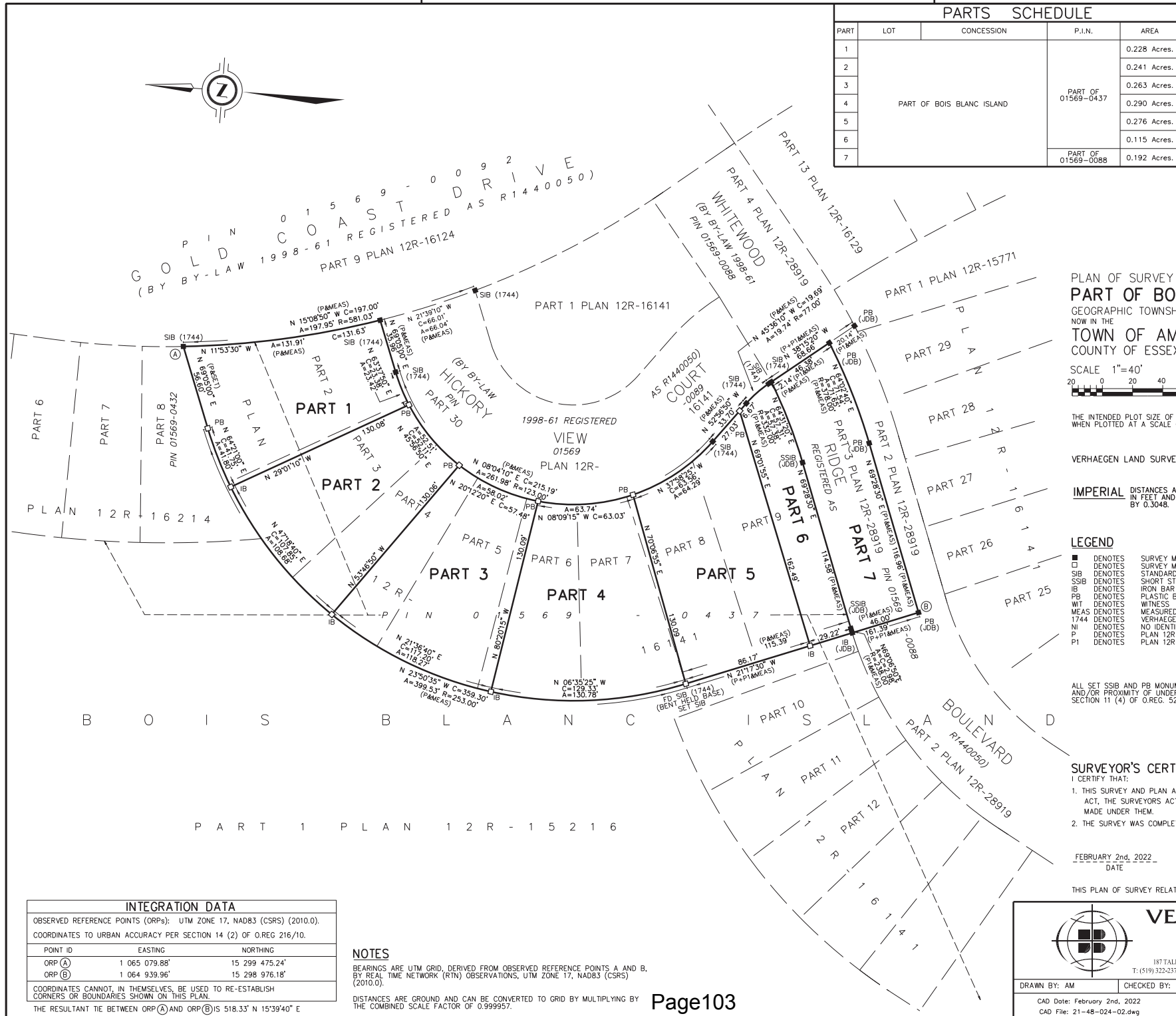
**THE CORPORATION OF THE
TOWN OF AMHERSTBURG**

Per _____
Aldo DiCarlo, Mayor

Per _____
Valerie Critchley, Clerk

We have authority to bind the Corporation

*Authorized and approved by By-law
No. 2022-017 enacted the 28th day of
February, 2022.*



GOLD COAST DRIVE
 (BY BY-LAW 1998-61 REGISTERED AS R1440050)
 PART 9 PLAN 12R-16124

PART 1 PLAN 12R-16141
 PART 2 PLAN 12R-16214
 PART 3 PLAN 12R-16214
 PART 4 PLAN 12R-16214
 PART 5 PLAN 12R-16214
 PART 6 PLAN 12R-16214
 PART 7 PLAN 12R-16214
 PART 8 PLAN 12R-16214
 PART 9 PLAN 12R-16214
 PART 10 PLAN 12R-16214
 PART 11 PLAN 12R-16214
 PART 12 PLAN 12R-16214
 PART 13 PLAN 12R-16129
 PART 14 PLAN 12R-16129
 PART 15 PLAN 12R-16129
 PART 16 PLAN 12R-16129
 PART 17 PLAN 12R-16129
 PART 18 PLAN 12R-16129
 PART 19 PLAN 12R-16129
 PART 20 PLAN 12R-16129
 PART 21 PLAN 12R-16129
 PART 22 PLAN 12R-16129
 PART 23 PLAN 12R-16129
 PART 24 PLAN 12R-16129
 PART 25 PLAN 12R-16129
 PART 26 PLAN 12R-16129
 PART 27 PLAN 12R-16129
 PART 28 PLAN 12R-16129
 PART 29 PLAN 12R-16129
 PART 30 PLAN 12R-16129

PARTS SCHEDULE

PART	LOT	CONCESSION	P.I.N.	AREA
1				0.228 Acres.
2				0.241 Acres.
3				0.263 Acres.
4		PART OF BOIS BLANC ISLAND	PART OF 01569-0437	0.290 Acres.
5				0.276 Acres.
6				0.115 Acres.
7			PART OF 01569-0088	0.192 Acres.

PLAN 12R-28927
 Received and deposited
February 7th, 2022
Jane Potter
 Representative for the
 Land Registrar for the
 Land Titles Division of
 Essex (No.12)

PLAN OF SURVEY
PART OF BOIS BLANC ISLAND
 GEOGRAPHIC TOWNSHIP OF MALDEN
 NOW IN THE
TOWN OF AMHERSTBURG
 COUNTY OF ESSEX

SCALE 1"=40'

THE INTENDED PLOT SIZE OF THIS PLAN IS 24" IN WIDTH BY 18" IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:40

VERHAEGEN LAND SURVEYORS - A DIVISION OF JD BARNES LIMITED

IMPERIAL DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- WIT DENOTES WITNESS
- MEAS DENOTES MEASURED
- 1744 DENOTES VERHAEGEN LAND SURVEYORS, OLS
- NI DENOTES NO IDENTIFICATION
- P DENOTES PLAN 12R-16141
- P1 DENOTES PLAN 12R-28919

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON JANUARY 20th, 2022.

FEBRUARY 2nd, 2022
 DATE

ALEC S. MANTHA
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2185253

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	1 065 079.88'	15 299 475.24'
ORP (B)	1 064 939.96'	15 298 976.18'
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		
THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 518.33' N 15°39'40" E		

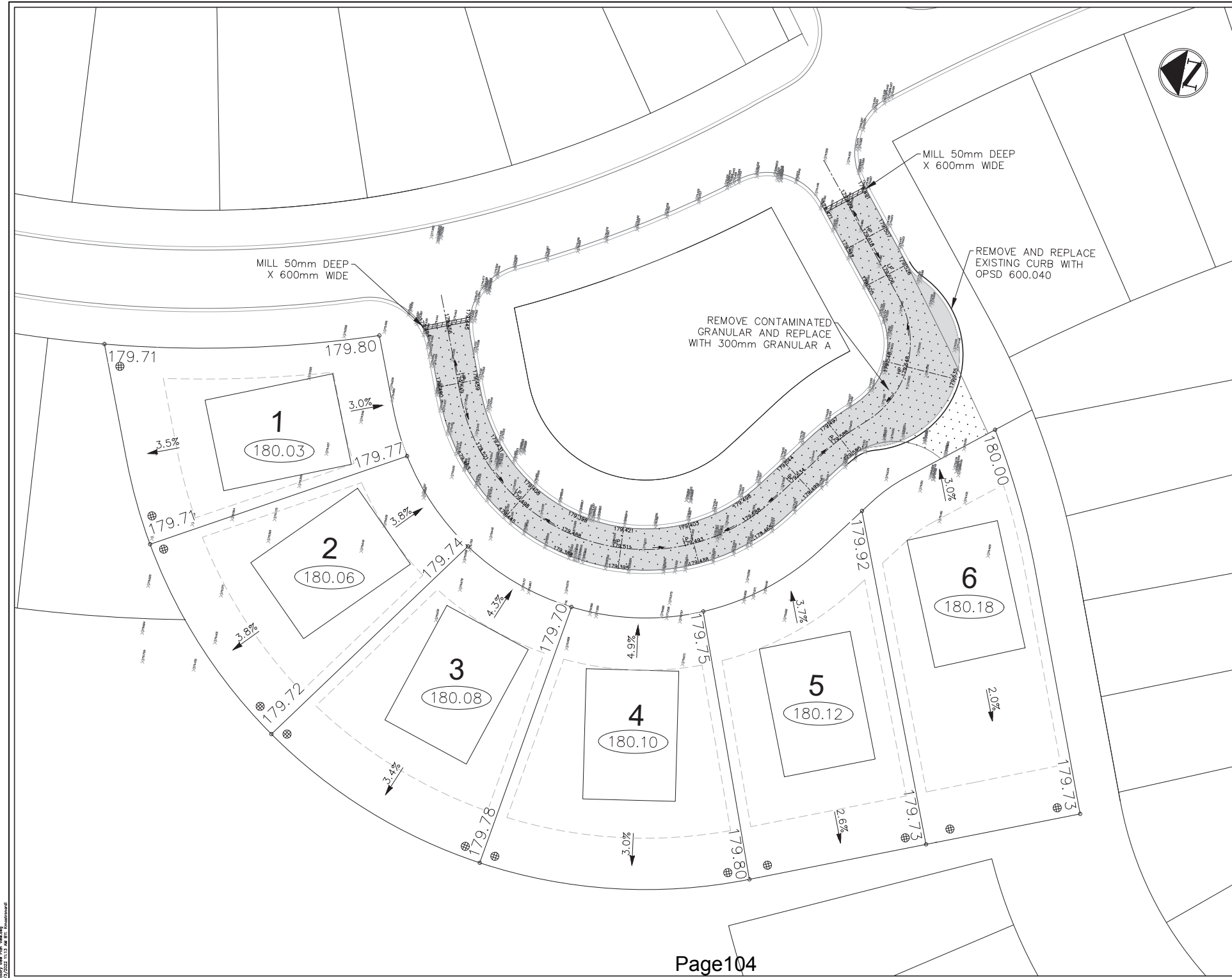
NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999957.

