



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

AGENDA

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

Monday, March 27, 2023

6:00 PM

Council Chambers

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

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Pages

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

(Public Council Meeting Agenda Items)

5. 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.

6. DELEGATIONS

- 6.1 **Fee Waiver Request for Good Friday Procession - Anna Donatucci, St. John the Baptist Church** 11

That the delegation **BE RECEIVED**.

- 6.2 **Fee Waiver Request for Development Charges - Lori Quaggiotto** 16

That the delegation **BE RECEIVED**.

7. REPORTS – CORPORATE SERVICES

There are no reports.

8. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

There are no reports.

9. REPORTS - ENGINEERING AND INFRASTRUCTURE SERVICES

There are no reports.

10. REPORTS - DEVELOPMENT SERVICES

10.1 Additional Extension of Part Lot Control Exemption for Part of Meadowview Estates Subdivision 21

It is recommended that:

1. **By-law 2023-041** being a by-law to amend By-laws 2018-20, 2021-014 and 2022-040 to extend the expiration date for Part Lot Control exemption, related to Meadowview Estates Subdivision, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

10.2 Canard Valley Estates Phase II Subdivision Street Name Request Heritage Follow-up 31

It is recommended that:

1. The proposed street names Gertrude Drive and Garnet Crescent for Street A and Street B, respectively, of the Canard Valley Estates Phase II Subdivision **BE APPROVED**.

It is recommended that:

1. The consulting services for the Official Plan & Zoning By-law Update **BE AWARDED** to Dillon Consulting Limited based on results of the Request for Proposal (RFP 2023-004);
2. The Chief Administrative Officer and the Municipal Clerk **BE AUTHORIZED** to execute an agreement with Dillon Consulting Limited for the consulting services to complete the Official Plan & Zoning By-law Update for an amount not to exceed \$213,240, plus applicable HST, satisfactory in financial content to the Chief Financial Officer, and technical content to the Director of Development Services;
3. The consulting services for the Heritage Conservation District Study **BE AWARDED** to MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC) based on the results of the Request for Proposal (RFP 2023-005);
4. The Chief Administrative Officer and the Municipal Clerk **BE AUTHORIZED** to execute an agreement with MacNaughton Hermesen Britton Clarkson Planning Limited for the consulting services to complete the Heritage Conservation District Study for an amount not to exceed \$120,925, plus applicable HST, satisfactory in financial content to the Chief Financial Officer, and technical content to the Director of Development Services;
5. That Council **CONFIRM** use of the \$125,000 previously approved by Council for these three projects and funded from the Plans and Studies Reserve (0072) and;
6. That Council **APPROVE** the following additional funding sources to address the \$253,353 shortfall in funding required for these projects to proceed:
 - a. \$164,903 from Development Charges – Community Based Services Administrative Studies (0128) and;
 - b. \$88,450 from Plans and Studies Reserve (0072)

10.4 Request to Extend Interim Control By-law 2022-111

It is recommended that:

1. Council **EXTEND** Interim Control By-law 2022-111 until August 31, 2023; and,
2. By-law 2023-048 being a By-law to Extend Interim Control By-law 2022-111 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

10.5 Removal of Holding Zone for a portion of the South End of Boblo

68

It is recommended that:

1. **By-law 2023-044** being a by-law to amend Zoning By-law 1999-52 to Remove a Holding Zone for a portion of the South End of Boblo Island be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

10.6 Development Charge Exemption Request for Agricultural Retail Uses

74

It is recommended that:

1. Council **APPROVE** the exemption of Development Charges for all agriculturally related retail stores located within the Agricultural (A) Zone up to a maximum size of 232.3 m² (2500 ft²).

11. REPORTS - CAO's OFFICE

11.1 2023 Special Events Approval – Part III

115

It is recommended that:

1. The following events **BE APPROVED**:
 - a. Woofa-Roo Pet Fest – June 24 & 25, 2023
 - b. Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
 - c. 2023 Rocks and Roads Race Series – August 13, 2023
 - d. Good Friday Procession – Way of the Cross – April 7, 2023
2. An exemption from table number 3-1(2) of Noise By-law #2001-43, as amended 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:
 - a. Woofa-Roo Pet Fest – June 24 & 25, 2023
 - b. Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
 - c. 2023 Rocks and Roads Race Series – August 13, 2023
 - d. Good Friday Procession – Way of the Cross – April 7, 2023
3. The following events **BE EXEMPT and PERMITTED** for road closures to begin prior to 5pm:
 - a. Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
 - b. 2023 Rocks and Roads Race Series – August 13, 2023
 - c. Good Friday Procession- Way of the Cross – April 7, 2023
4. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Committee are met prior to the event.

11.2 Downspout Connections By-law

124

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated March 27, 2023 regarding a new Downspout Connections By-Law **BE RECEIVED**; and
2. **By-law 2023-046** being a By-Law to regulate downspout connections within 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.

11.3 Advisory Committees and Terms of Reference

132

It is recommended that:

1. _____ and _____ **BE APPOINTED** as the Council Members of the Amherstburg Environmental Advisory Committee for the 2022-2026 term of Council;
2. _____ and _____ **BE APPOINTED** as the Council Members of the Economic Development Advisory Committee for the 2022-2026 term of Council;
3. _____ and _____ **BE APPOINTED** as the Council Members of the Parks and Recreation Advisory Committee for the 2022-2026 term of Council;
4. The following five applicants **BE APPOINTED** as members of the Amherstburg Environmental Advisory Committee:
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
5. The following five applicants **BE APPOINTED** as members of the Economic Development Advisory Committee:
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____

6. The following five applicants **BE APPOINTED** as members of the Parks and Recreation Advisory Committee:
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
7. The Town of Amherstburg Board and Committee Terms of Reference **BE ADOPTED**; and
8. The individual Terms of Reference **BE ADOPTED** for the following Boards and Committees:
 - a. Amherstburg Environmental Advisory Committee
 - b. Audit and Finance Advisory Committee
 - c. Heritage Committee

12. INFORMATION REPORTS

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

12.1	Annual Treasurer's Report – 2022 Council and Appointee Statement on Remuneration and Expenses	169
12.2	Amherstburg Water Treatment Plant Submission of the 2022 Annual Summary Report	178

13. CONSENT CORRESPONDENCE

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

13.1	Letter re. Bill 23 - County of Essex	186
13.2	Short Term Rentals Tax Classifications - Town of Essex	191
13.3	Resolution re. Municipal Act Forfeiture Clause - Town of Essex	193
13.4	Reducing Municipal Insurance Costs - Municipality of Chatham-Kent	195
13.5	IBEW Local 636 Charity Golf Tournament in Support of MySafeWork	196
13.6	Future Accuracy of the Permanent Register of Electors - Township of Lucan Biddulph	199
13.7	End of Moratorium on Pupil Accommodation Reviews by English Public School Boards - Calvin Township	201
13.8	Barriers for Women in Politics - City of Cambridge	203
13.9	School Bus Stop Arm Cameras - Municipality of North Perth	205

14. CORRESPONDENCE

15. CONSENT OTHER MINUTES

That the following minutes **BE RECEIVED**:

15.1	Essex-Windsor Solid Waste Authority Meeting Minutes of February 7, 2023	207
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16. OTHER MINUTES

17. UNFINISHED BUSINESS

17.1 Unfinished Business List - March 22, 2023 222

18. NEW BUSINESS

19. NOTICE OF MOTION

20. BY-LAWS

20.1 By-law 2023-045 - Economic Development Community Improvement Project Area 224

That **By-law 2023-045** being a by-law to designate an Economic Development Community Improvement Project Area be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

20.2 By-law 2023-047 - Confirmatory By-law 226

That **By-law 2023-047** being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on March 27th, 2023 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

21. ADJOURNMENT

That Council rise and adjourn at p.m.



Delegation Request Form

I wish to appear before *

Council

Advisory Committee of Council

Date of Meeting *

3/13/2023



Name of Delegate(s) *

ANNA MARIA DONATUCCI

Address *



Phone *



Email *



Capacity in which you will be attending *

Attending as an Individual

Representing a Group / Organization

Name of Group / Organization / Business *

Good Friday Procession Walk with St. John the Baptist Church

Have you contacted Administration regarding this matter? *

Yes

No

Who from Town Administration have you contacted? *

Have been in communication with Bill Tetler and Luisa Kempster.

Reason(s) for Delegation Request (subject matter to be discussed). If the request is in response to an item on the agenda, please specify the item's agenda # *

Would like to discuss fees we are encountering for this year's event.

If your request is in response to an agenda item, are you in favour of the recommendation? If not, please provide your reasoning below

Will a powerpoint presentation be made? *

Yes

No

Note: An electronic copy of the PowerPoint presentation is required to be submitted to delegations@amherstburg.ca no later than 12:00 noon on the Friday before the meeting.

Please upload speaking notes and/or presentation materials - 4 Attachments Max (10MB Each) (pdf, docx, xlsx, jpg, jpeg, gif, png, tif) *

File Name
 March 10 - Letter to Town Council.docx 13.3 KB

Personal information contained on this form is authorized under Section 5 of the Town of Amherstburg's Procedure By-law, for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before Council or an Advisory Committee of Council. The Delegation Request Form may be published in its entirety with the public agenda which is also posted on the Town's website. The Procedure By-law is a requirement of Section 238(2) of the Municipal Act, 2001.

Please note that all meetings are open to the public except where permitted to be closed to the public under legislated authority. Questions regarding collection of the information on this form or additional accessibility requirements may be directed to the Municipal Clerk, 271 Sandwich Street South, Amherstburg, ON N9V 2A5, 519.736.0012.



Delegate Guidelines

In accordance with the Town's Procedure By-law, a by-law governing the proceedings of Council, the conduct of its members and the calling of meeting for the Town of Amherstburg:

- Delegations may address Council or Committee for the purpose of bringing a specific matter before Council. In this instance, the request form must be received prior to the preparation of the agenda, no later than 12: 00 noon on the Wednesday prior to the Monday meeting.
- Delegations may address Council or Committee with respect to an item on the agenda, to which the individual/group has a bona fide interest and verbally present information on matters of fact. In this instance, the request form must be received by 12:00 noon on the Friday preceding the Council meeting.
- There is a strict time limit for delegations at meetings. Delegations will have 5 minutes to speak, not inclusive of questions from Council or the Committee. No more than 4 delegations will be heard per item of discussion by Council.
- Delegation requests received after the deadline will not be added to the public agenda. In the event registration with the Clerk is not made by 12:00 noon on the Friday preceding the meeting, but prior to 4:00 pm on the date of the meeting, the Clerk will bring the request to the attention of Council. Council, on a majority vote, may decide to hear the delegation.
- PowerPoint presentations are permitted provided that an electronic copy of the presentation is submitted to the Town Clerk no later than 12:00 noon on the Friday before the meeting. A copy of the presentation will be distributed to Council or Committee, as the case may be, as part of the delegation submission.
- A copy of the delegations speaking notes/presentation material must be submitted with the delegation request form to comply with Section 5.11 of the Procedure By-law.

Thank You

Submission Successful

March 10, 2023

My presentation to Town Council

Good evening, Mayor Prue, Members of Council, and all present here,

My name is Anna Donatucci. I am a parishioner of St. John the Baptist Church. My husband Marino and I have been the organizers of the Good Friday Procession – The Way of the Cross since 2016. This is an event that has taken place for almost 50 years, being started by the Italian Community within St. John the Baptist Church. This is our first event being held since the pandemic and all its closures.

The event is described as - The reenactment of the events leading to Jesus's crucifixion, starting within the church at St. John the Baptist. The participants and parishioners in attendance move on out onto the streets and make their way through the Town of Amherstburg, using designated streets, this year being Brock, Richmond, Ramsay, Park, Bathurst and Simcoe Streets. The participants of the procession return to St. John the Baptist where the reenactment of crucifixion is concluded on the steps, after which we proceed back into the Church.

This event has been the same for as long as I remember it. Up until this year, I was never made aware of the fees involved to hold this event. With that being said there is no record of any fees invoiced or paid to the Town or for the Police Services by the Church. These fees cover costs of permits needed and off duty police officers to assist in the rolling road closure and the safety of all involved in the walk.

