



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, March 14, 2022  
6:00 PM**

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

**MINUTES**

**PRESENT**

Mayor Aldo DiCarlo  
Deputy Mayor Leo Meloche – *Virtual*  
Councillor Peter Courtney – *Virtual - Left meeting @ 7:58 pm*  
Councillor Donald McArthur  
Councillor Michael Prue  
Councillor Marc Renaud  
Councillor Patricia Simone

Peter Simmons, CAO  
Valerie Critchley, Director, Legislative Services/Clerk  
Tammy Fowkes, Deputy Clerk

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:07 p.m.

**ROLL CALL**

## **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

There were no disclosures of pecuniary interest noted.

## **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.

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20220314-01

**Moved By** Councillor McArthur

**Seconded By** Councillor Renaud

**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 Council Meeting Minutes - Planning - February 28, 2022**
- 5.2 Special In-Camera Council Meeting Minutes - Public - February 28, 2022**
- 5.3 Regular Council Meeting Minutes - February 28, 2022, *as amended***

*Agenda item # 7.1 was moved forward.*

## PRESENTATIONS

- 7.1 **2022 Draft Budget - Tim Byrne, CAO/Secretary-Treasurer, Tania Jobin, Chair, and Shelley McMullen, CFO/Director of Finance and Corporate Services, ERCA**

Resolution # 20220314-02

**Moved By** Councillor Simone  
**Seconded By** Councillor McArthur

**That the presentation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

## DELEGATIONS

- 6.1 **Libro Centre Outdoor Turf Upgrade Request - Terry Sawchuk, Jim Jariett, and Vancho Cirvoski, Amherstburg Minor Soccer Association (AMSA)**

Resolution # 20220314-03

**Moved By** Councillor Prue  
**Seconded By** Councillor Courtney

**That:**

1. **The delegation BE RECEIVED; and,**
2. **Administration BE DIRECTED to bring back a report outlining the feasibility and costs to accomplish AMSA's outdoor turf upgrade requests.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS – CORPORATE SERVICES

There were no reports.

## REPORTS - COMMUNITY AND PROTECTIVE SERVICES

There were no reports.

## REPORTS - INFRASTRUCTURE SERVICES

There were no reports.

## REPORTS - PLANNING AND DEVELOPMENT SERVICES

### 11.1 Addition to the Heritage Register - General Amherst High School

Resolution # 20220314-04

**Moved By** Councillor Simone

**Seconded By** Councillor Renaud

**That the General Amherst High School (130 Sandwich Street North) BE LISTED on The Town of Amherstburg’s Heritage Register as a non-designated, “Property of Interest”.**

The Mayor put the Motion.

**Motion Carried**

### 11.2 Amending Development Agreement - 83 Sandwich Street S

Resolution # 20220314-05

**Moved By** Councillor Prue

**Seconded By** Councillor McArthur

**That:**

1. **The amendments to the Development Agreement for 83 Sandwich Street South between the Town and Mikhail Holdings BE APPROVED; and,**

2. **By-law 2022-024 being a by-law to authorize the signing of an Amending Development Agreement be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

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

### **12.1 Fence By-law**

Resolution # 20220314-06

**Moved By** Councillor Prue  
**Seconded By** Councillor Simone

**That:**

1. **The report from the Manager of Licensing and Enforcement dated February 23, 2022 regarding a new Fence By-Law BE RECEIVED;**
2. **By-law 2022-027 being a By-Law to Prohibit the Height and Description of Lawful Fences 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 2002-84 BE REPEALED.**

The Mayor put the Motion.

**Motion Carried**

### **12.2 Idling By-law**

Resolution # 20220314-07

**Moved By** Councillor Simone  
**Seconded By** Councillor Prue

**That:**

1. **The report from the Manager of Licensing and Enforcement dated February 23, 2022 regarding a new Idling By-Law BE RECEIVED;**

2. **By-law 2022-026 being a By-Law to Control the Idling of Vehicles and Boats 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 2001-43, section 2 (5) (i) (ii)(iii)(iv)(v) BE REPEALED.**

The Mayor put the Motion.