VERHAEGEN SURVEYING
 LAND SURVEYORS MAPPING
 A Division of GIS
 J. D. Barnes Limited

187 TALBOT ST. E. LEAMINGTON, ON, N8H 1L8
 T: (519) 322-2375 F: (519) 322-2675 www.jdbarnes.com

DRAWN BY: AM	CHECKED BY: AM	REFERENCE NO.: 21-48-024-02
CAD Date: February 2nd, 2022		FILE NO.: E-MALDEN-BOBLO
CAD File: 21-48-024-02.dwg		



- GENERAL NOTES:
- DO NOT SCALE DRAWINGS.
 - THE LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY AND ARE SHOWN ON THE DRAWINGS FROM THE MOST CURRENT INFORMATION AVAILABLE.
 - THE CONTRACTOR IS RESPONSIBLE FOR ACCURATELY LOCATING UTILITIES PRIOR TO CONSTRUCTION AND FOR ADEQUATELY PROTECTING THE UTILITIES DURING CONSTRUCTION.
 - ALL WORK SHALL CONFORM TO THE TOWN OF AMHERSTBURG AND THE ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.

- NOTES:
- ALL TREES AND BRUSH WITHIN THE ROAD ALLOWANCE TO BE CLEARED AND GRUBBED.
 - ALL MANHOLES ARE PRECAST 1200mm DIAMETER UNLESS NOTED OTHERWISE.
 - ADJUST ALL EXISTING MANHOLE FRAME AND COVER AS REQUIRED.
 - ALL FINISHED PAVEMENT GRADES REFER TO EDGE OF PAVEMENT AT TRANSITIONS UNLESS NOTED OTHERWISE.
 - ALL CURBS TO BE OPSD 600.040 OR UNLESS NOTED OTHERWISE.

- EXISTING GRANULAR BASE 300mm GRANULAR A
- ASPHALT PAVEMENT 40mm HL3 ASPHALT (OPSS 1150) 50mm HL4 ASPHALT (OPSS 1150) 300mm GRANULAR 'A' (OPSS 1010)

BENCHMARKS
 SITE BENCHMARK #1
 TOP OF CONE SHAPED BOLLARD AT THE FERRY LANDING RAMP - 176.16m

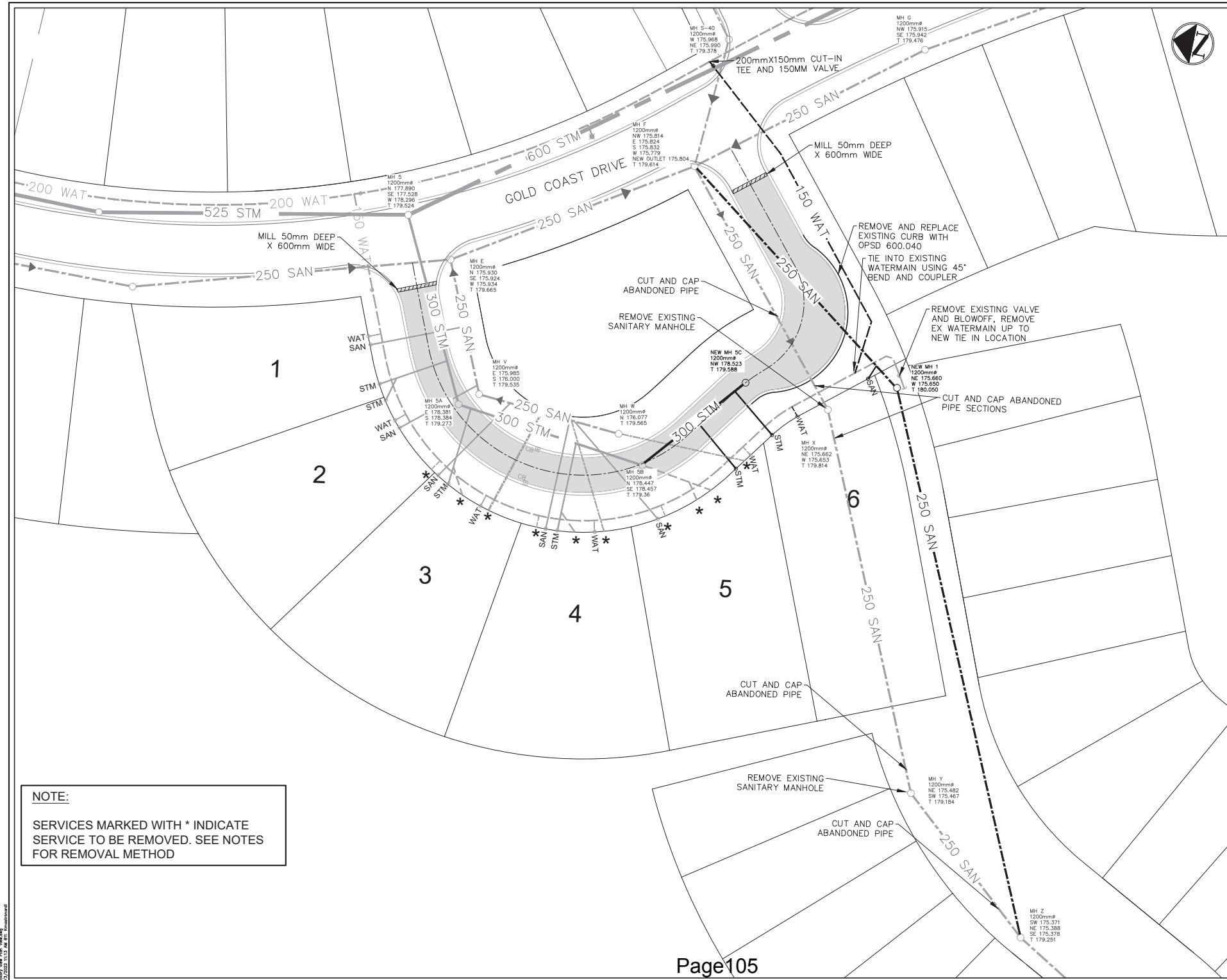
B	TOWN REVIEW	NOV 24/21
A	TOWN REVIEW	SEPT 30/21
No.	Issued For	Date
2	REVISED AS PER TOWN COMMENTS	FEB 02/22
1	REVISED AS PER TOWN COMMENTS	NOV 25/21
No.	Revision	Date

BOBLO DEVELOPMENTS INC.

BOIS BLANC ISLAND
 TOWN OF AMHERSTBURG

2 HICKORY VIEW COURT
 Grading Plan
 Sheet No.

Scale: 1:250 Design By: KM
 Date: AUGUST 2021 Checked By: RJF



- GENERAL NOTES:**
- DO NOT SCALE DRAWINGS.
 - THE LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY AND ARE SHOWN ON THE DRAWINGS FROM THE MOST CURRENT INFORMATION AVAILABLE.
 - THE CONTRACTOR IS RESPONSIBLE FOR ACCURATELY LOCATING UTILITIES PRIOR TO CONSTRUCTION AND FOR ADEQUATELY PROTECTING THE UTILITIES DURING CONSTRUCTION.
 - ALL WORK SHALL CONFORM TO THE TOWN OF AMHERSTBURG AND THE ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.

- NOTES:**
- ALL TREES AND BRUSH WITHIN THE ROAD ALLOWANCE TO BE CLEARED AND GRUBBED.
 - ALL MANHOLES ARE PRECAST 1200mm DIAMETER UNLESS NOTED OTHERWISE.
 - ENSURE 2.5m CLEAR HORIZONTAL AND 0.5m VERTICAL SEPARATION FROM WATERMANS TO ALL SEWERS.
 - ALL SANITARY SERVICES TO BE SINGLE 125mm PVC (DR-28) AND 1.5m MIN/M DEPTH OF COVER.
 - ALL STORM SERVICES TO BE 150mm PVC (DR-28) WITH 2-8% SLOPE AND 1.2m MIN/M DEPTH OF COVER.
 - ALL WATER SERVICES TO BE SINGLE 19mm COPPER (TYPE 'K') OR PE-RT WITH TRACER WIRE WITH 1.5m MIN/M DEPTH OF COVER.
 - ALL SANITARY AND STORM SERVICES TO INCLUDE A T-WYE AND CLEANOUT AT THE PROPERTY LINE. THE CLEANOUT SHALL NOT PROJECT MORE THAN 0.3m ABOVE FINISHED GRADE ELEVATION.
 - ABANDONED EXISTING STORM AND SANITARY SERVICE CONNECTION TO BE CUT AND CAPPED AT MAIN.
 - ABANDON EXISTING WATER SERVICE CONNECTION BY EXCAVATING AT MAIN AND TURN OFF MAINSTOP. REMOVE VALVE BOX AND CORPORATION STOP COMPLETE. ADJUST ALL EXISTING MANHOLE FRAME AND COVER AS REQUIRED.
 - CURB TO BE REVIEWED FOR CONDITION WITH TOWN PRIOR TO ROADWORKS COMMENCING.
 - DEVELOPER TO CONFIRM REMAINING EXISTING SERVICES ARE IN PROPOSED LOCATION.