This beautiful event has been enjoyed by many over all these years and has brought together the parishioners of St. John the Baptist Church, residents of Richmond Terrace Nursing Home and members of the other Churches along our route. There have been hundreds of followers from our town that have joined in the walk and watched from businesses that we pass along the way. This annual event has been very memorable and thoroughly enjoyed by all and we happily are anticipating its return.

I am before you this evening on behalf of the Good Friday Procession group, St. John the Baptist Church of the Amherstburg-Harrow Catholic Family of parishes and the community of Amherstburg at large, to ask in that we would be very grateful if these fees we have been faced with this year be waived or absorbed by our Town Council in whatever capacity you can grant to assist us.

Thank you.



Delegation Request Form

I wish to appear before *

Council

Advisory Committee of Council

Date of Meeting *

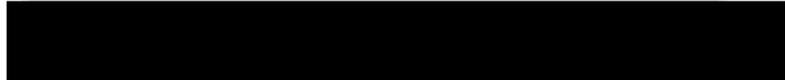
3/27/2023



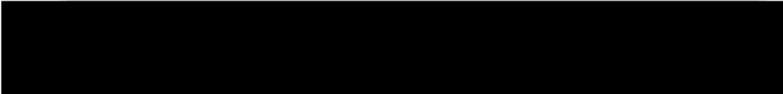
Name of Delegate(s) *

Lori Quaggiotto

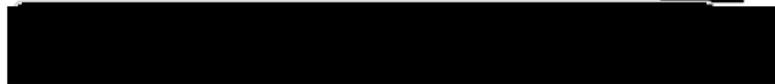
Address *



Phone *



Email *



Capacity in which you will be attending *

Attending as an Individual

Representing a Group / Organization

Have you contacted Administration regarding this matter? *

Yes

No

Who from Town Administration have you contacted? *

Sarah French. Melissa Osborne

Reason(s) for Delegation Request (subject matter to be discussed). If the request is in response to an item on the agenda, please specify the item's agenda # *

Waiving Development Charges

If your request is in response to an agenda item, are you in favour of the recommendation? If not, please provide your reasoning below

Yes

Will a powerpoint presentation be made? *

Yes

No

Note: An electronic copy of the PowerPoint presentation is required to be submitted to delegations@amherstburg.ca no later than 12:00 noon on the Friday before the meeting.

Please upload speaking notes and/or presentation materials - 4 Attachments Max (10MB Each) (pdf, docx, xlsx, jpg, jpeg, gif, png, tif) *

File Name	
	Speaking Notes Council Meeting March 27 Loredana Quaggiotto.docx 12.1 KB

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- A copy of the delegations speaking notes/presentation material must be submitted with the delegation request form to comply with Section 5.11 of the Procedure By-law.

Thank You

Submission Successful

Thank you for your time today. I am here today to ask for relief from development charges for retail stores located on agriculturally zoned properties under 2500 square feet in size consistent with past practice. We paid development charge fees when building our home in 2020 and additional development charges will be detrimental to our small business and any other small business of this size.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Janine Mastronardi	Report Date: March 9, 2023
Author's Phone: 519 736-5408 ext. 2134	Date to Council: March 27, 2023
Author's E-mail: jmastronardi@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Additional Extension of Part Lot Control Exemption for Part of Meadowview Estates Subdivision

1. RECOMMENDATION:

It is recommended that:

1. **By-law 2023-041** being a by-law to amend By-laws 2018-20, 2021-014 and 2022-040 to extend the expiration date for Part Lot Control exemption, related to Meadowview Estates Subdivision, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

2. BACKGROUND:

The Town is in receipt of a request from Scarfone Hawkins LLP, Solicitor for the property owners of 145 Meadowview, requesting for an extension of part lot control under Section 50 of the Planning Act for lot 12, Plan 12M-638, within the Meadowview Estates Subdivision. A one-year extension has been requested to accommodate the completion and final registration of the applicant's semi-detached unit within the subdivision.

Part Lot control is a provision under the *Planning Act* that regulates the transfer or sale of a lot within a registered plan of subdivision. Part Lot Control is utilized for land division within a registered Plan of Subdivision and part lot control is most commonly used for semi-detached and townhome developments after construction has started to accurately set the boundary lines between the units, create the parcels for sale and transfer the ownership.

3. DISCUSSION:

On April 9, 2018, Council passed By-law 2018-20 removing certain lands from Part Lot Control within Plan 12M-638 (Meadowview Estates Subdivision). By-Law 2018-20 was passed with an expiration date of April 9, 2021. A request to extend the By-law for one

more year has been requested for lot 12 of 12M638 of Meadowview Subdivision. Approval of the Part Lot Control By-Law would allow for the completion of construction and registration of the proposed semi-detached unit.

On March 8, 2021, Council passed By-law 2021-014 which amended the legal description and extend the exemption for one additional year. On March 28, 2022, Council passed By-law 2022-040 which extended the exemption for one additional year.

145 and 147 Meadowview Avenue were constructed by 928466 Ontario Limited o/a Nor-Built Construction. Through inadvertence, the residences were not constructed along the property line, but rather 145 encroaches onto the property of 147.

The owners of 145 and 147 Meadowview Avenue have entered into Minutes of Settlement, which will resolve this matter, but the lot-line adjustment will not be completed by April 9, 2023. An additional request has been made to extend the exemption for one year.

Subsection 7.4 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, provides Council with the authority to extend the time period specified for the expiration of the original by-law.

Administration has therefore prepared By-Law 2023-041 for Council's consideration providing for an expiration date of April 9, 2024 for the lands yet to be conveyed. Part Lot Control will once again apply to the lands described as lot 12, Plan 12M-638, within the Meadowview Estates Subdivision and will extend the timeframe to allow for severance of the semi-detached unit for final registration.

The proposal is in compliance with the Town of Amherstburg's zoning by-law and the Planning Act, R.S.O. 1990, c.P. 13, provides Council with the authority to extend the timeframe for part lot control.

4. RISK ANALYSIS:

The recommendation in this report presents little to no risk to the municipality. The proposed By-Law will allow for severance of the semi-detached unit for final registration. A one-year expiration date is a reasonable limit to allow for the semi-detached unit to be completed, surveyed, and finalize registration.

5. FINANCIAL MATTERS:

All costs associated with the request, including preparation of a survey and registration of the by-law, are the responsibility of the applicant.

6. CONSULTATIONS:

N/A

7. CONCLUSION:

Administration recommends the approval of the request for a one-year extension of part lot control for Lot 12, Plan 12M-638, a portion of Meadow View subdivision, as the request is in compliance with the Town's planning documents and the Planning Act, R.S.O. 1990, c.P. 13, provides Council with this authority.



Janine Mastronardi
Planner

JM

Report Approval Details

Document Title:	Additional Extension of Part Lot Control Exemption for Part of Meadow View Estates Subdivision.docx
Attachments:	- 2023 03 27 - Additional Extension of Part Lot Control Exemption for Meadowview Subdivision- ATTACHMENTS.pdf
Final Approval Date:	Mar 13, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox

One James St. S., 14th Flr.
P.O. Box 926, Depot 1
Hamilton, ON L8N 3P9

Lawyers and Trade-mark Agents

TEL (905) 523-1333
FAX (905) 523-5878

www.shlaw.ca
www.classactionlaw.ca

REPLY TO: JENNIFER VRANCIC
E-MAIL: jvrancic@shlaw.ca

March 1, 2023

SENT BY REGULAR MAIL & E-MAIL: jmastronardi@amherstburg.ca

TOWN OF AMHERSTBURG
3295 Meloche Road
Amherstburg, Ontario
N9V 2Y8

Attention: Janine Mastronardi - Planning Office Clerk

RE: 145/147 Meadowview Avenue, Amherstburg - Lot Line And Encroachment Issues-20L0347

Further to the expiration to by-law 2021-014 on April 9, 2023, we request an extension of this by-law.

145 and 147 Meadowview Avenue were constructed by 928466 Ontario Limited o/a Nor-Built Construction. Through inadvertence, the residences were not constructed along the property line, but rather 145 encroaches onto the property of 147.

The owners of 145 and 147 Meadowview Avenue have entered into Minutes of Settlement, which will resolve this matter, but the lot-line adjustment will not be completed by April 9, 2023.

Please find enclosed a firm cheque for the application fee in the amount of \$2,415.00 made payable to the Town of Amherstburg.

We respectfully request an extension of the by-law in order to allow the parties to finalize the lot-line adjustment.

Yours very truly,

SCARFONE HAWKINS ^{LLP}



JENNIFER VRANCIC

JV/nb

Encls.



784

788

792

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2018-20**

**By-law to remove certain lands from
Part Lot Control (12M-638)
(Meadow View Subdivision)**

WHEREAS Subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, Chapter P13 provides that Part Lot Control shall apply where land is within a plan of subdivision;

AND WHEREAS Subsection 7 of Section 50 of the Planning Act provides that Council may by by-law provide that Subsection 5 does not apply to land that is within such registered plan of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the County of Essex, Subsection 5 ceases to apply to such land;

AND WHEREAS it is deemed desirable that the provisions of Subsection 5 shall not apply to certain lands within Registered Plan 12M-638.

AND WHEREAS Subsection 7.3 of Section 50 of the Planning Act provides that the by-law expires at the expiration of the time frame specified in the by-law.

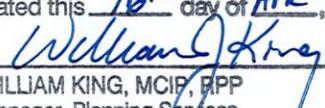
NOW THEREFORE the Council of the Corporation of the Town of Amherstburg enacts as follows:

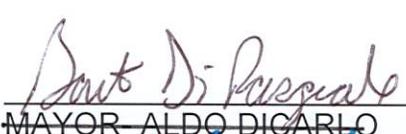
1. Subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, Chapter P13 does not apply to the following:

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Amherstburg, the County of Essex, and Province of Ontario and being composed of Lots 1 through 23 inclusive, Registered Plan 12M-638, and known locally as Meadow View Subdivision.

2. That this By-Law shall come into force and effect upon approval thereof by the County of Essex.
3. That this By-law shall expire on the 9th day of April, 2021.

Read a first, second and third time and finally passed this 9th day of April, 2018.

APPROVED pursuant to section 50 (7) of
the Planning Act
Dated this 16th day of APR, 2018

WILLIAM KING, MCIP, RPP
Manager, Planning Services
County of Essex


MAYOR ALDO DICARLO
DEPUTY MAYOR - BART DI PASQUALE

CLERK- PAULA PARKER

**CORPORATION OF THE TOWN AMHERSTBURG
BY-LAW NO. 2021-014**

**By-law to amend By-law 2018-20 (a by-law to
Remove Certain Lands from Part Lot Control (12M-638))
(Meadow View Estates Subdivision)**

WHEREAS By-law 2018-20 being a by-law to remove certain lands from Part Lot Control was passed by the Council of the Corporation of the Town of Amherstburg on the 9th day of April, 2021;

AND WHEREAS the Manager, Planning Services for the County of Essex approved By-law 2018-20 pursuant to Section 50(7) of the Planning Act on April 16, 2018;

AND WHEREAS By-law 2018-20 provided an expiration date of April 9, 2021;

AND WHEREAS the Owner has requested an extension of the expiration date;

AND WHEREAS the Owner has requested to amend the land described;

AND WHEREAS Section 50 (7.4) of the Planning Act provides that the Council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

AND WHEREAS Section 50 (7.5) of the Planning Act provides that the Council of a local municipality may repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and an approval under subsection (7.1) is not required.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:

1. That Section 1 of By-law 2018-20 is hereby deleted and the following is substituted for it;

Subsection 5 of Section 50 of the Planning Act, RSO 1990, Chapter P13 does not apply to the following;

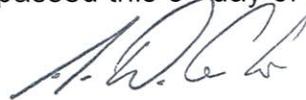
All and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Amherstburg, the County of Essex, and Province of Ontario and being composed of Lot 12, Plan 12M-638, and known locally as a portion of Meadow View Estates Subdivision.

2. That Section 3 of By-law 2018-20 is hereby deleted and the following is substituted for it:

This By-law shall expire on the 9th day of April, 2022.

3. That all other provisions of By-law 2018-20 remain in full force and effect.

Read a first, second and third time and finally passed this 8th day of March, 2021.