**Motion Carried**

### **12.3 Collection & Waste Disposal By-law**

Resolution # 20220314-08

**Moved By** Councillor Prue  
**Seconded By** Deputy Mayor Meloche

**That:**

1. **The report from the Manager of Licensing and Enforcement dated February 23, 2022 regarding a new Collection & Waste Disposal By-Law BE RECEIVED;**
2. **By-law 2022-025, as amended, being a By-Law to Establish and Maintain a System for the Collection and Disposal of Waste 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 2005-29 BE REPEALED.**

The Mayor put the Motion.

**Motion Carried**

### **12.4 Decorative Crosswalk Considerations**

Councillor Courtney left the meeting at 7:58 p.m.

Resolution # 20220314-09

**Moved By** Councillor McArthur  
**Seconded By** Councillor Simone

**That:**

1. **The Decorative Crosswalk Considerations report of February 17, 2022, BE RECEIVED;**
2. **Council APPROVE the decorative crosswalk installation proposal, subject to the creation of an agreement, to fund the entirety of the works, inclusive of associated maintenance and to the satisfaction of the Director of Legislative Services for legal content, the Director of Infrastructure Services for technical content and the Director of Corporate Services for financial content; and,**
3. **The Administrative report dated March 7, 2022 on this topic BE AMENDED to include that approvals of decorative sidewalk projects will be subject to Council being satisfied that such approval is in the public interest.**

The Mayor put the Motion.

**Motion Carried**

## **12.5 Gibson Gallery Accessibility**

Resolution # 20220314-10

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

**That:**

1. **The accessibility upgrades consisting of an accessible ramp, barrier free route of travel, installation of an automatic door opener, and improvements to the accessible parking space proposed for the Gibson Gallery BE UNDERTAKEN in a collaborative manner with the Fort Malden Guild of Arts as noted in the report of March 3, 2022;**
2. **A 2022 expenditure not to exceed \$25,000 plus HST for the provision of accessibility upgrades to the Gibson Gallery BE APPROVED in accordance with the report of March 3, 2022; and,**
3. **The Treasurer BE AUTHORIZED to fund the 2022 expenditure relative to the provision of accessibility upgrades to the Gibson Gallery through a transfer from the AODA Compliance Reserve account in an amount not to exceed \$25,000 plus HST.**

The Mayor put the Motion.

Motion Carried

**INFORMATION REPORTS**

Resolution # 20220314-11

**Moved By** Councillor Simone

**Seconded By** Councillor Prue

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

**13.1 Proposed Regulatory Changes to the Fire Protection and Prevention Act.  
R.S.O. – Firefighter Certification**

The Mayor put the Motion.

Motion Carried

Resolution # 20220314-12

**Moved By** Councillor Simone

**Seconded By** Councillor Prue

**That correspondence BE SENT on behalf of the Mayor and Council in support of the request for the Province to provide funding for the additional mandatory training and support for the request for an extension of at least 36 months for the Municipality to comply with the mandatory certification, should it become law.**

The Mayor put the Motion.

Motion Carried

**CONSENT CORRESPONDENCE**

Resolution # 20220314-13

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Renaud

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

**14.1 Enbridge Gas – Letter to Town of Amherstburg**



- 14.2 **Consideration of Support for Windsor-Essex Workers - Town of Tecumseh Resolution**
- 14.3 **Walker Aggregates - McGregor Quarry - 2021 OSSGA Community Relations Award**
- 14.4 **Floating Accommodations on Waterways - Ministry of Northern Development, Mines, Natural Resources and Forestry**
- 14.5 **2022 Bursary Program Package - Municipal Engineers Association**
- 14.6 **Mental Health Supports - Township of Woolwich Resolution**
- 14.7 **Noise Audit Status - Multi-Municipal Wind Turbine Working Group**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20220314-14

**Moved By** Councillor Prue  
**Seconded By** Councillor Renaud

*Item # 14.2 – That correspondence BE SENT in support of the Town of Tecumseh’s resolution regarding Consideration of Support for Windsor-Essex workers.*

The Mayor put the Motion.

**Motion Carried**

Resolution # 20220314-15

**Moved By** Councillor Simone  
**Seconded By** Councillor McArthur

*Item # 14.3 – That correspondence BE SENT on behalf of the Mayor and Council congratulating Walker Aggregates, McGregor Quarry, on their 2021 OSSGA Community Relations Award.*

The Mayor put the Motion.