ASPHALT PAVEMENT
 40mm HL3 ASPHALT (OPSS 1150)
 50mm HL4 ASPHALT (OPSS 1150)
 300mm GRANULAR 'A' (OPSS 1010)

BENCHMARKS
SITE BENCHMARK #1
 TOP OF CONE SHAPED BOLLARD AT THE FERRY LANDING RAMP - 176.16m

B	TOWN REVIEW	NOV 24/21	
A	TOWN REVIEW	SEPT 30/21	
No.	Issued For	Date	
2	REVISED AS PER TOWN COMMENTS	FEB 02/22	
1	REVISED AS PER TOWN COMMENTS	NOV 25/21	
No.	Revision	Date	

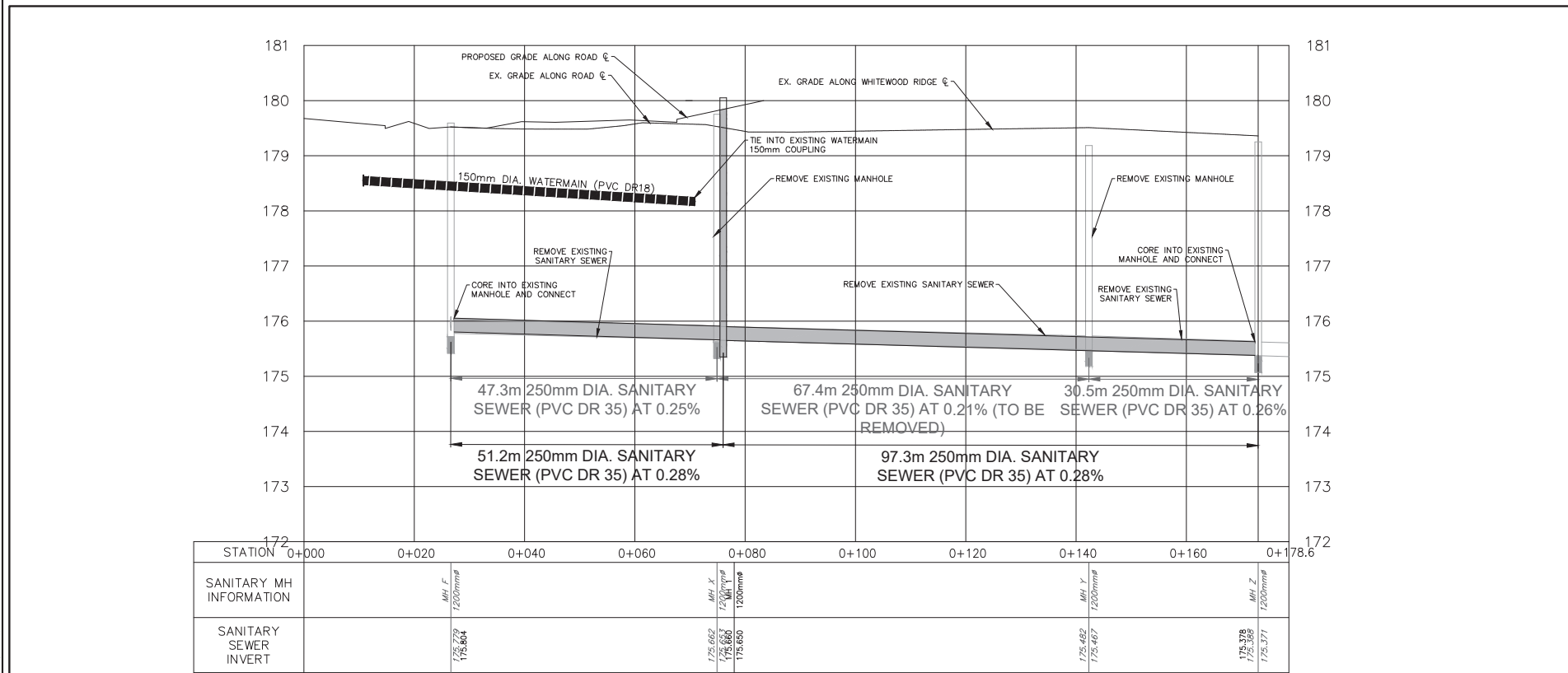
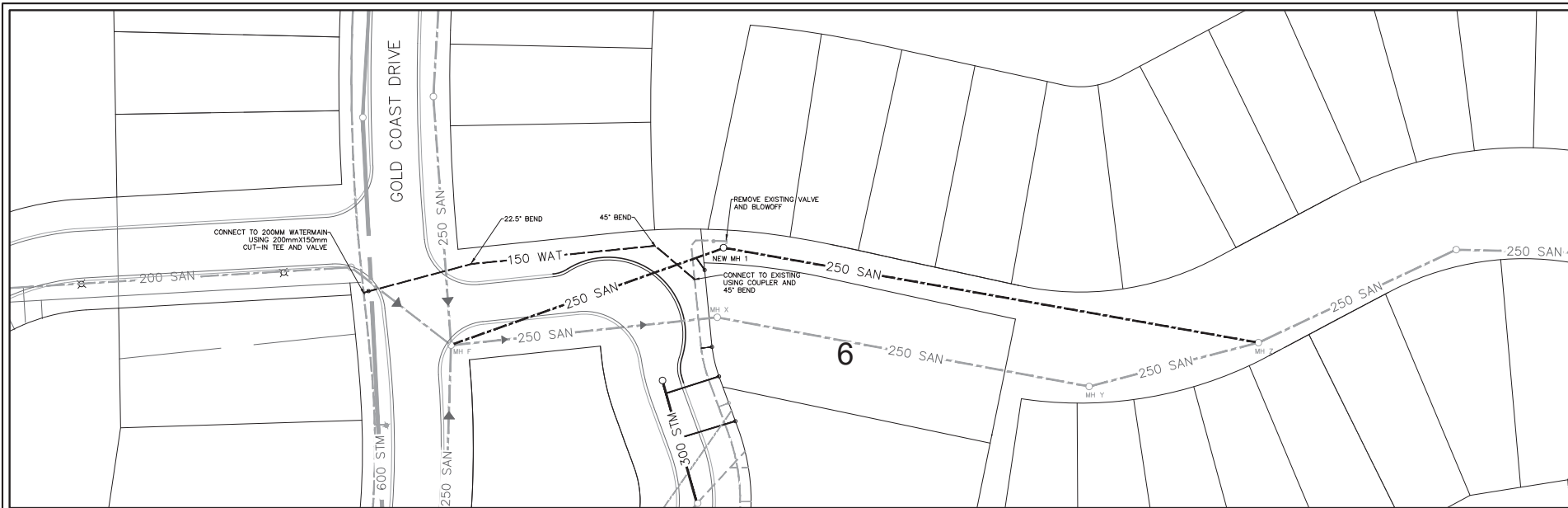
BOBLO DEVELOPMENTS INC.

BOIS BLANC ISLAND
TOWN OF AMHERSTBURG

1 HICKORY VIEW COURT
Plan View

Scale: 1:300 Design By: KM
 Date: AUGUST 2021 Checked By: RJF

2/2/2025 11:19 AM B:\Projects\2025\11-19-25\11-19-25.dwg



GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- THE LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY AND ARE SHOWN ON THE DRAWINGS FROM THE MOST CURRENT INFORMATION AVAILABLE.
- THE CONTRACTOR IS RESPONSIBLE FOR ACCURATELY LOCATING UTILITIES PRIOR TO CONSTRUCTION AND FOR ADEQUATELY PROTECTING THE UTILITIES DURING CONSTRUCTION.
- ALL WORK SHALL CONFORM TO THE TOWN OF AMHERSTBURG AND THE ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.

NOTES:

- ALL TREES AND BRUSH WITHIN THE ROAD ALLOWANCE TO BE CLEARED AND GRUBBED.
- ALL MANHOLES ARE PRECAST 1200mm DIAMETER UNLESS NOTED OTHERWISE.
- ENSURE 2.5m CLEAR HORIZONTAL AND 0.5m VERTICAL SEPARATION FROM WATERMANS TO ALL SEWERS.
- ALL SANITARY SERVICES TO BE SINGLE 125mm PVC (DR-28) AND 1.5m MINM DEPTH OF COVER
- ALL STORM SERVICES TO BE 150mm PVC (DR-28) WITH 2-8 % SLOPE AND 1.2m MINM DEPTH OF COVER
- ALL WATER SERVICES TO BE SINGLE 19mm COPPER (TYPE 'K') OR PE-RT WITH TRACER WIRE WITH 1.5m MINM DEPTH OF COVER
- ALL SANITARY AND STORM SERVICES TO INCLUDE A T-WYE AND CLEANOUT AT THE PROPERTY LINE. THE CLEANOUT SHALL NOT PROJECT MORE THAN 0.3m ABOVE FINISHED GRADE ELEVATION.
- ABANDONED EXISTING STORM AND SANITARY SERVICE CONNECTION TO BE CUT AND CAPPED AT MAIN
- ABANDON EXISTING WATER SERVICE CONNECTION BY EXCAVATING AT MAIN AND TURN OFF MAINSTOP. REMOVE VALVE BOX AND CORPORATION STOP COMPLETE.
- ADJUST ALL EXISTING MANHOLE FRAME AND COVER AS REQUIRED
- CURB TO BE REVIEWED FOR CONDITION WITH TOWN PRIOR TO ROADWORKS COMMENCING
- DEVELOPER TO CONFIRM REMAINING EXISTING SERVICES ARE IN PROPOSED LOCATION

BENCHMARKS

SITE BENCHMARK #1
TOP OF CONE SHAPED BOLLARD AT THE FERRY LANDING RAMP - 176.16m

No.	Issued For	Date
B	TOWN REVIEW	NOV 24/21
A	TOWN REVIEW	SEPT 30/21
2	REVISED AS PER TOWN COMMENTS	FEB 02/22
1	REVISED AS PER TOWN COMMENTS	NOV 25/21
No.	Revision	Date