MAYOR- ALDO DICARLO



CLERK- PAULA PARKER

**CORPORATION OF THE TOWN AMHERSTBURG
BY-LAW NO. 2022-040**

**By-law to amend By-law 2018-20 (a by-law to
Remove Certain Lands from Part Lot Control (12M-638))
and amend By-law 2021-014 (a by-law to amend 2018-20)
(Meadow View Estates Subdivision)**

WHEREAS By-law 2018-20 being a by-law to remove certain lands from Part Lot Control was passed by the Council of the Corporation of the Town of Amherstburg on the 9th day of April, 2021;

AND WHEREAS the Manager, Planning Services for the County of Essex approved By-law 2018-20 pursuant to Section 50(7) of the Planning Act on April 16, 2018;

AND WHEREAS By-law 2018-20 provided an expiration date of April 9, 2021;

AND WHEREAS By-law 2021-014 amended 2018-20, provided an expiration date of April 9, 2022 and amended the legal description of lands exempt.

AND WHEREAS the Owner has requested an extension of the expiration date;

AND WHEREAS Section 50 (7.4) of the Planning Act provides that the Council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:

1. That Section 2 of By-law 2021-014 is hereby deleted and the following is substituted for it:

This By-law shall expire on the 9th day of April, 2023.

2. That all other provisions of By-law 2018-20 remain in full force and effect.

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



MAYOR- ALDO DICARLO



CLERK- VALERIE CRITCHLEY

**CORPORATION OF THE TOWN AMHERSTBURG
BY-LAW NO. 2023-041**

**By-law to amend By-law 2018-20 (a by-law to
Remove Certain Lands from Part Lot Control (12M-638))
and amend By-law 2021-014 (a by-law to amend 2018-20)
and amend By-law 2022-040 (a bylaw to amend 2018-20)
(Meadowview Estates Subdivision)**

WHEREAS By-law 2018-20 being a by-law to remove certain lands from Part Lot Control was passed by the Council of the Corporation of the Town of Amherstburg on the 9th day of April, 2021;

AND WHEREAS the Manager, Planning Services for the County of Essex approved By-law 2018-20 pursuant to Section 50(7) of the Planning Act on April 16, 2018;

AND WHEREAS By-law 2018-20 provided an expiration date of April 9, 2021;

AND WHEREAS By-law 2021-014 amended 2018-20, provided an expiration date of April 9, 2022 and amended the legal description of lands exempt.

AND WHEREAS By-law 2022-040 amended 2018-20, provided an expiration date of April 9, 2023.

AND WHEREAS the Owner has requested an extension of the expiration date;

AND WHEREAS Section 50 (7.4) of the Planning Act provides that the Council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:

1. That Section 2 of By-law 2022-040 is hereby deleted and the following is substituted for it:

This By-law shall expire on the 9th day of April, 2024.

2. That all other provisions of By-law 2018-20 remain in full force and effect.

Read a first, second and third time and finally passed this 27th day of March, 2023.

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Sarah French	Report Date: March 10, 2023
Author's Phone: 519 736-5408 ext. 2145	Date to Council: March 27, 2023
Author's E-mail: sfrench@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

**Subject: Canard Valley Estates Phase II Subdivision Street Name Request
Heritage Follow-up**

1. RECOMMENDATION:

It is recommended that:

1. The proposed street names Gertrude Drive and Garnet Crescent for Street A and Street B, respectively, of the Canard Valley Estates Phase II Subdivision **BE APPROVED.**

2. BACKGROUND:

The Street Name Request for Canard Valley Phase II Subdivision was considered by Council on February 13, 2023. The request was referred to the Heritage Committee for opinion and endorsement. The Heritage Committee met on March 9, 2023. At the March 9, 2023 meeting the following motion was put forth:

Moved By F. Di Pasquale

Seconded By L. Crain

That the Heritage Committee ENDORSE the proposed street names, Gertrude Drive and Garnet Crescent, for Canard Valley Estates Phase II subdivision.

The Town of Amherstburg is committed to honouring and promoting the heritage and identity of the Town and therefore a street naming policy (Municipal Street Naming Policy) was brought forward to Council for approval on September 25, 2017. The Municipal Street

Naming Policy included the creation of a Historical Street Name Inventory List for developers to choose from when naming new streets.

Street naming is an important municipal function that enables people to locate properties quickly and effectively. Street naming should be simple, easy for the public to understand and enable the effective management of municipal street networks and the delivery of municipal services, including emergency response.

The Municipal Street Naming Policy approved through By-law 2017-90 allows a developer to utilize names that are not on the Historical Street Name Inventory List as long as the proposed names are approved by Council. The developer of Canard Valley Estates, 1473511 Ontario Ltd. c/o Steven Valente, has requested names for Phase II of the subdivision that are not on the Historical Street Name List.

3. DISCUSSION:

The Municipal Street Naming Policy sets out the criteria and approval process to assign a legal municipal street name to a street on a draft plan of subdivision.

A municipality's authority to name streets is as follows:

1. The Municipal Act, 2001 – Section 24-68 delegates the responsibility to pass bylaws for the purpose of naming streets to local municipalities.

Historical Street Name Inventory

The Historical Street Name Inventory List was last updated in January, 2022, and contains 48 potential street names. The updated Historical Street Name Inventory has been attached to this report. The list of street names includes prominent figures associated with the founding of Amherstburg, figures who were associated with the War of 1812, past mayors of Amherstburg (from 1878 to 1899), and past Reeves of Amherstburg (from 1924 to 1954).

Canard Valley Estates Name Requests

Section 7.1 and 7.1.1 of the Municipal Street Naming Policy authorizes Council to approve additional street names not in the inventory and Section 6.6.3 states “street names that represent specific themes are encouraged”.

The Municipal Street Naming Policy permits developers to request alternative street names that are not on the list through a request to Council. The Municipal Street Naming Policy states:

6.3. All requests for street names must be made in writing and have a completed Street Name Request Form attached. The requests shall include background information concerning the rationale for the request, geographical association (if applicable), biographical information and documentation providing support for the request. The applicant must assume responsibility for obtaining the support for the request where applicable.

6.6.2. Street names shall be chosen, whenever possible, to recognize the historical significance of figures, groups, neighbourhoods, places, landmarks and events within the Town of Amherstburg that denote:

6.6.2.1. The community's evolution and progress;

6.6.2.2. The unique aspects related to the community's geographical locations or other distinct characteristics;

6.6.2.3. Figures, events, milestones, and achievements that the community may wish to acknowledge; OR

6.6.2.4. Any name not covered under Section 6.6 which has been endorsed by resolution of Council.

It is appropriate to consider alternative street names for some developments within the Town of Amherstburg. The developer has provided the following rationale for the street names:

"These are my grandparents' names. Their home and business was located on Walker Rd. north of Middle Side Rd. and just south of where the Greenway crosses Walker. Their names are Gertrude and Garnet Meloche. They owned the community grocery store at one time and later it was a bank, and then the Essex County Library. They were lifelong members of the McGregor community and active members of St. Clemish Parish. My grandfather was a long-standing member of the Knights of Columbus McGregor branch. They were very well known throughout the community." – Steven Valente

In this case, the proposed names are in keeping with the names of the existing developed portion of the subdivision. The street names on Phase I of the subdivision are not from the Historical Street Name Inventory List as they were named prior to the adoption of the Municipal Street Naming Policy.

4. RISK ANALYSIS:

There is little to no risk to the municipality associated with this report. Standardizing the naming and renaming of streets allows the Town to have more control over what names are chosen for new developments and the effectiveness of emergency services.

5. FINANCIAL MATTERS:

There are no financial impacts associated with this report.

6. CONSULTATIONS:

Fire Services, the Building Division, and the Infrastructure Services Department were consulted with the proposed street names for Canard Valley Estates Phase II.

The Heritage Committee were consulted at their meeting on March 9, 2023.

7. **CONCLUSION:**

Administration recommends that Council approve the addition of street names Gertrude Drive and Garnet Crescent and allocate the street names to the Canard Valley Estates Phase II subdivision.

A handwritten signature in cursive script that reads "S. French".

Sarah French
Planner

Report Approval Details

Document Title:	Canard Valley Estates Phase II Subdivision Street Name Request Heritage Follow-up.docx
Attachments:	- STREET NAMING POLICY.pdf - Street Name Inventory_Updated at Council Jan 24 2022.pdf - STREET NAME REQUEST FORM Gertrude and Garnet_Redacted.pdf - Curl and Garnet.pdf
Final Approval Date:	Mar 22, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox

POLICY

	Policy:	MUNICIPAL STREET NAMING POLICY		
	Department:	Planning, Development and Legislative Services		
	Division:	Planning Services	By-Law No:	2017-90
	Administered By:	Manager of Planning Services	Approval Date:	Sept. 25, 2017
	Replaces:	N/A		
	Attachment(s):	APPENDIX A – Historical Street Name Inventory APPENDIX B – Street Name Request Form		

1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to honouring and promoting the heritage and identity of the Town and therefore, the purpose of this Municipal Street Naming Policy, is to provide guidelines and a consistent process for the naming of streets. This policy further protects the reputation and integrity of the Town of Amherstburg and its assets, and ensures a format for uniform development

2. PURPOSE

- 2.1. This policy is established to provide guidelines on the naming of streets and roadways in the Town of Amherstburg.
- 2.2. This policy provides a street naming policy that promotes the Town's positive image and identity through the use of street names that are indicative of Amherstburg's unique historical, geographical and cultural characteristics, and that assists in accurately pinpointing the location of properties, and Council's desire to protect the health and welfare of the public, by enabling emergency services to quickly attend to urgent situations.
- 2.3. This policy's intent is to promote the selection of street names that will avoid duplications and promote emergency safety considerations.
- 2.4. This policy establishes a Historical Street Name Inventory list that may be used in the future by Developers and administration in the naming of streets.

3. SCOPE

- 3.1. This policy applies to the assignment of names for all new streets within the Corporation of the Town of Amherstburg, in consultation with the adjacent municipalities of the Town of LaSalle and the Town of Essex.
- 3.2. The policy does not apply to County Roads and Highways. The Town of Amherstburg will work with the County of Essex and neighbouring municipalities on the naming of streets.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO.

4. DEFINITIONS

- 4.1. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the *Municipal Act, 2001*.
- 4.2. **Clerk** is the Municipal Clerk for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 228 of the *Municipal Act, 2001*.
- 4.3. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, in its entirety, the Mayor, Deputy Mayor and five (5) Councillors.
- 4.4. **Developer** in this policy refers to any person or corporation initiating a project where the implementation of new streets is included.
- 4.5. **Essential Services** include, but is not limited to, 911 Emergency Service (Police, Fire, and Ambulance) and Canada Post/federal mail delivery.
- 4.6. **Highway** means a designated or declared provincial highway, and/or street allowances and streets dedicated to the public use of highways under the Municipal Act, 2001.
- 4.7. **Senior Management Team (SMT)** is comprised of the Chief Administrative Officer and the Directors. If a Director is unavailable, a delegate may be assigned.
- 4.8. **Street** means all public and private right-of-ways within the boundaries of the Town, and when referenced in this policy refers to all vehicular paths of travel that may be noted as the following:

a.	Abby	r.	Laneway
b.	Access	s.	Line
c.	Alley	t.	Link
d.	Avenue	u.	Loop
e.	Bend	v.	Mall
f.	Block	w.	Park
g.	Boulevard	x.	Parkway
h.	Centre	y.	Place
i.	Circle	z.	Plaza
j.	Circus	aa.	Road
k.	Court	bb.	Route
l.	Crescent	cc.	Row
m.	Cul-de-sac	dd.	Square
n.	Drive	ee.	Street
o.	Extension	ff.	Terrace
p.	Highway	gg.	Thoroughfare
q.	Lane	hh.	Any other street type as noted by Statistics Canada.

4.9. **Subdivision** means a division of a single parcel of land into smaller parcels or lots by submitting a plan describing the division and obtaining the final approval from Planning Services department and subsequent approval from the Town of Amherstburg Council and the County of Essex.

4.10. **Town** is the Corporation of the Town of Amherstburg.

5. **INTERPRETATIONS**

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

6. **GENERAL CONDITIONS**

6.1. In accordance with Sec. 24-68 of the Municipal Act, 2001, Town Council may pass by-laws for assigning street names to municipal streets within the jurisdiction of the Town.

6.2. In addition to such names being established in a by-law, a municipal street within the limits of the Town may be named in a Plan of Subdivision.