**Motion Carried**

Resolution # 20220314-16

**Moved By** Councillor Prue  
**Seconded By** Deputy Mayor Meloche

*Item # 14.6* – **That correspondence BE SENT in support of the Township of Woolwich's resolution regarding Mental Health Supports.**

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

### **15.1 2022 Proclamation - Year of the Garden**

Resolution # 20220314-17

**Moved By** Councillor Renaud  
**Seconded By** Councillor McArthur

**That:**

- 1. The Town of Amherstburg PROCLAIM 2022 as the 'Year of the Garden' in celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges;**
- 2. June 18, 2022 BE RECOGNIZED as 'Garden Day' in the Town of Amherstburg as a legacy of Canada's Year of the Garden 2022; and,**
- 3. Administration BE DIRECTED to look into award signs for those property owners who partake in the 'Year of the Garden' celebration.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Resolution # 20220314-18

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

**That the following minutes BE RECEIVED:**

**16.1 Committee of Adjustment Meeting Minutes - December 14, 2021**

**16.2 Committee of Adjustment Meeting Minutes - February 1, 2022**

The Mayor put the Motion.

**Motion Carried**

## **OTHER MINUTES**

**17.1 Drainage Board Meeting Minutes - March 1, 2022**

Resolution 20220314-19

**Moved By** Councillor Renaud

**Seconded By** Deputy Mayor Meloche

**That:**

**1. The Drainage Board Meeting Minutes of March 1, 2022 BE RECEIVED;  
and,**

**2. The following drainage apportionments BE APPROVED as listed, as  
recommended by the Drainage Board:**

- **Consent B/09/21 – Drainage Apportionments for the Mickle Drain and Sunset Beach Pumping System –1485 Front Road S.**
- **Consent B/17/21 - Drainage Apportionments for the Long Marsh Drain – 8121 Alma St.**
- **Consent B/34/21 - Drainage Apportionments for the Ernest Paquette Drain – 5274 Concession Road 5 S.**

The Mayor put the Motion.

**UNFINISHED BUSINESS**

There was no unfinished business brought forward.

**NEW BUSINESS**

1. Councillor Simone asked that event calendar cards be posted on the website and all social media platforms.

The Director of Community and Protective Services advised that the event information will be posted.

2. Mayor DiCarlo advised that local doctor, Dr. Luigi DiPierdomenico, applied for his license to provide ultrasound services in the Town and was subsequently denied by the Minister of Health. The Mayor indicated the Dr. DiPierdomenico is seeking Council's endorsement on his appeal to the Minister of Health and will be circulating a petition within the Town.

Resolution # 20220314-20

**Moved By** Councillor Renaud

**Seconded By** Deputy Mayor Meloche

**That Council ENDORSE Dr. DiPierdomenico's appeal to the Minister of Health by signing the petition and supporting the request to circulate the petition to residents.**

The Mayor put the Motion.

**Motion Carried**

**NOTICE OF MOTION**

Councillor Simone introduced a Notice of Motion for consideration at the March 28, 2022, Regular Council Meeting.

**20.1 Denouncement of General Jeffrey Amherst's Statements & Actions -  
Councillor Patricia Simone**

**BY-LAWS**

Deputy Mayor Meloche moved Items 21.1 - 21.4 all together.

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Simone

**21.1 By-law 2022-012 - A By-law to Amend the Zoning By-law at 4841 County Road 18**

Resolution # 20220314-21

**That By-law 2022-012 being a by-law to Amend the Zoning By-law at 4841 County Road 18 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

**21.2 By-law 2022-014 - A By-law to Amend the Zoning By-law at Concession 8**

Resolution # 20220314-22

**That By-law 2022-014 being a by-law to Amend the Zoning By-law at Concession Road 8 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

**21.3 By-Law 2022-018 - A By-law to Amend 2001-43, Emission of Sound By-law**

Resolution # 20220314-23

**That By-law 2022-018, *as amended*, being a by-law to Amend By-law 2001-43, Emission of Sound, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

**21.4 By-law 2022-036 - Confirmatory By-law**

Resolution # 20220314-24

**That By-law 2022-036 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on March 9 and 14, 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 McArthur  
**Seconded By** Councillor Renaud

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

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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CLERK – VALERIE CRITCHLEY