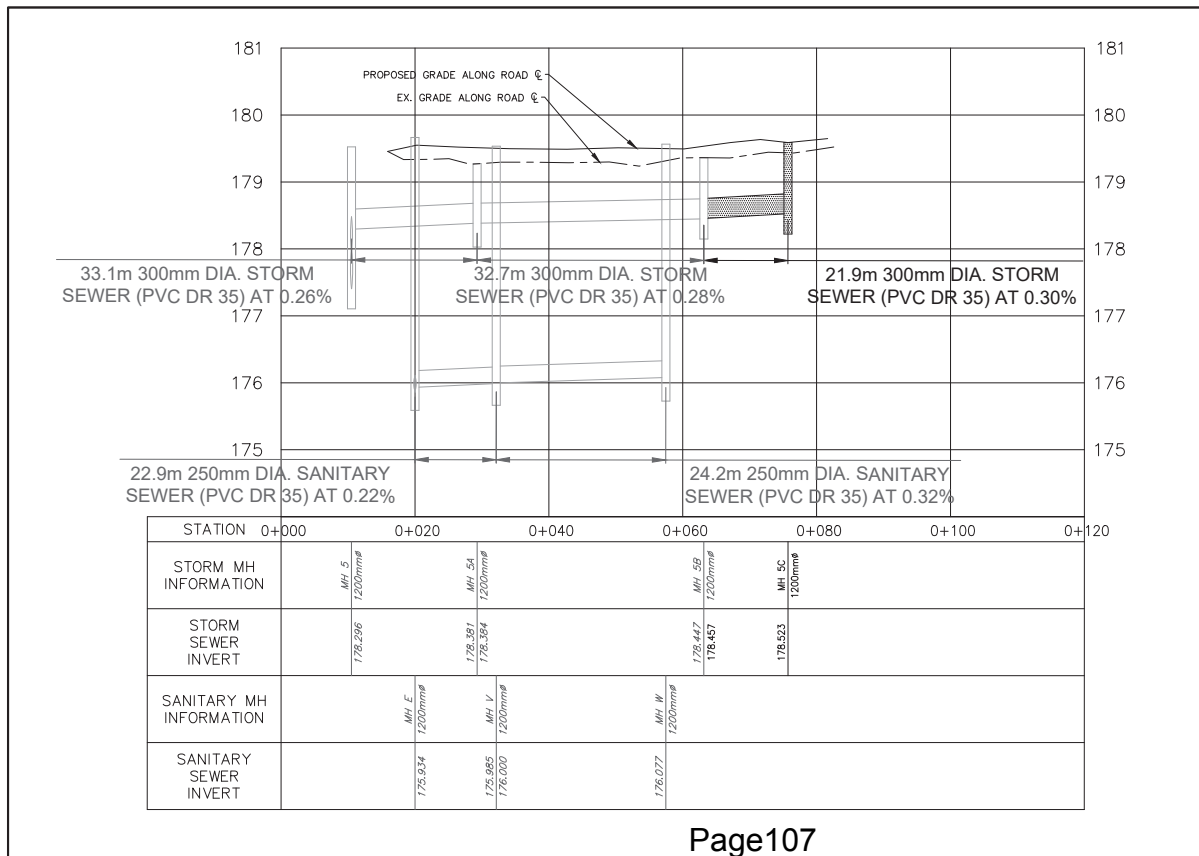
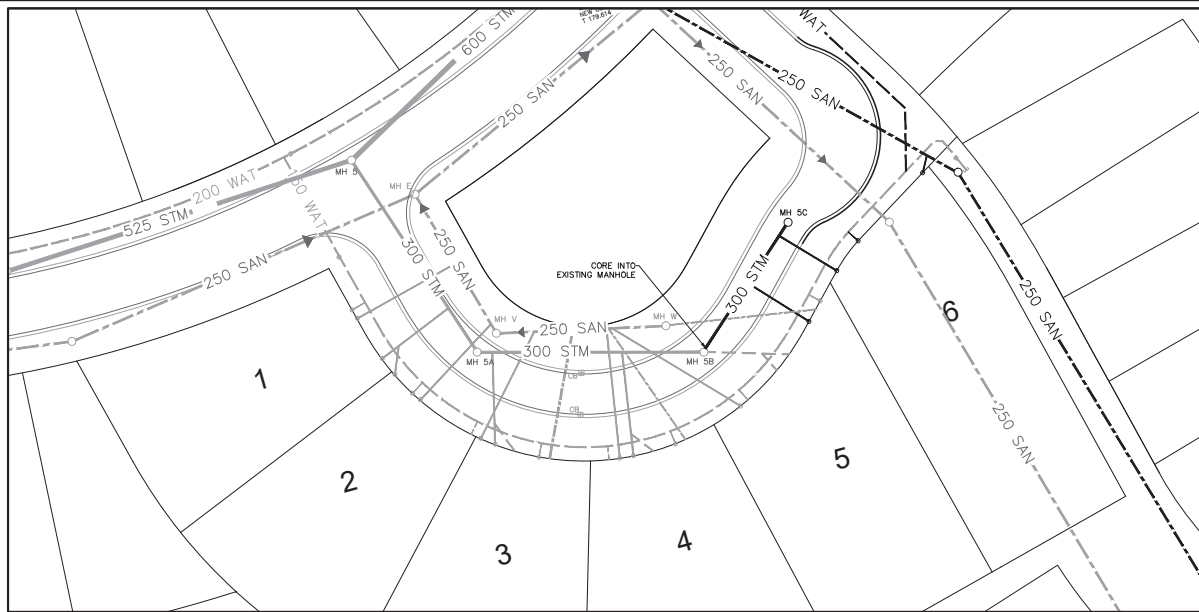
BOBLO DEVELOPMENTS INC.

BOIS BLANC ISLAND
TOWN OF AMHERSTBURG

3 HICKORY VIEW COURT
Sanitary Plan & Profile

Sheet No.

Scale: 1:400 Design By: KM
Date: NOV 2021 Checked By: RJF



GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- THE LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY AND ARE SHOWN ON THE DRAWINGS FROM THE MOST CURRENT INFORMATION AVAILABLE.
- THE CONTRACTOR IS RESPONSIBLE FOR ACCURATELY LOCATING UTILITIES PRIOR TO CONSTRUCTION AND FOR ADEQUATELY PROTECTING THE UTILITIES DURING CONSTRUCTION.
- ALL WORK SHALL CONFORM TO THE TOWN OF AMHERSTBURG AND THE ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.

NOTES:

- ALL TREES AND BRUSH WITHIN THE ROAD ALLOWANCE TO BE CLEARED AND GRUBBED.
- ALL MANHOLES ARE PRECAST 1200mm DIAMETER UNLESS NOTED OTHERWISE.
- ENSURE 2.5m CLEAR HORIZONTAL AND 0.5m VERTICAL SEPARATION FROM WATERMAINS TO ALL SEWERS.
- ALL SANITARY SERVICES TO BE SINGLE 125mm PVC (DR-28) AND 1.5m MINM DEPTH OF COVER.
- ALL STORM SERVICES TO BE 150mm PVC (DR-28) WITH 2-8% SLOPE AND 1.2m MINM DEPTH OF COVER.
- ALL WATER SERVICES TO BE SINGLE 10mm COPPER (TYPE 'K') OR PE-RT WITH TRACER WIRE WITH 1.5m MINM DEPTH OF COVER.
- ALL SANITARY AND STORM SERVICES TO INCLUDE A T-WYE AND CLEANOUT AT THE PROPERTY LINE. THE CLEANOUT SHALL NOT PROJECT MORE THAN 0.3m ABOVE FINISHED GRADE ELEVATION.
- ABANDONED EXISTING STORM AND SANITARY SERVICE CONNECTION TO BE CUT AND CAPPED AT MAIN.
- ABANDON EXISTING WATER SERVICE CONNECTION BY EXCAVATING AT MAIN AND TURN OFF MAINSTOP. REMOVE VALVE BOX AND CORPORATION STOP COMPLETE.
- ADJUST ALL EXISTING MANHOLE FRAME AND COVER AS REQUIRED.
- CURB TO BE REVIEWED FOR CONDITION WITH TOWN PRIOR TO ROADWORKS COMMENCING.
- DEVELOPER TO CONFIRM REMAINING EXISTING SERVICES ARE IN PROPOSED LOCATION.

BENCHMARKS

SITE BENCHMARK #1
TOP OF CONE SHAPED BOLLARD AT THE FERRY LANDING RAMP - 176.16m

B	TOWN REVIEW	NOV 24/21
A	TOWN REVIEW	SEPT 30/21
No.	Issued For	Date
2	REVISED AS PER TOWN COMMENTS	FEB 02/22
1	REVISED AS PER TOWN COMMENTS	NOV 25/21
No.	Revision	Date

BOBLO DEVELOPMENTS INC.

BOIS BLANC ISLAND
TOWN OF AMHERSTBURG

4 SHEET NO. HICKORY VIEW COURT
Storm Plan & Profile

Scale:	1:400	Design By:	KM
Date:	NOV 2021	Checked By:	RJF

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Boblo Developments Inc.,
c/o Cindy Prince, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **Hickory View Court
(Roll No. 3729-640-000-31700)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land (Part 1) being 59.38 ft frontage by an irregular depth with an area of 0.228 acres to create a residential building lot. The remaining parcel being 258.3 ft frontage and irregular depth with a total area of approximately 1.1553 acres is vacant land.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of June, 2021.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
 5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
 6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
 7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
 8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
 10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

- (g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
David Cozens

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

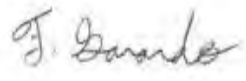
The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

Name & address of approval authority

Dated this 30th day of June, 2021


.....
Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Boblo Developments Inc.,
c/o Cindy Prince, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **Hickory View Court
(Roll No. 3729-640-000-31700)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land (Part 2) being 52.51 ft frontage by an irregular depth with an area of 0.241 acres to create a residential building lot.. The remaining parcel being 205.79 ft frontage and irregular depth with a total area of approximately 0.9143 acres is vacant land.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of June, 2021.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
 5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
 6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
 7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
 8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
 10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

- (g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
David Cozens

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

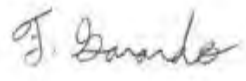
The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

Name & address of approval authority

Dated this 30th day of June, 2021


.....
Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Boblo Developments Inc.,
c/o Cindy Prince, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **Hickory View Court
(Roll No. 3729-640-000-31700)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land (Part 3) being 58.02 ft frontage by an irregular depth with an area of 0.263 acres to create a residential building lot. The remaining parcel being 147.77 ft frontage and irregular depth with a total area of approximately 0.6513 acres is vacant land.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of June, 2021.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
 5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
 6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
 7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
 8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
 10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

- (g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
David Cozens

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

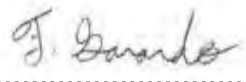
The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

Name & address of approval authority

Dated this 30th day of June, 2021


.....
Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Boblo Developments Inc.,
c/o Cindy Prince, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **Hickory View Court
(Roll No. 3729-640-000-31700)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land (Part 4) being 63.74 ft frontage by an irregular depth with an area of 0.290 acres to create a residential building lot. The remaining parcel being 84.03 ft frontage and irregular depth with a total area of approximately 0.3613 acres is vacant land.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of June, 2021.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
 5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
 6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
 7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
 8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
 10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

- (g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
David Cozens

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

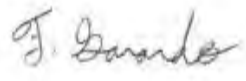
The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

Name & address of approval authority

Dated this 30th day of June, 2021


.....
Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Boblo Developments Inc.,
c/o Cindy Prince, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **Hickory View Court
(Roll No. 3729-640-000-31700)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land (Part 5) being 64.29 ft frontage by an irregular depth with an area of 0.286 acres for the purpose of a residential lot creation. The remaining parcel being 19.74 ft frontage and irregular depth with a total area of approximately 3,279.2 sq ft +/- is vacant land.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of June, 2021.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
 5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
 6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
 7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
 8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
 10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

- (g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
David Cozens

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

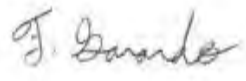
The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

Name & address of approval authority

Dated this 30th day of June, 2021


.....
Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8

parcel to the satisfaction of the Engineering and Public Works department prior to the stamping of deeds.

6. That the applicant be required to obtain a Right-of-Way Permit from Engineering and Public Works according to Town policy for any work required within the limits of the Town right-of-way.
7. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
8. That the title of the severed parcel contain a building restriction limiting the building envelope to south of the southerly lot line of 470 Gold Coast Drive extending easterly perpendicular to Gold Coast Drive.
9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.