6.3. All requests for street names must be made in writing and have a completed Street Name Request Form attached. The requests shall include background information concerning the rationale for the request, geographical association (if applicable), biographical information and documentation providing support for the request. The applicant must assume responsibility for obtaining the support for the request where applicable.

6.4. The Planning Services department shall compile and process all proposed street names for suitability appropriateness and conformity to the street naming policy of the Town. No street name shall be used unless approved by Council. The Planning Services department may refuse a name if it is known to conflict with existing street names at either the local or regional (Essex County) scale.

6.5. The Planning Services department shall maintain a Historical Street Name Inventory and the list of existing street names and all records related thereto. Names that are approved by Council shall be placed on the Historical Street Name Inventory and shall remain on the list for future use. Council may at any time direct that a specific name be used for a specific street.

6.6. **Guidelines to Street Naming**

6.6.1. All streets accessible to vehicles shall be named including a roadway within a mobile home park.

6.6.2. Street names shall be chosen, whenever possible, to recognize the historical significance of figures, groups, neighbourhoods, places, landmarks and events within the Town of Amherstburg that denote:

6.6.2.1. The community's evolution and progress;

- 6.6.2.2. The unique aspects related to the community's geographical locations or other distinct characteristics;
- 6.6.2.3. Figures, events, milestones, and achievements that the community may wish to acknowledge; OR
- 6.6.2.4. Any name not covered under Section 6.6 which has been endorsed by resolution of Council.
- 6.6.3. Street names that represent specific themes are encouraged as they are recognizable for Emergency Services and provide consistency in large developments.
- 6.6.4. Street names should not have more than 20 characters.
- 6.6.5. Names shall assist with emergency response situations by being consistent with street names and geographical locations.
- 6.6.6. Street names should continue across intersections.
- 6.6.7. Street extensions should continue with existing street names.
- 6.6.8. North, South, East and West may be used when a newly created street is an extension of an existing street which cannot be renumbered or for which no municipal numbers are available.
- 6.6.9. Names with spelling that leaves proper pronunciation in question shall be avoided.
- 6.6.10. Two word names shall be avoided.
- 6.6.11. Street names that are hyphenated or use quotes will not be permitted.
- 6.6.12. Street names must not be identical or similar sounding to any existing street name, both within the Town and within adjacent municipalities.
- 6.6.13. Homonyms, or names that are very close in pronunciation to existing street names, both within the Town and within adjacent municipalities, are not permitted.
- 6.6.14. Redundant street type designations are to be avoided (for example, Hall Line Drive).
- 6.6.15. Substantiation is required for proposed street names, such as historical or cultural significance, if there is any.
- 6.6.16. Street names shall not be given in recognition of any living person or used by companies for the purpose of advertising.
- 6.6.17. There shall be no use of awkward, corrupt, discriminatory or derogatory names in regard to race, sex, colour, creed, political affiliation or any other social factors.

- 6.6.18. The Developer/applicant for a new street name shall give special consideration to the names in the Town's Historical Street Name Inventory, unless permission is otherwise granted by Council.

6.7. **Street Type Designations**

- 6.7.1. Only accepted street type designations may be used (see **Street** definition, Section 4.8).
- 6.7.2. Wherever possible the following street type designations are to be followed:
- 6.7.2.1. Streets running in an East/West direction are to be designated as **Streets**.
 - 6.7.2.2. Streets running in a North/South direction are to be designated as **Avenues** or **Roads**.
 - 6.7.2.3. Narrow secondary streets having less than a 15.2 metre / 50 foot right of way, are to be designated as **Lanes**.
 - 6.7.2.4. Wider collector streets, when separated by a planted median, may be designated as **Boulevards** or **Drives**.
 - 6.7.2.5. Dead-end streets less than 305 meters / 1000 feet in length are to be designated as **Courts**.
 - 6.7.2.6. Streets having two (2) entrances in the form of a loop or an 'L' are to be designated as **Crescent**, **Circle**, or **Way**.
- 6.7.3. All street type designations are to be approved by the Planning Services department in consultation with the Fire Department.
- 6.7.4. While exceptions to the street type designations guidelines have occurred as a result of the 1999 amalgamation, these guidelines are intended to reduce or eliminate exceptions especially where they may cause difficulty in navigation within the Town.

6.8. **New Street Naming**

- 6.8.1. The assignment of names for all new streets within the Town requires the submission of a Street Name Request Form to the Planning Services department, for approval.
- 6.8.2. The application must include a list of possible street names, with substantiation and appropriate mapping, illustrating the location of the new streets and their proposed names.
- 6.8.3. All applicants must utilize the Town's Historical Street Name Inventory when naming new streets unless permission is otherwise granted by Council.

6.8.4. Council approval and adoption of a by-law is required for the creation of any new street (name) not created through the registration of a plan of subdivision or condominium within the Town.

6.9. **Street Name Signs**

6.9.1. Street name signs shall be of such size and shape and constructed of such materials as required by the Engineering and Public Works Department, in compliance the Manual of Uniform Traffic Control Devices and the Ontario Traffic manuals.

6.9.2. A street name sign may also include an address range to the street address numbers that are located within a street or any portion of a street.

6.10. **Notification**

The Town shall notify all internal departments, emergency services, agencies/bodies (i.e.) Canada Post) and adjacent municipalities of the assignment of a new street name.

6.11. **Procedures**

Administration has the authority to establish procedures for implementing this policy and to amend those procedures as required in the best interests of the Town with the concurrence of the CAO and Town Solicitor (if required).

7. RESPONSIBILITIES

7.1. **Council** has the authority and responsibility to:

7.1.1. Approve street names for new and existing streets.

7.1.2. Adopt by-laws that are required for the creation of any new street (name) not created through the registration of a plan of subdivision or condominium within the Town.

7.2. The **Planning Services Department** has the authority and responsibility to:

7.2.1. Coordinate and assign new street names within the Town of Amherstburg.

7.2.2. Ensure that all proposed street naming are conducted in accordance with this policy.

7.2.3. Duly examine and process subdivision and condominium applications and ensure that proposed street names are selected in accordance with this policy, prior to presentation to Council.

7.2.4. Present Council with recommendations regarding the naming of new streets through Council reports and supporting by-laws.

8. REFERENCES AND RELATED DOCUMENTS

8.1. **Municipal Act, 2001**

APPENDIX A – Historical Street Names Inventory

The Town of Amherstburg's

Historical Street Name Inventory

Benson	McNally	Abbott*	
McLeod	Kolfage	Bell*	
Menzies	Lambert	Gordon*	
Berczy	McEvoy	Grondin*	
Twomey	Patten	Sinasac*	
Sparkman	Inch	Wilson*	
Hough	Cooper		
Mullen	Lukes		
Fraser	Nattress		
Johnston	Landor		
Horsman	Milligan		
McGee or McKee	Rambout		
Leggatt	Dewson		
Davis	Stanton		
Boyle	Pearson		
LaLiberty	Lundy		
Girty	Lambert		
Caldwell	Proudfoot		
Fisher	Teeter		
Cowan	Hobley		

* Note: These names are already used in neighbouring municipalities and should be avoided unless there are no other available name options. Yellow highlighter represents names used in the Town of Essex and red highlighter represents names used in the Town of LaSalle.

APPENDIX B – Street Name Request Form



STREET NAME REQUEST FORM

TOWN OF AMHERSTBURG

Economic and Community Development Department
Planning Services Division
3295 Meloche Road
Amherstburg, Ontario, N9V 2Y8
519-736-5408

Contact Information

Full Name(s): _____

Daytime Telephone: _____

Alternative Telephone: _____

Email: _____

Mailing Address: _____

Date Submitted: _____

Street Name Information

Street Name or Theme Requested	
Background Support	
Geographical Association (Description of Location)	

Further documentation supporting this request can be attached. If the requested street name is for an individual, a letter of support from the family must be attached.

Note: All proposed street names must follow the Street Naming Policy.

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

1. Becker
2. Bell
3. Berczy
4. Bernachi
5. Bezaire
6. Burkhart
7. Cozens
8. Dewson
9. Fisher
10. Fox*
11. Gagnier
12. Gibson
13. Girty
14. Gordon
15. Grondin
16. Hall
17. Hertel
18. Hobley
19. Horsman
20. Hough
21. Inch
22. Johnson OR Johnston (use one but not both due to similar sounding)
23. Kennedy
24. Kolfage
25. LaLiberty
26. Leggatt
27. Lukes
28. Mailloux
29. McGee OR McKee (use one but not both due to similar sounding)
30. McEvoy
31. McNally
32. Menzies
33. Milligan
34. Mullen
35. Nattress
36. Proudfoot
37. Rambout
38. Simpson
39. Sinasac
40. Sparkman
41. Spearing
42. Stone
43. Sutherland
44. Teeter
45. Twomey
46. Ware
47. Wilson
48. Windell

*For priority use, as appropriate

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Street Name Inventory – Associated Information for Each Name

The following are names and associated historical information for each name which was presented to Council, and approved by Council September 25, 2017, and which remain unused. (Except cenotaph name)

Name	Time Period in Amherstburg	Importance in Amherstburg
Berczy – William and Charles	1830s	<ul style="list-style-type: none"> • William: Amherstburg merchant, came to Amherstburg in 1819, member of Legislative Assembly, artist with paintings depicting Amherstburg, paintings can be found in the National Gallery of Canada • Charles: 1831 appointed Postmaster of Amherstburg
Girty - Simon	1741-1818	<ul style="list-style-type: none"> • Worked at the Indian Department at Detroit • With British help he tried to defend Native Lands in the American Revolutionary War • Agent serving under Colonel McKee • He was not able to fight in the War of 1812 due to sickness, but his two sons fought. Thomas Girty was killed in the war • Veteran of the American Revolutionary War
Gordon – Lewis Grant and James	1812, 1833-1853	<ul style="list-style-type: none"> • James: arrived in Canada in 1805, Lieutenant in the 1st regiment of the Essex Militia in the War of 1812, acquired Gordon House from John Milns • Lewis Grant: Amherstburg Merchant, brother of Honourable James Gordon, was conveyed the Gordon House from James Gordon
Horsman - William	1867-1990	<ul style="list-style-type: none"> • Innkeeper and owner of the White Horse Hotel on Murray Street • Owner of a liquor store in 1877 • Owned the hotel until his death in 1900 • He helped build the steam propeller the Earl Cathcart and shipped on her as a fireman • He sailed on the Mohawk and the Manhattan in the Lake Superior Trade and was employed as the second engineer on the first railway passenger ferry boat between Detroit and Windsor
Hough - Franklin	1903 (died 1946)	<ul style="list-style-type: none"> • Original owner of 258-264 Dalhousie Street • Practiced law for over 50 years in Amherstburg • Mayor of Amherstburg from 1907-1909
Johnston - William	1856-1888	<ul style="list-style-type: none"> • Druggist • Came to Amherstburg in 1856 to apprentice in the drug business, had stores in Detroit, first

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

		<p>began opening stores in Amherstburg in 1877 (likely inventor/owner of Johnston’s Extract of Sasparilla and Johnston’s Electric Oil)</p> <ul style="list-style-type: none"> • He purchased Belle Vue from Reynolds in the 1860s
LaLiberty – Jean Babtiste	1824-1856	<ul style="list-style-type: none"> • Amherstburg business man who started out as a carpenter and lumber and stave merchant • Proprietor of the Liberty Hotel for many decades • He was one of the elected trustees of the Grammar School Board • Died in 1856
Leggatt – John H.C.	1860-1911	<ul style="list-style-type: none"> • Became heir to the LaLiberty estate at 7 years old in 1860 • Became Clerk of the Second Division Court in 1880, became Town Clerk in 1889, resigned in 1911 to take employment in Windsor
McKee - Alexander	1735-1799	<ul style="list-style-type: none"> • Deputy agent in the Indian Depart (Fort Malden was the headquarters for the British Indian Department) • Lieutenant-colonel of the local militia in the 1780s • Justice of the Peace of the Court of Common Pleas for the District of Hesse 1788 • Member of the District Land Board 1789 • Lieutenant for the County of Essex 1792 • Owned land in Malden Township • Veteran of the American Revolutionary War
McNally - Arthur	After WWI	<ul style="list-style-type: none"> • Formed the Amherstburg Historic Sites and Monuments Association
Menzies – Peter	1850s	<ul style="list-style-type: none"> • Worked at the Dry Goods store corner of Murray and Dalhousie • Councillor for the Town of Amherstburg on the Essex County Council (1854)
Sparkman - John	1799	<ul style="list-style-type: none"> • Barrack Master of the Garrison • Served in the military from 1776, 1784 appointed Barrack Master at the garrison at Detroit, continued in this capacity at Amherstburg
Wilson - George	1837-1883	<ul style="list-style-type: none"> • Arrived in Amherstburg in 1837 • Found employment with the commissariat department • Managed the shipyard that built the Cuthbert • One of the major advocates of bringing the Canada Southern Railway to Amherstburg

