



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, June 13, 2022  
6:00 PM**

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

**MINUTES**

**PRESENT**

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

Valerie Critchley, Director, Legislative Services/Clerk  
Kevin Fox, Acting Deputy Clerk

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:15 p.m.

**NATIONAL ANTHEM**

**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 # 20220613-03

**Moved By** Councillor Simone

**Seconded By** Councillor McArthur

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

- 6.1 **Regular & Special In-Camera Council Meeting (Public) Minutes - May 9, 2022**
- 6.2 **Regular Council Meeting Minutes - May 24, 2022**
- 6.3 **Special In-Camera Council Meeting Minutes (Public) - May 24, 2022**

The Mayor put the Motion.

**Motion Carried**

## **REPORT OUT FROM SPECIAL IN-CAMERA COUNCIL MEETING**

- 7.1 **Special In-Camera Council Meeting June 8<sup>th</sup>, 2022**

Council met on June 8<sup>th</sup>, 2022 for a Special In-Camera Meeting at 6:01p.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

Item A – was heard under Section 239(2)(b)&(f) of the Act. **As a result of that discussion, the Mayor advised that he and external Legal Counsel will proceed on the verbal direction of Council.**

## **7.2 Special In-Camera Council Meeting June 13<sup>th</sup>, 2022**

Council met on June 13<sup>th</sup>, 2022 for a Special In-Camera Meeting at 5:07 p.m. and discussed the following (2) items as provided for under Section 239 of the Municipal Act:

Item A – was heard under Section 239(2)(b)(e)&(f) of the Act. **As a result of that discussion, the Mayor advised that external Legal Counsel will proceed on the verbal direction of Council.**

*Agenda item # 20.2 was brought forward – Appointment of CAO*

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

Resolution # 20220613-04

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

**That:**

- 1. Valerie Critchley BE APPOINTED as Chief Administrative Officer for the Town of Amherstburg; and,**
- 2. Item # 20.2 - That By-law 2022-065 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 Deputy Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

## DELEGATIONS

*Agenda item # 8.4 was moved forward.*

### **8.4 Request for Noise Exemption for Open Air and Future Parade Route - Laurie Cavanaugh, Royal Canadian Legion**

Resolution # 20220613-05

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

**That:**

1. The delegation **BE RECEIVED**;
2. An exemption **BE GRANTED**, until October 2, 2022, from Noise By-law # 2001-43, table 3-1(2) with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeaker to allow for music on Fridays from 1500 hours until 2100 hours, on Saturdays from 1800 hours until 2200 hours, and on Sundays from 1400 hours until 1800 hours at the Royal Canadian Legion Branch # 157;
3. Fees associated with the noise exemption policy **BE WAIVED** until October 2, 2022 for the Legion;
4. Administration **BE DIRECTED** to work with the Legion on approvals for the Legion Parade in future years; and,
5. Administration **BE DIRECTED** to consult with the Legion on incorporating the Open Air Pipe Band and the Legion Honour Guard.

The Mayor put the Motion.

**Motion Carried**

### **8.1 Request for Public Boat Ramp at Ranta Park - Rodney Ferris, AMA Sportsmens' Association**

Resolution # 20220613-06

**Moved By** Councillor McArthur  
**Seconded By** Councillor Courtney

**That:**

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

2. **Administration BE DIRECTED to plan for a boat ramp and water access at Ranta Memorial Park inclusive of considerations for Provincial and Federal funding opportunities.**

The Mayor put the Motion.

**Motion Carried**

**8.2 Request for Financial Audit - Nancy Atkinson, Amherstburg Taxpayers Association**

Resolution # 20220613-07

**Moved By** Councillor Simone  
**Seconded By** Councillor Renaud

**That the delegation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

**8.3 Request for the Town's Global Credit Rating - Diane Pouget**

Resolution # 20220613-08

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

**That the delegation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

**8.4 Request for Noise Exemption for Open Air and Future Parade Route - Laurie Cavanaugh, Royal Canadian Legion**

*As dealt with above*

**REPORTS – CORPORATE SERVICES**

There were no reports.