Moved by: Josh Mailloux
 Seconded by: Terris Buchanan

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

7.5 Applications B/38-42/21 – Boblo Developments Inc., c/o Cindy Prince, Agent – Hickory View Court (Roll No. 3729-640-000-31700)

Public in Attendance: Cindy Prince, Agent on the application

Application B/38/21: The applicant is proposing to sever a parcel of land (Part 1) being 59.38 ft frontage by an irregular depth with an area of 0.228 acres to create a residential building lot.

Application B/39/21: The applicant is proposing to sever a parcel of land (Part 2) being 52.51 ft frontage by an irregular depth with an area of 0.241 acres to create a residential building lot.

Application B/40/21: The applicant is proposing to sever a parcel of land (Part 3) being 58.02 ft frontage by an irregular depth with an area of 0.263 acres to create a residential building lot.

Application B/41/21: The applicant is proposing to sever a parcel of land (Part 4) being 63.74 ft frontage by an irregular depth with an area of 0.290 acres to create a residential building lot.

Application B/42/21: The applicant is proposing to sever a parcel of land (Part 5) being 64.29 ft frontage by an irregular depth with an area of 0.286 acres for the purpose of a residential lot creation.

The remaining parcel being 19.74 ft frontage and irregular depth with a total area of

approximately 3,279.2 sq ft is vacant land.

The subject lands are zoned Resort Residential/Resort Commercial (RR/RC) Zone in the Zoning By-law 1999-52 and designated Recreational Development in the Town of Amherstburg Official Plan.

The following correspondence was received from the various agencies and residents circulated:

- i) Letter dated June 23, 2021 from the Essex Region Conservation Authority stating:

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act). As a result, a permit is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservations Authorities Act, (Ontario Regulation No. 158/06).

The subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan, which came into effect October 1, 2015. The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats. Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org or 519-776-5209 ext 214. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

Our office has reviewed the proposal and has no concerns relating to stormwater management.

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant woodland, significant wildlife habitat under the Provincial Policy Statement (PPS).

Section 2.15 of the PPS states - Development and site alterations shall not be permitted in significant woodland... and significant wildlife habitat...unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Our information indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS, 2020 – "Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements". All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their related habitats, are protected under the Ontario Endangered Species Act. Prior to initiating any proposed works on this property, it is the proponent's responsibility to contact the Species at Risk Branch of the Ontario Ministry of Environment, Conservation & Parks (MECP) to ensure all issues related to the Endangered Species Act are addressed. All inquiries regarding the Endangered Species Act should be made with Permissions and Compliance Section of the MECP (e-mail address: SAROntario@ontario.ca).

The demonstration of no negative impact, as required by the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA), in accordance with the EIA Guidelines published by ERCA. However, other options may also qualify as an adequate

demonstration of no negative impact. Prior to initiating an EIA, the applicant should contact the municipal planning department to request that ERCA provide a Terms of Reference for the study and/or determine appropriate mitigation techniques.

*It is therefore recommended that the Application be **deferred** until such time as an EIA has been completed.*

With the review of background information and aerial photograph, ERCA recommends that the application be deferred until such time as an EIA has been completed.

- ii) Email dated June 23, 2021 from the Windsor Police Department stating that:
The Windsor Police Service has no concerns or objections with the proposed severances to create new residential lots. These will not impact/compromise police service delivery.
- iii) Email dated June 18, 2021 from the Infrastructure Services Department stating;
 - The Town and applicant should enter into a consent agreement with respect to these lots Consent Agreement at a minimum should include:
 - Engineered drawings detailing sewer connections to be used and sewer connections to be abandoned, including method of decommissioning
 - Engineered drawings detailing water connections to be used and connections to be abandoned, including method of decommissioning (at the main)
 - Engineered drawings showing required watermain looping
 - Engineered drawings detailing road rehabilitation
 - Other items as typically noted (trees etc.)
- iv) Email dated June 21, 2021 from the Fire Department stating *Hickory View Crescent roadway to be completely tied into Whitewood Ridge loop not to create a dead end.*
- v) Email dated June 23, 2021 from the Building division stating:
 - All required permits for construction
 - Provide grading and drainage design
 - ERCA Approval required at permit application
- vi) Planning Report dated June 25, 2021 from Amy Farkas, Dillon Consulting Limited, on behalf of Frank Garardo, Manager of Planning Services.

Committee Discussion:

The Chair introduced the application and asked if there were any members of the public present for this application. There were none. The Planner, Frank Garardo read the purpose of the application. Cindy Prince presented the concept of the application. The committee discussed the condition of the MECP clearance.

The Chair confirmed with Todd Hewitt that the Consent Agreement condition would satisfy all of Infrastructure Services concerns and development requirements. The Chair confirmed with the applicant that they are aware of the required conditions. The applicant confirmed knowledge and understanding of the conditions and that all conditions are at the expense of the applicant.

The following resolutions were put forth:

That application B/38/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

Moved by: Terris Buchanan
 Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/39/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That the applicant install separate water services, sanitary connections and utility

services, to the lots in accordance with and under the supervision of the municipality at the applicant’s expense, prior to the stamping of deeds.

5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

Moved by: Terris Buchanan
 Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/40/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant’s expense, prior to the stamping of deeds.
5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of

deeds.

6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

Moved by: Don Shaw
 Seconded by: Josh Mailloux

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/41/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.

7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

Moved by: Anthony Campigotto

Seconded by: Josh Mailloux

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/42/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That the applicant install separate water services, sanitary connections and utility services, to the lots in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
5. That the applicant must install a driveway access to the severed parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way.
7. That the applicant enter into a Consent Agreement for the design and construction of the municipal Right-of-Way, Hickory View Court, to the satisfaction of the Infrastructure Services.
8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.

9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.
10. That the applicant provide written confirmation from the Ministry of Environment, Conservation, and Parks (MECP) and Essex Region Conservation Authority identifying that a permit under the Endangered Species Act has been obtained to allow severance and construction on the severed lots.

Moved by: Terris Buchanan
 Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

8. Next Meeting to be July 27, 2021.

9. Adjournment

The meeting was adjourned at 8:54 a.m.

ORIGINAL DOCUMENT SIGNED

 Chairman- Dave Cozens

ORIGINAL DOCUMENT SIGNED

 Secretary- Frank Garardo



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF INFRASTRUCTURE 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: Dwayne Grondin	Report Date: February 4, 2022
Author's Phone: 519 736-3664 ext. 2314	Date to Council: February 28, 2022
Author's E-mail: dgrondin@amhertsburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Amherstburg Water Treatment Plant Submission of the 2021 Annual Summary Report

1. RECOMMENDATION:

It is recommended that:

1. The report from the Acting Manager of Environmental Services dated February 4, 2022 regarding the Amherstburg Water Treatment Plant Submission of the 2021 Annual Summary Report **BE RECEIVED for information.**

2. BACKGROUND:

Pursuant to Section 11 and Schedule 22 of Ontario Regulation 170/03 of the Safe Drinking Water Act an Annual Summary Report must be prepared for a municipal drinking water system. There are two regulated requirements for the Annual Summary Report. The first is to identify non-compliance incidences and corrective actions taken. The second is to identify actual quantity and flow rates of water supplied from the Amherstburg Water Treatment Plant and compare them to the approved design quantity and flow rates. Further, it is a requirement that this report be placed on the Town's website for Public information.

3. DISCUSSION:

The Ontario Clean Water Agency (OCWA) has prepared and supplied to the Town the 2021 Annual Summary Report for the Amherstburg Water Treatment Plant. The report has been prepared in accordance with the format as prescribed under Schedule 22 of

Ontario Regulation 170/03 and therefore meets the regulatory requirements for compliance reporting under the Safe Drinking Water Act.

The annual summary report must list the requirements of the Safe Drinking Water Act, the regulations, Certificates of Approvals, Drinking Water Works Permits and Licenses, and any orders that the system failed to meet. For any non-compliance incidences there must be a list of measures that were taken to correct the issue. The report must also include quantities and flow rates of the water supplied, and compare these quantities and rates to the rated capacity and flow rates approved in the Drinking Water License for the Amherstburg Water Treatment Plant.

A) NON-COMPLIANCE ISSUES

Table 1 on Page 2 of the attached Annual Summary Report summarizes non-compliances incidences.

Drinking Water Legislation	Requirement(s) the system failed to meet	Measures taken to correct the failure	Status (complete or outstanding)
N/A		There were no non-compliances for 2021	

B) FLOW RATE COMPARISON

Table 2 on Page 3 of the attached Annual Summary Report shows a comparison of the quantities and flow rates of the water supplied by the Amherstburg Water Treatment Plant to the rated capacity and flow rates approved in the Drinking Water Works Permit and Drinking Water License. The raw flow rates are shown in liters/day while the treated flow rates are listed in m3/day which corresponds to the units of measure in the Drinking Water License, Drinking Water Works Permit and Permit to Take Water.

Flow	Requirement	Rated Capacity	Maximum Flow Rate Obtained	Date of the Maximum Flow
Raw Flow	Permit to Take Water (#4844-AY7KHA)	22,900,000 L/d	13,326,000 L/d	May, 2021
		15,903 L/min	9,225 L/min	May, 2021
Treated Flow	MDWL #026-101	18,184 m3/d	12,025 m ³ /d	May, 2021

4. **RISK ANALYSIS:**

The Annual Summary Report is a mandatory report under the Safe Water Drinking Act, failure to report findings could result in punitive actions from the Ministry of the Environment and Climate Change.

5. **FINANCIAL MATTERS:**

There are no financial implications related to the Annual Summary Report findings for 2020.

6. **CONSULTATIONS:**

The Process & Compliance Technician from the Ontario Clean Water Agency has prepared the Annual Summary Report.

7. **CONCLUSION:**

To Council for information.



Dwayne Grondin
Acting Manager of Environmental Services

DG

Report Approval Details

Document Title:	Amherstburg Water Treatment Plant Submission of the 2021 Annual Summary.docx
Attachments:	- Amherstburg WTP - Schedule 22 Annual Summary Report 2021.pdf
Final Approval Date:	Feb 22, 2022

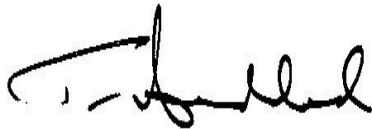
This report and all of its attachments were approved and signed as outlined below:



Antonietta Giofu



Tiffany Hong



Tony Haddad



Valerie Critchley



Annual Summary Report

January 28, 2022

Antonietta Giofu
Director of Engineering & Public Works
Corporation of the Town of Amherstburg
P.O. Box 159
271 Sandwich St. S,
Amherstburg, Ontario
N9V 2Z3

Dear Mrs. Giofu:

Re: Safe Drinking Water Act. O. Reg. 170/03 Schedule 22 Summary Report

Enclosed is the 2021 Summary Report for the Amherstburg Water Treatment Plant. This report has been completed based on the information obtained from the water treatment plant records and in accordance with Schedule 22 of O. Reg. 170/03, under the Safe Drinking Water Act, which requires a Summary Report to be prepared not later than March 31st of each year for the preceding calendar year. This report covers the period of January 1, 2021 to December 31, 2021.