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Past Mayors of Amherstburg

Name	Years Mayor	Comments
William H. McEvoy	1889, 1890, 1891, 1892, 1897	Born in Belleville in 1853, W.H. McEvoy came to Amherstburg in 1876 to take over Robert Kay's jewellery business and quickly became involved in the business life of his adopted community. McEvoy sold his jewellery line from the old post office store on the east side of Dalhousie Street, in the building which became known as Goldsmith's Hall. As well as being the agent for the telegraph, ferry and railway companies that serviced Amherstburg, McEvoy awarded the franchise to install the first incandescent lighting system in Amherstburg in 1894.
John Gerhard Kolfage	1878, 1881	In a close race against Michael Twomey, J.G. Kolfage was elected Amherstburg's first mayor when the town was incorporated in 1878. Kolfage had been an active participant in municipal affairs since 1851 when Amherstburg first attained a separate municipal status. An immigrant from Germany, Kolfage settled in Amherstburg in 1837 at the age of 18. By trade a shoemaker, he eventually became the owner of a large tannery and a general store and hardware business. Kolfage also owned property on the south side of Murray street, west of Ramsay street, then in the heart of Amherstburg's business district. The devastating fire of 1875 destroyed these properties and in 1877 Kolfage erected the brick building on the southwest corner of Ramsay and Murray streets known as 'Kolfage Block'
Samual McGee	1883, 1884, 1885	S. McGee was born in 1834 in Malden Township. He operated a general store in Amherstburg from 1857-1926, having taken over the business established by his father in 1828. Until his retirement at the age of 88 McGee participated actively in the community as a town councillor, reeve, justice of the peace, member of the fire department and director of the library board.
John Gallagher Mullen	1893, 1894, 1896	Born in Ireland in 1848, John G. Mullen moved from Cleveland, Ohio in 1873 to manage the docks of the McDowell, Caul and Brett Company in Amherstburg. During this period a coal supplied earned substantial profits because all the steamships on the Great Lakes burned coal for fuel. Mullen proved to be a very able manager. In 1875 he bought the Amherstburg coal docks from his employers. Over the years, coal docks owned by Mullen were also established at Cleveland and Sandwich. John Mullen, a well-known philanthropist, remained involved in the coal business until his death in

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

		Amherstburg in 1930 deprived the community of a highly respected and well-liked citizen.
William Nattress	1950, 1951, 1952, 1953	William Nattress lived in Amherstburg all his life. He was the son of Reverend Thomas Nattress who was the minister of St. Andrew's Presbyterian Church for many years. Nattress served in the Royal Flying Corps in World War I. He was employed as a stationary engineer at Brunner Mond where he formed a union for the engineers and was also active in union affairs when he later worked for Seagram's. Nattress had a long career in municipal government service. He was elected as town councillor four times, as deputy reeve twice and served on the Public Utilities Commission.
Michael Twomey	1879, 1882, 1886, 1887	Born in Kingston in 1825, Michael Twomey came to Amherstburg in 1865. After working briefly for distiller John McLeod, Twomey established himself as a general merchant, acquiring considerable real estate and dock property in town as his business prospered. After serving his last term as Amherstburg's mayor in 1887 Twomey moved to Windsor where he was elected mayor in 1889. He died in that city in 1911.

Town of Amherstburg Reeves

1924, 1925 – W.C. Inch

1927, 1928 – Leo Grondin

1933, 1934, 1935, 1936 – A.B. Lukes

1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954 – F.E. Sinasac (deputy reeve in 1934, 1935, 1936, 1937, 1938)

Early Doctors of Amherstburg

- Dr. Windell – 1818
- Dr. Andrew Fisher – 1859 First medical superintendent of the Asylum
- Dr. Milligan – 1872 Medical superintendent of the Asylum
- Dr. Rambout – 1851 – examined pensioners
- Dr. Alfred K. Dewson – 1837, helped set up a public school system in Amherstburg, practiced in Amherstburg 1843-1853
- Dr. Proudfoot – practiced in Amherstburg starting in 1885, had an office on Gore Street, he sold his practice to Dr. William Park
- Dr. Forest F. Bell – 1870s, practiced until 1897

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

- Dr. Oscar Teeter – purchased the practice off of Dr. Bell in 1897, was mayor for one term in Amhersburg
- Dr. Thomas Hoblely – born 1849 in Amherstburg, had an office on Sandwich Street
- Dr. R.H. Abbott – born near Kingston, first came to Amherstburg around 1910, served as a medical examiner for WW1 recruits, also held the rank of Colonel

Cenotaph Names

The name “Fox” was missed for inclusion in the 2017 update of the Street Name Inventory, and will be promoted for use as soon as possible. Until 2005 there was a “Fox Road” which then changed to concession Road 3. At the time, Council made a resolution to add the name of “Fox” to the Street Name Inventory for priority use.

<p>Fox</p>	<p>Private Orville L. Fox (1893-1917)</p> <ul style="list-style-type: none"> • son of Esrias and Hattie Fox of Amherstburg • Grew up and resided in Amherstburg and worked as a machinist • served in World War I as a Private with the 87th Battalion • died at the battle of Vimy Ridge (April 9, 1917) • Private Fox is listed on a special memorial section at the Givenchy-en Gohelle Canadian Cemetery in Calais, France as his body was never recovered. <p>•</p> <p>Corporal Russell Fox (1893-1917)</p> <ul style="list-style-type: none"> • Son of William and Isabelle Fox of Amherstburg • Grew up and resided in Amherstburg and worked as a dredge and drill work • served in World War I as a Corporal with the 87th Battalion • died from injuries at the battle of Vimy Ridge (d. April 22, 1917) • Corporal Fox is buried at the Wimereux Communal Cemetery in Calais, France
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STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

The following are names and associated historical information for each name which was presented to Council, and approved by Council January 24, 2022:

Name	Details
Becker	<p>Dr. Norbert (Norm) Becker (1944-2021)</p> <ul style="list-style-type: none"> • An engineer, well-known for his volunteer contribution to Amherstburg projects by donating his time, expertise and materials to assist churches, non-profit organizations and community groups • Donated his service and championed the restoration in 1999-2000 of the Nazrey African Methodist Episcopal Church, now part of the Amherstburg Freedom Museum. “Without him, the church would not be standing” - Amherstburg Freedom Museum • Was instrumental in the 2011-12 rebuilding of the Boblo Island Blockhouse (Bois Blanc National Historic Site), donating his time and reconstruction materials. Also donated service on work to Boblo Island Stone Circle and Sailors Monument • Donated services to rehabilitate other Amherstburg historic sites including First Baptist Church National Historic Site (2013); St. John the Baptist Church; and Navy Yard Park
Bernachi	<p>Harold (1930-2011)</p> <ul style="list-style-type: none"> • Charter Member of the Fr. Louis Boue Assembly of the Knights of Columbus; Honorary Life member of the Knights of Columbus Amherstburg Council • Amherstburg Lions Club member since 1969 and President 1994-95 • Member of the Amherstburg Chamber of Commerce since 1963, and President 1982-84 • Honourary member of the AAM Volunteer Ambulance Service since 1970 having converted two hearses into ambulances in his body shop • Trustee of General Amherst High School • Member of the Anderdon planning Board for 8 years • Vice-Chairman of the HMS Detroit Committee • Certificate of Merit for Community Service – Government of Canada 1988 – for helping to raise \$40,000 to purchase the first Care-A-Van for Amherstburg • Guest columnist Amherstburg Echo • Amherstburg Citizen of the Year in 1988
Bezaire	<p>Elizabeth Bezaire (1926-2007)</p>

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Name	Details
	<ul style="list-style-type: none"> • Taught school in the Amherstburg area for many years and was an active member at St. John The Baptist Church • Charter member of the IOTA Chapter of Alpha Delta Kappa honorary sorority for female educators • Was a dedicated member of the R.C.L. Br. 157, being active with the Poppy Fund and Colour Party • Was the 1st female president elected at Branch 157 (1997-1998)
Burkhart	<p>Rev. John Burkhart (1937-2021)</p> <ul style="list-style-type: none"> • Minister of St. Andrew’s Presbyterian Church 1964-2001 • Chaplain of the Royal Canadian Legion Branch 157 • A committed champion of local history, he was a founding board member of the Amherstburg Historic Sites Association (1973), and a later president; member of Amherstburg’s Local Architectural Conservation Advisory Committee • A founding board member of the AAM Social Planning Council (1973) • Served as first Chairman of Essex County Housing Authority • Amherstburg Citizen of the Year in 1993, jointly with wife Shirley Burkhart <p>Shirley Burkhart (1940-2018)</p> <ul style="list-style-type: none"> • Community Information Officer with AAM Community Services (Social Planning Council) for at least 13 years • Active in St. Andrew’s Presbyterian church for decades helping with nursery and Sunday school among other service • Weekly “Edenburg” columnist in the Echo newspaper • Amherstburg Citizen of the Year in 1993, jointly with husband Rev. John Burkhart
Cozens	<p>Reginal Cozens (1912-2005)</p> <ul style="list-style-type: none"> • Principal of General Amherst School 1962-69; Superintendent of Essex secondary Schools 1972-74; county school Superintendent 1974-78; School Board member for Essex County • President of Ontario Teachers Federation and Ontario Secondary Schools Teachers Federation • Amherstburg Town Councillor (10 years) • active member/ volunteer in the following organizations: Masons (55 years); Amherstburg Rotary Club (President); Royal Canadian Legion branch 157, Canadian Cancer Society first President Wessex Unit, 1973), AAM Food Bank, Fort Malden Horticultural Society • Anglican Church lay reader • Amherstburg Citizen of the Year in 1992, jointly with wife Mary

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Name	Details
	<p>Mary Cozens (1917 – 2001)</p> <ul style="list-style-type: none"> • Long-time volunteer of the Red Cross starting in World War II, and with the Canadian Cancer Society (25 years) • Helped to found and develop the AAM Food Bank in 1987 • Volunteered with Meals-on-Wheels program and the “Thursday Club” weekly meal service at the United Church • Amherstburg Citizen of the Year in 1992, jointly with husband Reginald
Gagnier	<p>Sister Marie Celine (Elodia Julie) Gagnier (1906-2004)</p> <ul style="list-style-type: none"> • Served the Ursuline Community, starting as a homemaker in the McGregor and Amherstburg areas in 1926; spent countless hours visiting and caring for ailing tri-community senior citizens • Spiritual Advisor, Executive Council Columbian Ladies Auxiliary (1995-96) • Amherstburg Citizen of the Year 1996
Gibson	<p>Florence Gibson (1902-83)</p> <ul style="list-style-type: none"> • Purchased the former Michigan Central Railways station in 1969 and donated it to the Fort Malden Guild of Arts and Crafts for use as a gallery and cultural centre • Amherstburg Citizen of the Year 1979
Hall	<p>Mary Hall (1913-2009)</p> <ul style="list-style-type: none"> • Volunteered throughout her life • Served during World War II as a registered nurse caring for soldiers on troop trains • Was heavily involved with the Canadian Cancer Society - Windsor Essex Chapter as President (1960-65); Supervisor (1965-78; 1984-99); Chairperson (1978-85) • Was a member of the first Board of Directors for the Amherstburg Historic Sites Association in 1973 • Oversaw restoration of Christ Church (1982-85) • Awards and honours include: Amherstburg Bi-centennial Citizen of the Year (1996); Year-of-Volunteer Medal, United Nations (2001); the Queens Golden Jubilee medal (2002); and Eli Golden humanitarian award from Rotary International (2005)
Hertel	<p>Paul Hertel (1945-2020)</p> <ul style="list-style-type: none"> - History and Social Sciences teacher and department head at General Amherst School for 32 years - supported fellow teachers as branch president of Ontario Secondary School Teachers Federation leader (OSSTD), multiple terms with the OSSTD