**REPORTS - PARKS, FACILITIES, RECREATION & CULTURE**

There were no reports.

## REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

There were no reports.

## REPORTS - DEVELOPMENT SERVICES

### 12.1 Heritage Register Additions

Resolution # 20220613-09

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

That each of the following properties BE LISTED on The Town of Amherstburg's Heritage Register as a non-designated property of cultural heritage value or interest in accordance with section 27(3) of the *Ontario Heritage Act*: 263 Brock St.; 269 Brock St.; 228 George St.; 235 George St.; 166 Gore St.; 258 King St.; 289 King St.; 149 Richmond St.; 272 Sandwich St.; 166 Simcoe St.

The Mayor put the Motion.

Motion Carried

### 12.2 Zoning By-law Amendment- 247 Brock Street

Resolution # 20220613-10

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

That By-law 2022-057 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 247 Brock Street be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

### 12.3 Official Plan Amendment No. 15 and Zoning By-law Amendment for 219 Brock Street

Councillor Prue offered an amendment noted as recommendation # 3.

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

That:

1. **Official Plan Amendment No. 15, attached to this report as Appendix “D”, BE ADOPTED by Council and forwarded to the County of Essex; and,**
2. **By-law 2022-063 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 219 Brock Street as the corresponding implementing Zoning By-law Amendment, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**
3. **The County of Essex CONSIDER during the approval process the requirement for additional archeological testing on the southern portion of the property to verify there are no additional burials on the site.**

The Mayor put the Motion.

**Motion Failed**

Resolution # 20220613-11

*Original Administrative recommendation*

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

That:

1. **Official Plan Amendment No. 15, attached to this report as Appendix “D”, BE ADOPTED by Council and forwarded to the County of Essex; and,**
2. **By-law 2022-063 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 219 Brock Street as the corresponding implementing Zoning By-law Amendment, 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**

#### **12.4 Removal of Part Lot Control- Kingsbridge Phases 5 and 10**

Resolution # 20220613-12

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

**That:**

- 1. The application for Removal of Part Lot Control for Part of Lots 11, 12, 13 and 14, Concession 1, being Block 33 on Plan 12M-669 and being Blocks 213 to 234 inclusive on Plan 12M-674 and being Blocks 1 and 2, 4 to 9 inclusive, 11 to 26 inclusive, 28 and 29 on Plan 12M-679, known locally as Kingsbridge Subdivision, BE APPROVED; and,**
- 2. By-law 2022-061 being a by-law to remove certain lands from Part Lot Control 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**

## **12.5 Update and Potential Options for 320 Richmond Street**

Resolution # 20220613-13

**Moved By** Councillor Simone

**Seconded By** Councillor Renaud

**That:**

- 1. Council APPROVE funding from the Parkland Reserve fund in order to address the shortfall of \$8,573 in capital expenditures for the finished space and the estimated \$26,605 shortfall in building maintenance costs for 2022 and;**
- 2. Council DIRECT Administration to proceed with Option 2 as noted in this report.**

The Mayor put the Motion.

**Motion Carried**

## **12.6 Site Plan and Development Agreement for 106 Gore Street**

Resolution # 20220613-14

**Moved By** Councillor Prue

**Seconded By** Councillor Simone

**That the Site Plan and Development Agreement for 106 Gore Street BE REFERRED to Heritage Committee and BE BROUGHT BACK to Council for the next Regular Council Meeting.**

The Mayor put the Motion.



**REPORTS - CAO's OFFICE**

**13.1 2022 Amherstburg Chamber of Commerce Business Excellence Awards Sponsorship**

*Withdrawn*

**13.2 RE/ACT Drive to Thrive Golf Tournament Donation**

*Withdrawn*

**13.3 2022 Special Events Approval – Part IV**

Resolution # 20220613-15

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

**That:**

**1. The following events BE APPROVED:**

- Police & Fire Games 2022: July 27, 2022 & July 28, 2022

**2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music BE GRANTED for the following events:**

- Police & Fire Games 2022 – July 27, 2022 (9:00am – 12:00pm)

- Police & Fire Games 2022 – July 28, 2022 (9:00am – 2:00pm)

**3. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:**

- Police & Fire Games 2022

**4. The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to issuing an event permit.**

The Mayor put the Motion.