Please remember that any Orders that you have received directly from the MECP should be reviewed. Where non-compliance with the Order is evident and it is not included in the attached 2021 Summary Report, then we recommend that this information be added to the Summary Report. Note: Schedule 22-2 (a) specifies that the summary report is given to, in the case of a drinking water system owned by a municipality, the members of the municipal council for the Town of Amherstburg, and is not intended for distribution to the Ministry of the Environment.

After your review and inclusion of any additional information, this Summary Report is to be provided to the members of the municipal council. Please ensure this distribution.

Section 12 of O. Reg. 170/03, requires the Summary Report be made available for inspection by any member of the public during normal business hours, without charge. The report should be made available for inspection at the office of the municipality, or at a location that is reasonably convenient to the users of the water system.

Please find enclosed report. If you have any questions, please feel free to contact Senior Operations Manager, Dan Rawlins or myself at (519) 965-9647.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kass Bowden', with a horizontal line extending to the right.

Kass Bowden
Process & Compliance Technician
Amherstburg/LaSalle Cluster (Essex Region)
Ontario Clean Water Agency

cc: Dwayne Grondin, Manager of Environmental Services, Town of Amherstburg
Dave Jubenville, Regional Manager, OCWA
Dan Rawlins, Senior Operations Manager, OCWA
Terry Korman, Senior Operations Manager, OCWA

This report is a summary of water quality information for the Amherstburg WTP, published in accordance with Schedule 22 of Ontario’s Drinking-Water Systems Regulation for the reporting period of January 1, 2021 to December 31, 2021. The Amherstburg WTP is categorized as a Large Municipal Residential Drinking Water System.

This report was prepared by The Ontario Clean Water Agency on behalf of The Corporation of the Town of Amherstburg.

The report must,

- (a) list the requirements of the Act, the regulations, the system’s approval and any order that the system failed to meet at any time during the period covered by the report and specify the duration of the failure; and
- (b) for each failure referred to in clause (a), describe the measures that were taken to correct the failure.

Table 1 lists the non-compliance with the Safe Drinking Water Act, Regulation 170/03, PTTW, MDWL and DWWP during 2021 for the Amherstburg WTP.

Table 1

Drinking Water Legislation	Requirement(s) the system failed to meet	Measures taken to correct the failure	Status (complete or outstanding)
N/A		There were no known Non-compliances for 2021	

The report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system:

- 1. A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows and daily instantaneous peak flow rates.

Please find below on page 2, the quantities and flow rates of the water withdrawn from the Detroit River and treated/distributed from the Amherstburg WTP during 2021.

- 2. A comparison of the summary referred to in paragraph 1 to the rated capacity and flow rates approved in the system’s approval.

By comparison found in table 2, the raw water and treated water flows did not exceed the legislative requirement. The treated flow was 66% of the rated capacity for the reporting period.

Table 2

Flow	Requirement	Rated Capacity	Maximum Flow Rate Obtained	Date of the Maximum Flow
Raw Flow	Permit to Take Water (#4844-AY7KHA)	22,900,000 L/d	13,326,000 L/d	May 2021
		15,903 L/min	9,225 L/min	May 2021
Treated Flow	MDWL #026-101	18,184 m3/d	12,025 m3/d	May 2021

Facility Flow Summary

Drinking-Water System Number: 210000149
Drinking-Water System Name: AMHERSTBURG DRINKING WATER SYSTEM
Drinking-Water System Owner: Title Holder: Municipality
Drinking-Water System Category: Large Municipal Residential
Municipal Drinking Water License: 026-101
Period being reported: January-21 December-21

Month	Raw Water					Treated Water		
	Monthly Flow Total (m3/month)	Daily Flow Average (m3/day)	Daily Flow Maximum (m3/day)	Daily Flow Peak Flow Rate (L/min)	Number of Days of Water Taking	Monthly Flow Total (m3/month)	Daily Flow Average (m3/day)	Daily Flow Maximum (m3/day)
Jan	225022.00	7258.77	7714.00	6069.00	31	209337.00	6752.81	7464.00
Feb	216016.00	7714.86	8352.00	6189.00	28	198900.00	7103.57	7914.00
Mar	236742.00	7636.84	9834.00	6988.00	31	215740.00	6959.35	7759.00
Apr	223905.00	7463.50	8592.00	6988.00	30	208074.00	6935.80	7783.00
May	275936.00	8901.16	13326.00	9225.00	31	261229.00	8426.74	12025.00
Jun	274424.00	9147.47	12024.00	8819.00	30	263191.00	8773.03	10615.00
Jul	258912.00	8352.00	11726.00	8458.00	31	244507.56	7887.34	10070.00
Aug	284791.00	9186.81	11234.00	8196.00	31	275342.00	8882.00	10402.00
Sep	258930.00	8631.00	10248.00	7680.00	30	248106.00	8270.20	9816.00
Oct	234074.00	7550.77	9300.00	7002.00	31	224837.00	7252.81	8301.00
Nov	212194.00	7073.13	9020.00	7909.00	30	199901.00	6663.37	7745.00
Dec	226498.00	7306.39	9590.00	7118.00	31	210391.00	6786.81	8014.00
Total	2927444.00	96222.70	120960.00	90641.00	365	2759555.56	90693.83	107908.00
Avg	243953.67	8018.56	10080.00	7553.42	30	229962.96	7557.82	8992.33
Max	284791.00	9186.81	13326.00	9225.00	31	210391.00	8882.00	12025.00

Report Submitted By: Kass Bowden
Process & Compliance Technician
Amherstburg/LaSalle Cluster (Essex Region)
Ontario Clean Water Agency

Signature:  _____ **Date** January 28 2022

Received By: _____

Signature _____ **Date** _____

Confirmed By Resolution of Council:

Signature _____ **Date** _____

2022 | WINDSOR-ESSEX'S Vital Signs®

February 8, 2022

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

RE: 2022 VITAL SIGNS®

Dear Mayor DiCarlo,

For the past ten years, the WindsorEssex Community Foundation (WECF) has used the *Vital Signs*® Program to engage Windsor-Essex residents in a deeper exploration of issues and trends that affect and influence community vitality. Our annual survey delves into their thoughts on the quality of life in Windsor-Essex County focusing on 11 key areas: Work; Health, Wellness & Activity; Belonging & Leadership; Safety; Housing; Arts & Culture; Learning; Environment; Getting Started; Getting Around; and Food Security.

We are pleased that the *Vital Signs*® Program has had continuous growth over the years, and we hope to increase participation even more. The official *Vital Signs*® Report will be released in October.

With each passing year the *Vital Signs*® Report has developed into an even more well recognized and exemplary resource in Windsor-Essex. We invite you to support the program in 2022. If you would like to consider sponsorship, attached please find details for your review and consideration.

Additional information on this program is available online at Community Foundations of Canada's website www.vitalsignscanada.ca or through the WECF's website www.wecf.ca. I look forward to your participation and, should you have any questions, please don't hesitate to contact me at 519-255-6572 / lkolody@wecf.ca.

Sincerely,



Lisa Kolody
Executive Director

From: Julian, Peter - Riding 1D <peter.julian.c1d@parl.gc.ca>

Sent: February 15, 2022 1:54 PM

To: Julian, Peter - Riding 1D <peter.julian.c1d@parl.gc.ca>; Gesner, Lindsay (Julian, Peter - MP) <lindsay.gesner.819@parl.gc.ca>; Mah, Doris (Julian, Peter - MP) <doris.mah.819@parl.gc.ca>

Subject: (Ontario) Seeking your endorsement for Bill C-229 - Appel à votre soutien pour le projet de loi C 229

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mayors and Councils,

Everyone deserves to live in safety and dignity. Everyone has the right to feel welcomed and respected in their community. Yet, during the pandemic, racist incidents reported to police have increased at an alarming rate. Tragically, we have seen an increase in Islamophobia, anti-Semitism, racism, homophobia, transphobia and misogyny in our society. We see rising racism against Indigenous people, Black, Asian and other racially marginalized communities, while symbols of hate continue to be displayed and sold across our country.

Last week, I re-tabled my [Private Member's Bill C-229](#), *An Act to Amend the Criminal Code (banning symbols of hate)*, to prevent anyone from selling and displaying symbols that promote hatred and violence against identifiable groups. It is a tool designed to address the growing violence and hate that we are seeing in many Canadian communities.

Thank you to those who joined the call in the previous Parliament for Bill C-229. Today, I am seeking your continued support for this legislation. To those who did not have a chance to show your support in the last parliament, I am seeking your endorsement. This is an opportunity to join tens of thousands of Canadians in calling on the federal government and all MPs to ban the sale and display of hate symbols.

[FOR IMMEDIATE RELEASE - NDP bill would ban hate symbols](#)

Allowing these symbols of hatred to be sold in stores or publicly displayed is threatening for people who have been, and continue to be, targets of violence and oppression.

As we've seen in the past two weeks, during protests around the *Convoy for Freedom*, Canadians witnessed vile and hateful genocidal displays of hate symbols such as Nazi swastikas and the flying of Confederate flags at the very center of Canadian democracy.

With hate crimes on the rise across Canada, we must do everything we can to stop the spread of hate in our communities. Municipalities across the country are seeing the

same trend in hate crimes. Hate and associated extremist ideology is spreading like wildfire on the Internet. Even today, many Canadians are saddened by the lack of recourse against the display of symbols that incite hatred. The time for rhetoric is over: the time for action is now.

Banning symbols of hatred like swastikas or Klu Klux Klan insignia, flags such as the standards of Nazi Germany from 1933 to 1945 and those of the white supremacist Confederate States of America from 1861 to 1865, is an important step the federal government should take now for all Canadians to feel safe and secure against hate.

I am seeking your support and public endorsement in the 44th Parliament to urge the federal government and all MPs to support Bill C-229

Please consider using the following text:

On behalf of _____ (Number of residents), _____ (Name of the municipality) endorses MP Peter Julian's Private Member's Bill C-229 - Banning Symbols of Hate Act.

I hope that I can count on you and your council to endorse Bill C-229. Thank you very much for your consideration. I look forward to hearing back from you soon.

If you have questions and require further information, please feel free to contact my assistant Doris Mah, at 604-353-3107 peter.julian.c1d@parl.gc.ca.