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Name	Details
	<p>Political Action Committee and working with Windsor & District Labour Council. Also helped develop local history curriculum and led student council activities</p> <ul style="list-style-type: none"> - Amherstburg Town councillor in 1977-84, and as Deputy Reeve in 1979-82. On Council, championed urban renewal, sustainable development and heritage conservation, and specifically the Kings Navy Yard Park redevelopment - Founding member of the North American Black Historical Museum (Amherstburg Freedom Museum). Also a leading member and director of the Amherstburg Performing Arts Society (President & Founding member), The Gibson House Gallery, Art in the Park, Amherstburg Family Health Team (President), Essex County Citizens Against Fermi II. - Member of the Amherstburg Heritage Committee - President Belle Vue Cultural Foundation; active member of Friends of Belle Vue, and Belle Vue Conservancy
Johnson	<ul style="list-style-type: none"> • Jennie Johnson (1871-1962) • Grew up in Amherstburg and by 1905 was a registered nurse working in Detroit • In 1917, at the age of 46, she was accepted for overseas service in British hospitals • Was the only local woman to serve at the front during WWI • In 1919 Jennie Johnson received a gold medal along with fifty Amherstburg servicemen for having “seen active service in France or at the front”
Kennedy	<p>Murray Kennedy (1918-2015)</p> <ul style="list-style-type: none"> • Local businessman – owner of Kennedy Motors for 30 years • Served in World War II with the Royal Canadian Air Force • Helped to start the Amherstburg Kinsmen in 1956 • Until 1997, Chairman and key supporter of Project HMS Detroit, an initiative to built a replica of the HMS Detroit battleship to be built as ab attraction to celebrate Amherstburg’s rich maritime history • Soloist and choir member of the Amherstburg United Church for 74 years • Named Amherstburg Citizen of the Year in 1991
Mailloux	<p>Melvin Mailloux (1920- 2002)</p> <ul style="list-style-type: none"> • Amherstburg fire chief, 1968-1990
Spearing	<p>Harry Spearing Jr. (1913-89)</p> <ul style="list-style-type: none"> • Supervisor at Allied Chemical; Former Ferry Boat Captain to Boblo Island • In 1931 he rescued a person from the Detroit River near the Amherstburg marine docks • Became president of the Horticultural Society in 1937 • In 1938 he joined the fire department rescue squad and in 1945 became chief of the Amherstburg Fire Department Rescue Squad

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Name	Details
	<ul style="list-style-type: none"> • Charter Member and first Chief of the A.A.M. Volunteer Ambulance Service in 1962. Donated financially to run and maintain the vehicles. • Chairman of Malden Public Utilities Commission
Stone	<p>Frances Stone (1924-1999)</p> <ul style="list-style-type: none"> • Veteran of WWII, having served in the R.C.A.F. Women’s Division • Director of the Amherstburg, Anderdon and Malden Social Planning Council (A.A.M. Community Services) in the mid 1970s – 1989. The organization brought local access to social services. Frances helped the organization through its formative years and numerous expansions including Meals on Wheels and Care-A-Van service for senior and special needs citizens. • Was a member of the Amherstburg Historic Sites Association for many years
Simpson	<p>Melvin Simpson (1917-1982) and Betty Simpson (1925 -2014)</p> <ul style="list-style-type: none"> • The North American Black Historical Museum and Cultural Centre (now Amherstburg Freedom Museum) is the legacy of founders, Melvin and Betty Simpson • In the early 1960s the Simpsons developed a vision for a museum to “uncover and preserve the record of the rich heritage Black people have, making it available for the positive development of the Black Community and for the general educational benefit of all” • In 1966 the Simpsons and others developed plans to construct a Centennial museum adjacent to the Nazery African Methodist Church. The museum was incorporated in 1975 and opened in 1981 • In 1982 the Town of Amherstburg recognized the Simpson’s work to promote Black history with the presentation of a plaque • Melvin was also on the Board of Directors for the House of Shalom • Betty served on the museum’s board of directors for many years • Betty received the Government of Canada’s “Canada 125” medal in 1993 • The Simpsons were jointly named Citizen(s) of the Year in 1982
Sutherland	<p>Charles (Bob) Sutherland (1920-2005)</p> <ul style="list-style-type: none"> • Long-time executive at Uniroyal Canada • President of the Amherstburg Chamber of Commerce • Initiated the Amherstburg Garden Tour (1985) and the A.A.M Rhododendron committee. He became known as “Rhodo Bob” with a plaque recognizing his contributions in King Navy Yard Park

STREET NAME INVENTORY (UPDATED AT JAN. 24, 2022 REGULAR MEETING OF COUNCIL)

Name	Details
	<ul style="list-style-type: none">• Helped develop the Kings Navy Yard Park and received recognition by Council resolution of his service in 2003• Director and member of the Executive Committee of Project H.M.S. Detroit• Named Amherstburg Citizen of the Year in 1989
Ware	Rev. John Francis Ware, C.B.S. (1925-1995) <ul style="list-style-type: none">• Served St. John the Baptist Parish 1969-1987• Founder of the House of Shalom Youth Centre 1971• Amherstburg Citizen of the Year 1986



STREET NAME REQUEST FORM

TOWN OF AMHERSTBURG

Economic and Community Development Department
 Planning Services Division
 3295 Meloche Road
 Amherstburg, Ontario, N9V 2Y8
 519-736-5408

Contact Information

Full Name(s): 1473511 Ontario Ltd. c/o Steven Valente

Daytime Telephone: [REDACTED]

Alternative Telephone: _____

Email: [REDACTED]

Mailing Address: [REDACTED]

Date Submitted: January 25, 2023

Street Name Information

Street Name or Theme Requested	Gertrude Drive and Garnet Crescent
Background Support	<p>These are my grandparents' names. Their home and business was located on Walker Rd. north of Middle Sideroad. and just south of where the Greenway crosses Walker.</p> <p>Their names are Gertrude and Garnet Meloche.</p> <p>They owned the community grocery store at one time and later it was a bank, and then the Essex County Library. They were lifelong members of the McGregor community and active members of St. Clemish Parish. My grandfather was a long standing member of the Knights of Columbus McGregor branch. They were very well known throughout the community.</p> <p>The names are in keeping with Phase I of Canard Valley Estates subdivision. The names in Phase I are not from the Historical Street Name Inventory List.</p>
Geographical Association (Description of Location)	Part of Lot 6, Concession 8, 12R21990, Phase II of Canard Valley Estates Subdivision

Further documentation supporting this request can be attached. If the requested street name is for an individual, a letter of support from the family must be attached.

Note: All proposed street names must follow the Street Naming Policy.

My grandparents, Gertrude and Garnet Meloche were both born and raised in McGregor, Ontario, Canada. They spent their entire lives in the community, where they were well respected and admired. They were active members of St. Clement Church, which they attended regularly.

They owned and operated a grocery store located just south of the railroad tracks in town (Now the Greenway nature trails) on Walker Road, which later became a branch of TD Bank and then the Essex County Library. Garnet was also a member of the local branch of the Knights of Columbus.

Gertrude and Garnet had one daughter, Darlene, my mother. Many other family members still live in the area. My brother and I spent many weekends with my grandparents in McGregor and have many fond memories of the area.

Gertrude passed away in 2002, and Garnet passed away in 1991. I would like to name the streets in the development in their memory because of their strong ties to the community, their dedicated service to their church, and their legacy as business owners and community leaders.

Thank you for your time and consideration on the request above.

Steven Valente



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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.

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: Major Planning Policy Studies – Request for Proposal Results

1. RECOMMENDATION:

It is recommended that:

- 1. The consulting services for the Official Plan & Zoning By-law Update BE AWARDED to Dillon Consulting Limited based on results of the Request for Proposal (RFP 2023-004);
2. The Chief Administrative Officer and the Municipal Clerk BE AUTHORIZED to execute an agreement with Dillon Consulting Limited for the consulting services to complete the Official Plan & Zoning By-law Update for an amount not to exceed \$213,240, plus applicable HST, satisfactory in financial content to the Chief Financial Officer, and technical content to the Director of Development Services;
3. The consulting services for the Heritage Conservation District Study BE AWARDED to MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) based on the results of the Request for Proposal (RFP 2023-005);
4. The Chief Administrative Officer and the Municipal Clerk BE AUTHORIZED to execute an agreement with MacNaughton Hermsen Britton Clarkson Planning Limited for the consulting services to complete the Heritage Conservation District Study for an amount not to exceed \$120,925, plus applicable HST, satisfactory in financial content to the Chief Financial Officer, and technical content to the Director of Development Services;
5. That Council CONFIRM use of the \$125,000 previously approved by Council for these three projects and funded from the Plans and Studies Reserve (0072) and;

6. That Council **APPROVE** the following additional funding sources to address the \$253,353 shortfall in funding required for these projects to proceed:
 - a. \$164,903 from Development Charges – Community Based Services Administrative Studies (0128) and;
 - b. \$88,450 from Plans and Studies Reserve (0072)

2. **BACKGROUND:**

In November 2022, the Planning team began to revisit the approach to updating the Official Plan, Zoning By-law, Heritage Conservation District and related studies. The Manager of Planning Services, in consultation with all members of the Planning team and the Deputy CAO / Director of Development Services, determined that, with the continuing record level of planning applications and building permit reviews requiring the Planning Departments involvement, issuing a Request for Proposals is the recommended way forward to complete these Council directed initiatives.

At the February 13, 2023 Council meeting, Administration brought a report to council outlining the Major Planning Policy Studies which needed to be complete. This included the Official Plan & Zoning By-law update, and the Heritage Conservation District projects. These projects were identified as requiring specialised consultants to complete the work.

3. **DISCUSSION:**

In consultation with purchasing staff, the Planning Services team prepared two Requests for Proposals (RFPs) in order to address the Major Policy Studies. These included:

- Consulting Services for Official Plan Update & Zoning By-law Update (RFP 2023-004); and,
- Consulting Services for the Heritage Conservation District Study (RFP 2023-005).

Official Plan & Zoning By-law Update RFP Results

The Official Plan & Zoning By-law Update RFP closed at 11:00 a.m. on February 23, 2023. The Town received two (2) proposals that were processed electronically via the Bids and Tenders system.

In accordance with the Town of Amherstburg's Purchasing By-Law, Administration ranked the proposals. The evaluation committee consisted of the Manager of Planning Services and three (3) other members of the Planning Services team. Each evaluation committee member individual ranked the proposals separately, and then the committee met under the supervision of Financial Services to discuss the proposals. The results were reported by the Financial Services team as follows.

RFP 2023-004 Official Plan & Zoning By-law updates			
Proponent	Ranking	Final Score	Pricing*
Dillon Consulting Ltd.	1	98.20	\$ 213,236.25
HDR Architecture	2	86.44	N/A

*The pricing as outlined does not included applicable HST.

The results of the evaluation recommended that Dillon Consulting Ltd. be awarded the contract to perform the consultant services.

Heritage Conservation District Study RFP Results

The Heritage Conservation District Study RFP closed at 11:00 a.m. on March 2, 2023. The Town received two (2) proposal that were processed electronically via the Bids and Tenders system.

In accordance with the Town of Amherstburg’s Purchasing By-Law, Administration ranked the proposals. The evaluation committee consisted of the Manager of Planning Services and two (2) senior members of the Planning Services team. Each evaluation committee member individual ranked the proposals separately, and then the committee met under the supervision of Financial Services to discuss the proposals. The results were reported by the Financial Services team as follows.

RFP 2023-005 Heritage Conservation District Study			
Proponent	Ranking	Final Score	Pricing*
MHBC Planning	1	95.33	\$ 120,924.90
Aecom Canada Ltd.	2	72.23	N/A

*The pricing as outlined does not included applicable HST.

The results of the evaluation recommend that MHBC Planning Ltd. be awarded the contract to perform the consultant services.