**Motion Carried**

**13.4 Amherstburg Emergency Response Plan 2022 Update**

Resolution # 20220613-16

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

**That:**

- 1. The updated Emergency Response Plan attached (Appendix “A”) which includes the updated Annex N Amherstburg Nuclear Emergency Response Plan (Appendix “B”) BE APPROVED, as presented; and,**
- 2. By-law 2022-039 attached (Appendix “D”) being a by-law to adopt an Emergency Response Plan governing the provisions of necessary services during such emergencies 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**

**INFORMATION REPORTS**

Resolution # 20220613-17

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

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

- 14.1 Resignation from the Amherstburg Environmental Advisory Committee**
- 14.2 Annual Treasurer’s Report – 2021 Council and Appointee Statement on Remuneration and Expenses**
- 14.3 2021 Year End (Q4) Budget to Actual Projections**

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Resolution # 20220613-18

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Prue

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

- 15.1 **2022-2026 Windsor-Essex Regional Community Safety and Well-Being Plan - Sylvia Jones, Solicitor General**
- 15.2 **Voter's List Information to Candidates - Town of The Blue Mountains Resolution**
- 15.3 **Voluntary Russian Sanction Request - Niagara Region Resolution**
- 15.4 **Bidding War on Apartment Rentals - Town of Fort Erie Resolution**
- 15.5 **Community Schools Alliance Action Plan - Municipality of Shuniah Resolution**
- 15.6 **Federal and Provincial Documents Related to the Former Mohawk Institute Residential School - City of Brantford Resolution**
- 15.7 **Energy Performance Tiers - City of Kitchener Resolution**
- 15.8 **Annual Emergency Exercise Exemption - District of Muskoka Resolution**
- 15.9 **Plan to Tax Vacant Foreign Owned Properties - Town of Fort Erie Resolution**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20220613-19

**Moved By** Councillor Prue

**Seconded By** Councillor Renaud

***Item # 15.7 – That Administration BE DICTED to send correspondence in support of the City of Kitchener's resolution regarding energy performance tiers.***

The Mayor put the Motion.

**Motion Carried**

## OTHER MINUTES

### 16.1 Drainage Board Meeting Minutes - June 7, 2022

Resolution # 20220613-20

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

**That:**

1. **The Drainage Board Meeting Minutes of June 7, 2022 BE RECEIVED;**
2. **The engineer's report for the Jeths Drain Improvements BE CONSIDERED; and,**
3. **By-law 2022-059 being a by-law to provide for the Jeths Drain Improvements based on the Drainage Report by M. Gerrits Consulting 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**

## UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

## NEW BUSINESS

1. Councillor Courtney had some questions with respect to agenda preparation.
2. Councillor Courtney asked how the Town could partake in the pilot project for recreational vehicles on roadways similar to Pelee Island.

The Manager of Licencing and Enforcement advised that there is a pilot project that has started for 2 municipalities in Ontario, Pelee Island being one municipality, and he would have to contact reach out to the municipalities to determine how they were selection for the pilot project. He further advised that he will provide an update to Council on his findings.

3. Councillor Prue asked about reports of a landfill site and was inquiring whether the site was on Hearn property or the old Allied Chemical property.

The Director of Development Services advised that the Chief Building Officer has reached out to ERCA and Administration is awaiting a response from them

4. Deputy Mayor Meloche congratulated Councillor McArthur on running 103.6 miles in 40 hours.

#### **NOTICE OF MOTION**

There were no Notices of Motion.

#### **BY-LAWS**

##### **20.1 By-law 2022-064 - Confirmatory By-law**

Resolution # 20220613-21

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

**That By-law 2022-064 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on June 13, 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**

##### **20.2 By-law 2022-065 - CAO Appointment By-law**

*As dealt with above*

**ADJOURNMENT**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Renaud

**That Council rise and adjourn at 8:13 p.m.**

The Mayor put Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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CLERK – VALERIE CRITCHLEY