Sincerely,

Peter Julian, MP
New Westminster - Burnaby



MUNICIPALITY OF SHUNIAH

COUNCIL RESOLUTION

Resolution No.: 44-22

Date: Feb 8, 2022

Moved By: DONNA BLUNT

Seconded By: DON SMITH

THAT Council hereby supports the resolution from Northwestern Ontario Municipal Association (NOMA) regarding supporting the expansion of Northern Ontario School of Medicine (NOSM) to address the urgent need for physicians in Northern Ontario; and

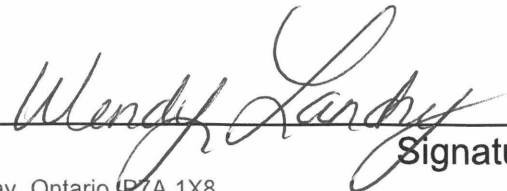
BE IT RESOLVED that a copy of this resolution be forwarded Premier Doug Ford, Minister of Colleges and Universities Jill Dunlop, Minister of Health Christine Elliot, Minister of Economic Development, Job Creation & Trade Victor Fedeli, local MP's and MPP's, Ontario Medical Association, Northern School of Medicine, Northern Ontario Academic Medicine Association, Association of Municipalities of Ontario (AMO), the Federation of Northern Ontario Municipalities (FONOM), all Ontario Municipalities.

Carried

Defeated

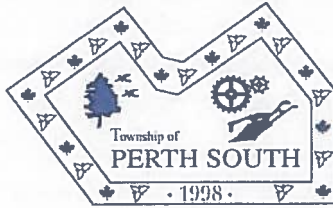
Amended

Deferred



Signature

Municipality of Shuniah, 420 Leslie Avenue, Thunder Bay, Ontario, P7A 1X8



Corporation of the Township of Perth South

3191 Road 122
St. Pauls, ON N0K 1V0
Telephone 519-271-0619
Fax 519-271-0647
lscott@perthsouth.ca

February 9, 2022

The Right Honourable Justin Trudeau
Prime Minister of Canada
House of Commons
80 Wellington Street
Ottawa, ON K1A 0A2

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

Re: "Catch and Release" Justice

At the regular meeting of the Township of Perth South Council held on February 1, 2022 the following resolution was passed:

That Council accepts the Community Policing Advisory Committee recommendation that they support the City of Sarnia resolution regarding Catch and Release Justice with the inclusion of the recommendations provided by the Stratford Police Services in their report dated January 19, 2022.

I have attached the letter received from the City of Sarnia as well as the report from the Stratford Police Services for your information.

Your consideration of this matter is respectfully requested.

Regards,


Lizet Scott
Clerk

Cc: Randy Pettapiece, MPP Perth-Wellington
John Nater, MP Perth-Wellington
All Ontario Municipalities



**THE CORPORATION OF THE CITY OF SARNIA
City Clerk's Department**

255 Christina Street N. PO Box 3018
Sarnia ON Canada N7T 7N2
519-332-0330 (phone) 519-332-3995 (fax)
519-332-2664 (TTY)
www.sarnia.ca clerks@sarnia.ca

December 16, 2021

The Right Honourable Justin Trudeau
Prime Minister of Canada
House of Commons
80 Wellington Street
Ottawa, ON K1A 0A2

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

RE: "Catch and Release" Justice

At its meeting held on December 13, 2021, Sarnia City Council adopted the following resolution with respect to "Catch and Release Justice":

That the City of Sarnia send a letter to the Federal and Provincial Governments requesting meaningful improvements to the current state of "catch and release" justice in the Ontario legal system. Police Services across Ontario are exhausting precious time and resources having to manage the repeated arrests of the same offenders, which in turn, is impacting their morale, and ultimately law abiding citizens who are paying the often significant financial and emotional toll of this broken system. This resolution should also be sent to other Municipalities throughout Ontario for their endorsement consideration; and

That the request also be referred to the Sarnia Police Services Board and be presented via AMO delegations for endorsement consideration.

Your consideration of this matter is respectfully requested.

Yours sincerely,

Amy Burkhart
City Clerk

Cc: Bob Bailey, MPP
Marylyn Gladu, MP
All Ontario Municipalities



CHIEF OF POLICE REPORT

DATE: 19 January 2022
TO: Stratford Police Services Board
FROM: Deputy Chief Gerry Foster
RE: "Catch and Release Justice"

BACKGROUND

Council for the City of Sarnia has passed a resolution on December 13, 2021, requesting the Federal and Provincial governments consider making meaningful improvements to the release of offenders. The so-called "Catch and Release Justice" refers to the release of offenders by the courts whereby the offender is re-arrested by police for breaches of the release conditions.

The resolution indicates this approach has a negative impact on police workload, officer morale, and potentially law-abiding citizens.

Locally, council has asked that the matter be discussed at the Police Service Board level and that *"a review of "catch and release justice" in the City of Stratford be referred to the Stratford Police Services Board to outline current challenges."*

Further, council is requesting a resolution with recommended changes be brought back to council for January 24, 2022.

ANALYSIS

On its surface "Catch and Release Justice" is a reference to the increase in offenders being released after being arrested. This term mostly refers to release by the courts although police officers (Officer in Charge) have release authorities similar to that of the court.

In response to the request of council, a review of charges laid for these instances was completed. Approximately 60 more charges were laid in 2021 in comparison to the average of charges from 2018 to 2020. In reviewing the data this increase would represent an approximate 43% increase

Community-Partnerships-Service

To Serve and Protect in Partnership with Our Community

in breach of release condition charges being laid by members of the service. I would caution that the data, while it does show an increase from 2018-2021, could also be indicative of the COVID pandemic whereby the courts (and police) were actively exploring opportunities to keep offenders out of custody, where possible. The result was that more offenders were released on conditions where re-offending in the community could have occurred. Likewise, the stressful nature of the pandemic should not be discounted as a contributing factor on this data.

RECOMMENDATIONS/COMMENTS

- The Stratford Police Service has experienced an increase in repeat offenders being released into the community only to re-offend.
- The impact of the pandemic on the police, justice and corrections system has been challenging to navigate
- More and more offenders are being released into the community on judicial release conditions that are continually breached leading to more arrests, charges, and court appearances.
- The community is frustrated with the lack of accountability on offenders and feel that their safety is being jeopardized.
- Police officers are resorting to “Officer in Charge” releases when offenders should be going to the courts for judicial releases because of workload.
- The court dockets will most likely be cleared of low-level offences resulting in no accountability for offenders
- Victims are feeling re-victimized by the system and losing faith/trust in the system.

To Serve and Protect in Partnership with Our Community

For Council consideration:

That that City of Stratford endorse the Sarnia Catch and Release Justice resolution and add the following:

- The Federal and Provincial Governments recognize the linkage between mental health, addiction, homelessness, and crime.
- That all levels of government acknowledge that catch and release justice contributes to feelings of vulnerability within our communities and increases the cost of policing, social services, and health care in our communities.
- That all levels of government provide continued financial support to enhance funding in communities for Mobile Crisis Rapid Response Teams, Overdose Response Teams, Community Outreach Teams, Emergency Shelter facilities, Education and Awareness Programs, diversion programs, etc. under the umbrella of Community Safety and Well Being.
- That the Federal and Provincial Governments re-imagine a direct accountability framework specific to charges relating to failure to comply with release conditions.
- That consideration be given to provided holistic support to chronic re-offenders experiencing mental health, addiction, and homelessness issues with a multi-disciplinary team under one roof

Yours,

Gerry Foster
Deputy Chief of Police

Community-Partnerships-Service



RE: Gypsy Moth Spraying

JANUARY 19, 2022

At its meeting of January 17, 2022, the Council of the Township of Limerick passed a motion in regard to the Gypsy Moth Concentration and Control Measures;

“WHEREAS the Gypsy Moth defoliation in Limerick Township has caused significant damage, with Limerick Township reportedly having the highest concentration of Gypsy moths in Hastings County due to the Rural nature of the Township; and

WHEREAS the reported responses from the public do not present an accurate picture of the devastation as the geographical area is quite large in relation to the low population of Limerick Township;

NOW THEREFORE, BE IT RESOLVED that Council of the Township of Limerick request that the County of Hastings consider the impact of the Gypsy Moth Caterpillars on the rural communities across Ontario, not only through online reporting but also taking into consideration the land mass associated with each municipality. For example, one property owner recently purchased 27,000 acres of land, but was only able to submit 1 report for the entire property.

BE IT FURTHER RESOLVED that the population of seasonal residents not reporting in the area during the off season also be taken into consideration, as there is potential that they are unaware of the reporting process.

BE IT FURTHER RESOLVED that the County of Hastings take the necessary steps to accurately interpret the devastation of the Gypsy Moth Caterpillar by way of geographical consideration along with the online reporting method to ensure accurate and beneficial spraying to combat this problem is undertaken.”

Please reach out to the Township Clerk with any additional questions at 613-474-2863.

Sincerely,

Victoria Tisdale

Victoria Tisdale, Clerk Treasurer
clerk@township.limerick.on.ca
Telephone: 613-474-2863
Fax: 613-474-0478
0478

Nicole Ilcio, Deputy Clerk Treasurer
assistant@township.limerick.on.ca
Telephone: 613-474-2863
Fax: 613-474-

February 9, 2022

The Honourable Doug Ford, Premier of Ontario
Via Email

Re: Dissolve Ontario Land Tribunal

Please be advised that Council for the Town of Halton Hills at its meeting of Monday, February 7, 2022, adopted the following Resolution:

Resolution No. 2022-0020

WHEREAS Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of the Town of Halton Hills community";

AND WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan is ultimately approved by the province;

AND WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of Town of Halton Hills Official Plan;

AND WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Town of Halton Hills Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or "OMB"), an unelected, appointed body that is not accountable to the residents of the Town of Halton Hills;

AND WHEREAS the OLT has the authority to make a final decision on planning matters based on a "best planning outcome" and not whether the proposed development is in compliance with municipal Official Plans;

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

AND WHEREAS all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;

AND WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Halton Hills requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

AND FURTHER THAT a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario;

AND FURTHER THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

CARRIED

Attached for your information is a copy of Resolution No. 2022-0020.

If you have any questions, please contact Valerie Petryniak, Town Clerk for the Town of Halton Hills at 905-873-2600 ext. 2331 or valeriep@haltonhills.ca.