4. RISK ANALYSIS:

Failure to review and update the Official Plan in accordance with the Planning Act places the Town in a position for non-compliance with the Planning Act and Provincial Policy Statement issued under section 3 of the Planning Act. Furthermore, Official Plans and Zoning By-laws that are outdated no longer accurately represent the desired land use policy direction for the community. These matters result in the Town facing more exposure to costly Ontario Land Tribunal hearings. The level of risk for the Town having outdated key land use policy documents is high.

There is moderate to high cultural risk associated with not completing a Heritage Conservation District Study, and adopting a Heritage Conservation District By-law. The Town of Amherstburg has a large number of properties on the Municipal Register that have “non-designated” status. Legislative changes brought forward by the *More Homes Built Faster Act, 2022* (Bill 23) has made significant amendments to the Ontario Heritage Act. Adopting a HCD By-law based on the findings of an external consultant that specialises in Heritage Conservation will allow the town to put in protective measures where they are justified and defensible.

There is a moderate to high timing risk associated with the completion of the HCD. Many of the Non-Designated properties on the Heritage Register will be removed, as dictated by Bill 23 on January 1, 2025. The HCD study area captures 84% of the properties on the Register that have Non-Designated status. The Planning Services team will work closely with the successful proponent regarding the timing of the study, and measures will be put in place if the risk increases.

5. FINANCIAL MATTERS:

In 2021 Council approved funding of \$125,000 to complete an Official Plan (OP) Update, Zoning By-Law update and Heritage Conservation District Plan. Based on the approved funding a Request for Proposal (RFP) was issued for the projects.

The results of the RFPs, as noted above, result in \$213,236.25 for the OP and Zoning and \$120,924.90 for the Heritage Conservation District, plus any applicable HST. Both costs came in well above the approved budgeted amounts for these projects, despite the budgeted amounts being stated in the RFP. This creates a shortfall in funding of \$253,352.78, including the applicable HST.

The Official Plan and Zoning By-Law update projects are both identified as development charge eligible projects under Administrative Studies – Community Based Services. Based on the percentage of the project costs allowable for DC funding for these two projects, a maximum amount of \$164,903 from DC can be used. There is sufficient funding in the DC reserve to cover this cost. The remaining shortfall in funding of \$88,450 is recommended to be funded from the Plans and Studies Reserve (0072), which is the same reserve used for the original \$125,000.

6. CONSULTATIONS:

Manager of Planning Services
Deputy CAO / Director of Development Services
Chief Financial Officer/Treasurer
Financial Services

7. CONCLUSION:

It is recommended that the highest ranked proponents based on the evaluation of the Request for Proposals, as evaluated by administration, be awarded. Specialized expert

consultant teams are required to complete these projects in a manner that is timely, will meet the expectations of the Town, and address legislative changes.

A handwritten signature in black ink that reads "Adam Coates". The signature is stylized with a large, looped 'A' and a cursive 'C'.

Adam Coates

Heritage Planner, Urban Design, Community Improvement

Report Approval Details

Document Title:	Major Planning Policy Studies - RFP Results.docx
Attachments:	
Final Approval Date:	Mar 13, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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.

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: Request to Extend Interim Control By-law 2022-111

1. RECOMMENDATION:

It is recommended that:

- 1. Council EXTEND Interim Control By-law 2022-111 until August 31, 2023; and,
2. By-law 2023-048 being a By-law to extend the interim control By-law 2022-111, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

2. BACKGROUND:

At the August 8, 2022 meeting Council approved Administration to complete a Secondary Plan on the Howard Industrial Lands, CR20220808-10. A public open house for the Secondary Plan was held at the Libro Centre on March 8, 2023 from 4:30 to 7:30. Notifications of the meeting were mailed out, and in accordance with Council's direction the area of notification was extended from 120m to 1000m for this project.

On December 5, 2022, Council enacted Interim Control By-law 2022-111 to place industrial development in the Howard Industrial Park District on pause until March 31, 2023 to allow for the preparation and completion of the Howard Industrial Park District Secondary Plan. This was done to ensure the results of the Secondary Plan occurs prior to any further development proceeding ensuring it is informed by the results of the Secondary plan, which includes public input on development in that area.

On February 27, 2023, Council received a report for information that advised our consultants require additional time beyond March 31, 2023 to complete the Howard Industrial Park District Secondary Plan. The additional time beyond March 31, 2023 is required to complete the Howard Industrial Park District Secondary Plan. The specific

trigger for this request is to ensure that sufficient time is being given to the various stakeholders/landowners affected to provide feedback and comments, and that issues being raised are properly addressed in the policies and land use designations that will form part of the draft new secondary plan document.

3. DISCUSSION:

The extension is in line with Section 38 of the Ontario Planning Act that allows for an initial Interim Control By-law to be enacted for up to 1 year from the date of approval with an option for an extension of no greater than 2 years from the date of original passage to allow for completion of any related studies.

In accordance with the Planning Act notifications to inform the public that the matter were sent on March 1, 2023 so that any delegations on the matter can be heard during the March 27, 2023 Council meeting. As noted above the area of notification on this matter is 1000m as per Council's direction. Letters were mailed to all property owners within this distance from the study area.

4. RISK ANALYSIS:

There is a risk that impacted property owners could appeal an extension of this Interim Control By-law to the Ontario Land Tribunal. In such case, the Town would incur costs. Should an appeal be filed to the Ontario Land Tribunal there is a reasonable likelihood that the Howard Industrial Park District Secondary Plan project would be completed before the appeal to extend the Interim Control By-law would be heard.

5. FINANCIAL MATTERS:

The Town would incur costs should this matter be appealed to the Ontario Land Tribunal.

6. CONSULTATIONS:

Chief Administrative Officer
Deputy Chief Administrative Officer/Director Development Services

7. CONCLUSION:

It is recommended that Interim Control By-law 2022-111 be extended to August 31, 2023.



Christopher Aspila
Manager Planning Services

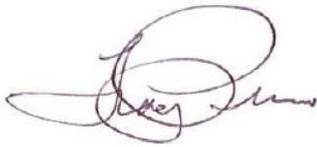
Report Approval Details

Document Title:	Request to Extend Interim Control By-Law 2022-111.docx
Attachments:	
Final Approval Date:	Mar 22, 2023

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



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2023-048**

**By-law to Extend Interim Control By-law 2022-111 Howard Industrial Park District
Secondary Planning Area**

WHEREAS Section 38 of the Planning Act, R.S.O. 1990, Chapter p. 13, provides that the Council of a local municipality had by resolution, directed that a study be undertaken in respect of land use planning policies in the municipality or in a defined area thereof, the Council of the municipality may pass a by-law to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of lands, buildings, or structures within the defined area, for such purposes as may be set out in the by-law;

AND WHEREAS Section 38 (2) of the Planning Act, R.S.O. 1990, Chapter p. 13, provides that the Council of the municipality may amend an interim control by-law to extend the period of time during which it will be in effect provided the total period of time does not exceed two years from the date of the passing of the interim control by-law;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg initiated the preparation of a Secondary Plan for the Howard Industrial Park District on August 8th, 2022;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg passed Interim Control By-law 2022-111 on December 5, 2022.

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

1. This By-law extend Interim Control By-law 2022-111 until 11:59:59 PM on August 31, 2023.
2. THAT where any conflict exists between the provisions of this By-law and any other by-law of The Town of Amherstburg, this By-law shall prevail.
3. THAT this By-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and finally passed this 27th day of March, 2023.

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Christopher Aspila	Report Date: March 21, 2023
Author's Phone: 519 736-5408 ext. 2124	Date to Council: March 27, 2023
Author's E-mail: caspila@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Removal of Holding Zone for a portion of the South End of Boblo

1. RECOMMENDATION:

It is recommended that:

1. **By-law 2023-044** being a by-law to amend Zoning By-law 1999-52 to Remove a Holding Zone for a portion of the South End of Boblo Island be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

2. BACKGROUND:

The Town is in receipt of a request from Boblo Developments Inc. for the removal of the holding Symbol for a portion of the South End of Boblo Island as depicted in Figure 1 below.

The Ontario Land Tribunal (OLT) granted draft plan approval of the redline plan on March 3, 2023 subject to a number of conditions including that the applicant enter into an Amending Subdivision Agreement to satisfy all of the requirements, financial and otherwise, for the provision of services and other matters. The Amending Subdivision Agreement will be brought to Council once the County has provided their approval.

On March 21, 2023 the County of Essex requested that the Town of Amherstburg confirm that the subdivision conforms to the Zoning By-law. The Removal of Holding Zone is required for this condition to be met. The OLT decision and approval on draft plan of subdivision provides for this matter to be brought to Council for approval.

The figure below identifies the area of Boblo Island that is requesting the removal of the Holding Zone.



Figure 1

3. DISCUSSION:

The proponent is proceeding with the development of Boblo Island South End in accordance with the Ontario Land Tribunal's draft approved plan of subdivision.

The amendment to the Zoning By-law is in conformity with the Official Plan. The prerequisite for the removal of the Holding Symbol "h" as set out in By-law 1999-52, as amended is the allocation of sanitary sewer capacity pursuant to Section 51 of the Planning Act. The developer has completed public works to ensure adequate sanitary sewer capacity to accommodate for this phase of the subdivision development. The removal of the hold is a housekeeping matter.

The amendment to the Zoning By-law will amend the zoning of a portion of the South End of Boblo from 'holding Resort Residential/Resort Commercial (h-RR/RC)' to 'Resort Residential/Resort Commercial (RR/RC)'. The Engineering and Public Works Department has confirmed adequate servicing for this phase of the subdivision.

A By-law considered by Council to Remove a Holding Symbol under Section 36 of the Planning Act, is not subject to the requirement to hold a public meeting.

The Removal of the Holding Symbol will facilitate the Boblo Island South End development as outlined in the related Subdivision Agreement and Amending Subdivision Agreement.

4. RISK ANALYSIS:

The recommendation for h removal in this report presents little to no risk to the municipality. The proponent has met the obligations of the Official Plan and Zoning By-law 1999-52, with regard to addressing servicing and orderly development.

Should Council decide not to remove the Holding Symbol the Town faces a high risk of exposure to litigation by adding delay to a development that has received Draft Approval by the Ontario Land Tribunal.

5. FINANCIAL MATTERS:

The costs associated with the application and planning process are the responsibility of the developer.

The Town currently is holding securities and insurance from the applicant to the Town for the servicing underway on the subject property.

6. CONSULTATIONS:

The proposed Removal of the Holding Symbol was published in the River Town Times and posted on the Town's website.

The Engineering and Public Works Department has identified that they have no concerns with the Removal of the Holding Symbol.

7. CONCLUSION:

Administration recommends approval of Zoning By-law 2023-044, being a Zoning By-law Amendment to remove the Holding Zone from a portion of Boblo Island South End.



Christopher Aspila
Manager, Planning Services

JM/CA/ca

Report Approval Details

Document Title:	Removal of Holding Zone for a portion of the South End of Boblo.docx
Attachments:	- Appendix A- 2023-044- Removal of H- Boblo South End-DRAFT.pdf
Final Approval Date:	Mar 23, 2023

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



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox

**CORPORATION OF THE TOWN AMHERSTBURG
BY-LAW NO. 2023-044**

**Being a by-law to amend Zoning By-law No. 1999-52, as amended for,
Part of Bois Blanc Island, Part of Boblo Island South End, Amherstburg**

WHEREAS By-law 1999-52, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Amherstburg;

AND WHEREAS the Council of the Town of Amherstburg deems it appropriate and in the best interest of proper planning to amend By-law 1999-52, as herein provided;

AND WHEREAS this By-law conforms to the Official Plan for the Town of Amherstburg;

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

1. Schedule "A" Map 83 of Bylaw 1999-52, as amended, is hereby further amended by changing the zone symbol on those lands shown on Schedule "A" attached hereto and forming part of this Bylaw as "Zone Change from h-RR/RC to RR/RC" from "holding Resort Residential/Resort Commercial (h-RR/RC) Zone" to "Resort Residential/Resort Commercial (RR/RC) Zone".

THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 and 36 of the Planning Act, R.S.O. 1990, c. P. 13.