Yours truly,



Melissa Lawr
Deputy Clerk – Legislation

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

- cc. Minister of Municipal Affairs and Housing
Leader of the Opposition
Leaders of the Liberal and Green Party
MPPs in the Province of Ontario
Large Urban Mayor's Caucus of Ontario
Small Urban GTHA Mayors
Regional Chairs of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347



**THE CORPORATION
OF
THE TOWN OF HALTON HILLS**

Resolution No.: 2022-0020

Title: Dissolve Ontario Land Tribunal

Date: February 7, 2022

Moved by: Mayor R. Bonnette

Seconded by: Councillor C. Somerville

Item No. 15.2

WHEREAS Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of the Town of Halton Hills community";

AND WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan is ultimately approved by the province;

AND WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of Town of Halton Hills Official Plan;

AND WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Town of Halton Hills Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Town of Halton Hills;

AN WHEREAS the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans;

AND WHEREAS all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;

AND WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Halton Hills requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

AND FURTHER THAT a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors’ Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario;

AND FURTHER THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.



Mayor Rick Bonnette

UNFINISHED BUSINESS LIST

Council Question #	Agenda Item	Assigned To	Description	Meeting Type	Meeting Date	Comments
CQ 20-001	Opposing SunParlour R/C Flyers Noise Exemption Request - Tom and Mary Bateman	Valerie, Bill Tetler	Resolution # 20200113-004 Prue/Simone That Administration BE DIRECTED to bring back a report with an amendment to Section 3 of Noise By-law 2001-43.	Regular Council Meeting	1/13/2020	Public consultation required.
CQ 20-002	Live Music on Legion Patio from May to October - Laurie Cavanaugh, President, Royal Canadian Legion, Fort Malden Branch 157	Valerie Critchley, Bill Tetler	Resolution # 20200113-006 McArthur/Prue 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.	Regular Council Meeting	1/13/2020	Public consultation required.

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 20-003	Kingsbridge Subdivision Parkland Conveyance	Frank Garardo, Heidi Baillargeon, Rita Chappell	<p style="text-align: center;">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; 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; 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); 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>	Regular Council Meeting	1/27/2020	With Administration.
CQ 20-005	NEW BUSINESS	Valerie Critchley, Bill Tetler	<p style="text-align: center;">Resolution # 20200309-096 Prue/Courtney That:</p> <ol style="list-style-type: none"> 1. Administration BE DIRECTED to bring back a report on vacant building registries and to investigate the City of Hamiltons by-law with respect to vacant buildings for discussion; and, 2. Administration BE DIRECTED to bring back a report on an Agent of Change by-law for discussion. 	Regular Council Meeting	3/9/2020	Agent of Change Report Complete. See CQ 21-012. Vacant Building registries is under review.

UNFINISHED BUSINESS LIST

CQ 20-006	Water Bill Fee - Dennis Richardson	Tiffany Hong	Resolution # 20200713-194 Prue/Renaud That Administration BE DIRECTED to bring back a report with respect to the feasibility of the following: Employee discretion when adding the administrative fee to past due water bills consideration of a 14 day grace period.	Regular Council Meeting	7/13/2020	Report coming to Council in Q1 2022.
CQ 20-009	NEW BUSINESS	Valerie Critchley, Bill Tetler	Resolution #20200914-292 Courtney/Prue That Administration BE DIRECTED to bring back a report regarding regulating Air BnB's.	Regular Council Meeting	9/14/2020	Administration will bring back a report with options.
CQ 20-010	NEW BUSINESS	Valerie Critchley, Bill Tetler	Resolution # 20200914-293 Prue/Simone That Administration BE DIRECTED to look into an idling by-law specifically on Boblo Island at the ferry loading area and that a report be brought back to Council.	Regular Council Meeting	9/14/2020 6:00:00 PM	Report drafted, with Administration for review.
CQ 20-011	NEW BUSINESS	Frank Garardo	Resolution # 20200928-309 Prue/Simone That Administration BE DIRECTED to bring a report back regarding the feasibility of a public art dedication fund as a provision in future development agreements.	Regular Council Meeting	9/28/2020	Administration is investigating the feasibility of a public art dedication fund.
CQ 20-014	Easement Documentation and By-law 2020-059 - Nicole Keogh and Mary Canton, Amherst Point Association	Valerie Critchley, Bill Tetler	Resolution # 20201109-358 Prue/Meloche That Administration BE DIRECTED to prepare a report to determine costs and impacts for all Town encroachments and that the report be brought back to Council for consideration.	Regular Council Meeting	11/9/2020	Options will be brought back for consideration.

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 21-001	Pending Playground Equipment Removal from Wigle and Briar Ridge Parks	Heidi Baillargeon, Rita Chappell	Resolution 20210208-031 Prue/McArthur That Administration BE DIRECTED to immediately begin public consultation on Briar Ridge and Jack Purdie parks for playground equipment to be funded from the Reserve Fund General.	Regular Council Meeting	2/8/2021	Administration is preparing public consultation.
CQ 21-003	Off-Road Vehicle Use on Amherstburg Roadways	Valerie Critchley, Bill Tetler	Resolution # 20210308-070 McArthur/Simone That Administration BE DIRECTED to consult with the applicants as to the feasibility and desire to allow off-road vehicles on Amherstburg roads knowing that they won't be able to access County roads.	Regular Council Meeting	3/8/2021	Will coordinate a meeting with the Essex County ATV Club
CQ 21-009	NEW BUSINESS	Antonietta Giofu, Kevin Fox	Resolution # 20210510-TBD McArthur/Renaud That Administration BE DIRECTED to look into a Crosswalk Art policy for the Town of Amherstburg similar to the streetscape initiative in the City of Windsor.	Regular Council Meeting	5/10/2021	Administration preparing report for February 28, 2022 Council Meeting
CQ 21-010	Solar Power Grant Funding, Green Inclusive Community Building Program - Daren Crawford, Otter Energy	Heidi Baillargeon, Rita Chappell	Resolution # 20210614-188 Prue/Meloche That: The delegation BE RECEIVED; The presentation BE SENT to the Environmental Advisory Committee; Administration BE DIRECTED to review the feasibility of rooftop solar, with cost savings, and a report be brought back to Council for consideration.	Regular Council Meeting	6/14/2021	Completed

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 21-011	Indigenous Peoples Flag Proposal - Linden Crain, Amherstburg Resident	Heidi Baillargeon, Jennifer Ibrahim, Rita Chappell	<p style="text-align: center;">Resolution # 20210614-190 Prue/Meloche That:</p> <p style="text-align: center;">The delegation BE RECEIVED; and, Administration BE DIRECTED to convene a meeting with First Nations representatives, both on and off the Reserve, to seek input on an Indigenous flag to be raised in the Town of Amherstburg with the costs to BE INCLUDED in the 2022 Budget.</p>	Regular Council Meeting	6/14/2021	With Administration.
CQ 21-012	Agent of Change Policies	Frank Garardo, Valerie Critchley, Bill Tetler	<p style="text-align: center;">Resolution # 20210614-203 Prue/Courtney That Administration BE DIRECTED to prepare a by-law regarding Agent of Change as soon as possible.</p>	Regular Council Meeting	6/14/2021	In Process
CQ 21-013	Better Laws for Paws Mackenzie Porter and Sarah Aubin	Valerie Critchley, Bill Tetler	<p style="text-align: center;">Resolution # 20210712-230 Prue/Simone That:</p> <p style="text-align: center;">The delegation BE RECEIVED; and, Administration BE DIRECTED to bring back a report outlining any areas in which the Town's by-law can be improved based on the information brought forward by the delegates.</p>	Regular Council Meeting	7/12/2021	In Process
CQ 21-014	Amherstburg Environmental Advisory Committee Minutes - June 9, 2021	Heidi Baillargeon, Rita Chappell	<p style="text-align: center;">Resolution # 20210712-241 Prue/Courtney Administration BE DIRECTED to bring back a report on how the Town can best utilize the trees received by ERCA, outline the costs associated, and outline where the trees can be planted in the Towns parklands.</p>	Regular Council Meeting	7/12/2021	In Process

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 21-015	NEW BUSINESS	Heidi Baillargeon, Rita Chappell	Resolution # 20210712-245 Courtney/Prue That Administration BE DIRECTED to prepare another concept of all of H. Murray Smith Park inclusive of greenspace in place of the former ACS building.	Regular Council Meeting	7/12/2021	In Process
CQ 22-01	Letter of Support for Kitchener Resolution re. Fire Safety Measures - Town of Plympton-Wyoming	Tammy Fowkes	Resolution #20220124-12 Prue/Courtney That Administration BE DIRECTED to send correspondence in support of the City of Kitcheners resolution regarding Fire Safety Measures.	Regular Council Meeting	1/24/2022	Letter being drafted

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2022-023

**A By-law to submit a Question to the Electors of the Town of Amherstburg at a
Vote to be Held on October 24, 2022**

WHEREAS Section 8(1)(b) of the *Municipal Elections Act, 1996, as amended*, provides that a municipality may pass a by-law to submit to its electors a question not authorized by law but within Council's jurisdiction;

AND WHEREAS the council of the Corporation of the Town of Amherstburg wishes to submit a question, not authorized by law but within its jurisdiction, to its electors on October 24, 2022;

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

1. There shall be submitted to the electors at a vote to be held on October 24, 2022, the following question:

Are you in favour of a Ward Election System?

Read a first, second and third time and finally passed this 28th day of February, 2022.

MAYOR – Aldo DiCarlo

CLERK – Valerie Critchley

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW 2022-028

**By-law to appoint a Chief Administrative Officer for
The Corporation of the Town of Amherstburg**

WHEREAS the Council of The Corporation of the Town of Amherstburg has considered and approved the appointment of Peter Simmons to the position of Chief Administrative Officer.

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

1. Peter Simmons is hereby appointed Chief Administrative Officer for The Corporation of the Town of Amherstburg effective February 22, 2022.
2. The Chief Administrative Officer, subject to the control of and responsibility to the Mayor and Council, shall have general supervision and oversight of all municipal departments and officials under control of Town Council.
3. The Chief Administrative Officer shall have full control and direction of all Town of Amherstburg employees.
4. The Chief Administrative Officer shall advise Town Council and direct staff in accordance with all applicable policies, rules, professional standards, regulations and legislation.
5. For greater certainty, but not as to restrict the generality of the foregoing, the Chief Administrative Officer shall perform the duties as described in section 229 of the *Municipal Act, 2001*.
6. That By-law 2014-94 is hereby repealed.
7. This By-law shall come into force and take effect on the date of final passing thereof.

Read three times and finally passed this 28th day of February, 2022.

MAYOR - ALDO DICARLO

CLERK-VALERIE CRITCHLEY

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2022-029

**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 February 15th, 22nd, and 28th, 2022, meetings 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 28th day of February, 2022.

MAYOR – Aldo DiCarlo

CLERK – Valerie Critchley