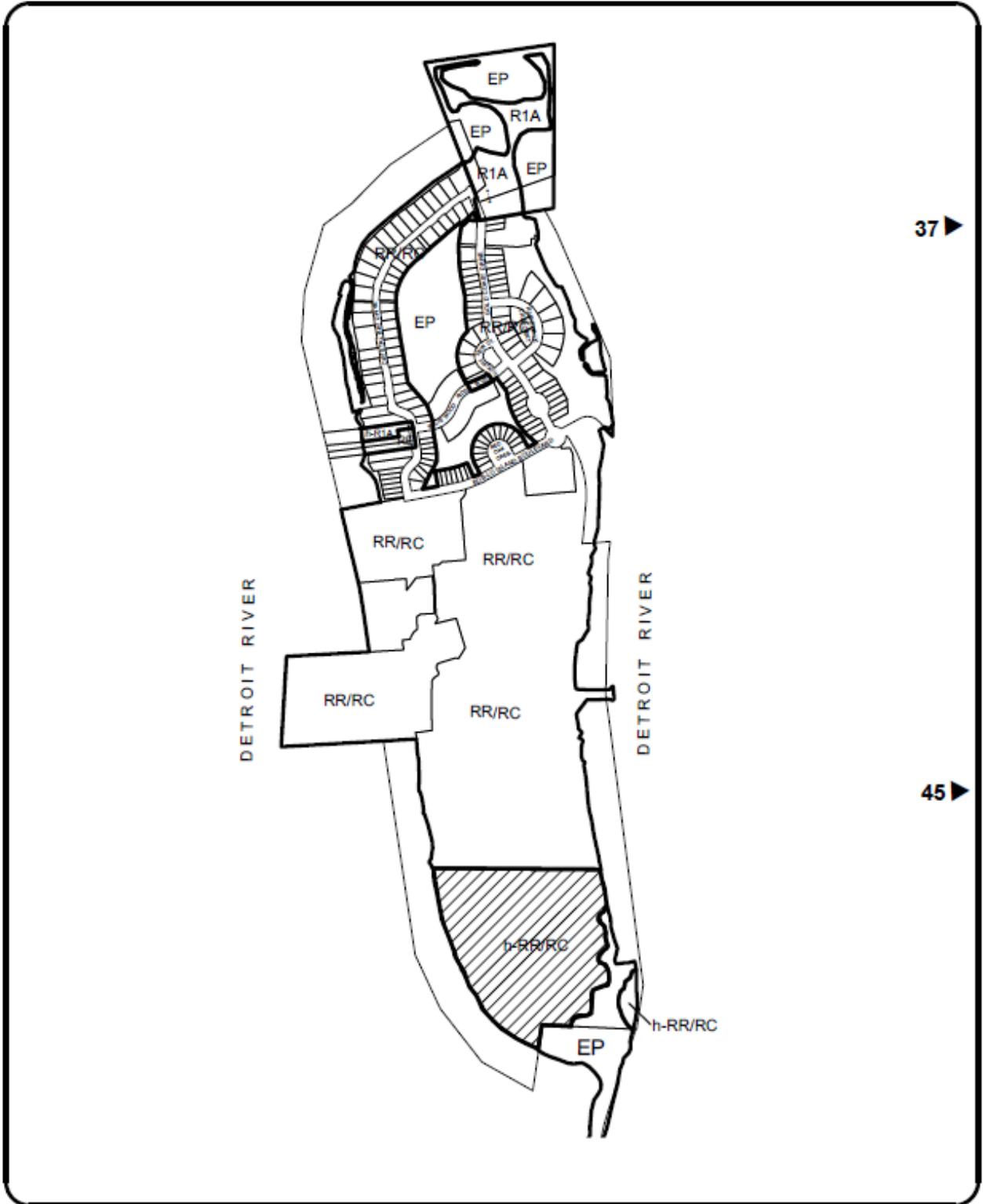
Read a first, second and third time and finally passed this 27th day of March, 2023.

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW NO. 2023-044
A BY-LAW TO AMEND BY-LAW NO. 1999-52



SCHEDULE 'A'

MAP 83

ZONING BY-LAW NO. 1999-52

h-RR/RC to RR/RC





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Chris Aspila, Sarah French	Report Date: March 10, 2023
Author's Phone: 519 736-5408 ext. 2124	Date to Council: March 27, 2023
Author's E-mail: caspila@amherstburg.ca sfrench@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Development Charge Exemption Request for Agricultural Retail Uses

1. **RECOMMENDATION:**

It is recommended that:

1. Council **APPROVE** the exemption of Development Charges for all agriculturally related retail stores located within the Agricultural (A) Zone up to a maximum size of 232.3 m² (2500 ft²).

2. **BACKGROUND:**

Council approved By-law 2023-006 on February 13, 2023 to establish legal zoning provisions to permit the existing Farm House Market to continue to operate on the property located at 7601 Middle Side Road.

The Farm House Market was originally built through a building permit as a 'pole barn' and converted to a market style store within the pole barn. The owners were under the impression that the market style store was a permitted use as a 'retail farm sales outlet', which is a permitted use in the Agricultural (A) Zone. However, the Farm House Market did not fit the definition of a 'retail farm sales outlet' and required a Zoning By-law Amendment to become compliant with the Zoning By-law. The Farm House Market, was able to secure a small business grant to assist with the costs of the rezoning application and as of February 13, 2023, is now zoned as a 'retail store'.

Prior to 2014 the Town of Amherstburg only had development charges for residential structures and did not require development charges for any commercial, industrial or agriculturally related structures. The 2014 and 2019 Development Charges By-law both require development charges for all structures with limited exemptions. Development charges were not required at the time of the building permit as a residential accessory

structure like a pole barn would not require development charges. Additionally, accessory structures used for bona fide farming uses are exempt from development charges. However, the Farm House Market is not a bona fide farming use and therefore does not qualify for that exemption.

The Farm House Market is currently going through the Site Plan Control process, which defines any applicable development charges to be collected at the time of issuance of the building permit. For a retail store the size of the Farm House Market (4,800 ft²) in an area without wastewater, the development charges are \$5.52 a square foot, resulting in a development charge of \$13,248 for the Farm House Market. Administration is requesting an exemption from the Development Charges based on past practice for all commercial type uses located within Agricultural (A) Zones. Additional information regarding past exemptions can be found in Section 3 of this report.

3. DISCUSSION:

The most recent Development Charges By-law to implement development charges for uses beyond residential development was passed on October 4, 2014 (By-law No. 2014-101). The current Development Charges By-law was passed on September 23, 2019 (By-law No. 2019-083). Both by-laws are attached to this report.

Development Charge By-laws have traditionally been updated every 5 years, however due to changes implemented by the Provincial Government, the timeline for updates has been extended to 10 years. Consideration will be given during the next Development Charge By-law review to exempt all commercial style uses within the Agricultural (A) Zones. In the meantime, Administration is requesting an exemption for a specific commercial use in the Agricultural (A) Zone, namely a retail store.

Multiple commercial style uses in the Agricultural (A) Zone have been exempt from Development Charges in the past. It is unclear to Administration if the exemptions were approved by Council or if the exemptions were applied due to the agricultural nature of the property where the uses were located. Examples of exempted properties are listed below.

Sprucewood Shores Winery

In 2014, Sprucewood Shores Winery applied for a Zoning By-law amendment to permit the addition of an event space. The amendment was passed on November 17, 2014 through By-law No. 2014-105. The Site Plan Control application was approved at the same meeting of Council. The permit for the event space, which was a 585.2 m² (6,299 ft²) was approved December 9, 2014. It appears that the event space was not charged Development Charges, although it would not have been exempt under By-law 2014-101. The property is zoned Agricultural Special Provision (A-39) Zone.

G.L. Heritage Brewery

Breweries were added to the Town's Zoning By-law 1999-52, as amended, and the Town's Official Plan (2009) through a town-wide Zoning By-law Amendment and Official Plan Amendment in 2017.

The owners of G.L. Heritage Brewery applied for a building permit for an accessory structure in November, 2016. On October 23, 2017, Council approved a Site Plan Control agreement for the use of a brewery on the property within the existing accessory structure. The structure was converted from an accessory structure to a brewery to permit the brewing, packaging and selling of beer. Development charges were not required at the time of permit issuance due to the structure originally being proposed as an accessory structure. It appears that development charges were not required when the accessory structure was converted to the brewery. The property is zoned Agricultural (A) Zone. This is a similar situation to the Farm House Market, where an existing structure was converted to a commercial use and required to enter into a Site Plan Control agreement with the Town.

Little White Church Boutique Hotel

The Little White Church was rezoned in 2019 through By-law 2019-038 to Special Provision Agricultural (A-41) Zone to permit a six-bedroom bed and breakfast establishment. The building required many renovations to prepare it to host guests. Site Plan Control was not required as no additions were being proposed. The Little White Church would have originally been exempt from Development Charges due to it being a place of worship. The new use of a bed and breakfast would not be exempt. It appears that development charges were not required on this property.

The property owners of the Farm House Market paid rural development charges based on the 2020 rate for their house (\$9264.00). Development charges are required for the main residential use on properties within the Town, and it is standard that development charges are not collected for any residential or farm accessory structures when accessory to a dwelling. The Farm House Market was originally built as an accessory structure, so development charges were not applicable. The change of use of the structure and subsequent zoning by amendment now requires direction on whether development charges are or are not applicable for this property.

Based on the above noted exemptions, standard practice for the Town is to exempt commercial agricultural businesses from development charges. To be consistent with past practice The Farm House Market should not be charged development charges. Recognizing the lack of formal clarity around how past practice came to be, the recommendation in this report will put some clarity and parameters around the practice as a temporary measure and consistency in how this is applied, until such time as it is formalized in the development charges by-law at a future date.

4. RISK ANALYSIS:

When providing an exemption for Development Charges, Council must provide the exemption for all uses within the same category. In this specific case, the exemption will be narrowly defined as only for retail stores in the Agricultural (A) Zones, up to a maximum size of 232.3 m² (2,500 ft²). This exemption will therefore only apply to small-scale stores in the Agricultural (A) Zones, most of which would require Zoning By-law Amendments, as seen in the case of the Farm House Market.

5. FINANCIAL MATTERS:

The exemption would provide relief from the Farm House Market for \$13,248 of development charges. Additional financial impacts from any future retail agricultural uses are hard to predict, however the Town has historically exempt such uses, as seen in Section 3.

6. CONSULTATIONS:

The Development Services department, including the Manager of Planning, the Manager of Building and the Director of Development Services were consulted on this report.

7. CONCLUSION:

Administration recommends that Council approve an exemption of development charges for all retail store uses within the Agricultural (A) Zone up to a maximum size of 232.3 m² (2,500 ft²).



Chris Aspila
Manager, Planning Services



Sarah French
Planner

Report Approval Details

Document Title:	Development Charge Exemption Request for Agricultural Retail Uses.docx
Attachments:	- 2014-101- Development Charges includes Malden Sewer reduced rate.pdf - 2019-083---Development-Charges-By-law.pdf
Final Approval Date:	Mar 23, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2014-101**

By-law for the Imposition of Development Charges

WHEREAS the Town of Amherstburg will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Town of Amherstburg;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for or burden on municipal services does not place an excessive financial burden on the Town of Amherstburg or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS a development charges background study has been completed in accordance with the Act;

AND WHEREAS the Council of the Corporation of the Town of Amherstburg has given notice of and held a public meeting on the 8th day of September, 2014 in accordance with the Act and the regulations thereto;

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

1. INTERPRETATION

1.1 In this By-law the following items shall have the corresponding meanings:

"Act" means the *Development Charges Act*, as amended, or any successor thereof;

"apartment unit" means any residential unit within a building containing more than four dwelling units where the units are connected by an interior corridor;

"bedroom" means a habitable room which can be used as sleeping quarters, but does not include a bathroom, living room, dining room or kitchen;

"board of education" has the same meaning as set out in the *Education Act*, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

"bona fide farm uses" means the proposed development that will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Ontario Property Assessment Corporation;

"Building Code Act" means the *Building Code Act*, S.O. 1992, as amended, or any successor thereof;

"capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board,

(a) to acquire land or an interest in land, including a leasehold interest,

- (b) to improve land,
- (c) to acquire, lease, construct or improve buildings and structures,
- (d) to acquire, construct or improve facilities including;
 - (i) furniture and equipment other than computer equipment; and
 - (ii) material acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*, R.S.O. 1990, Chap. P.44, as amended, or any successor thereof; and
 - (iii) rolling stock with an estimated useful life of seven years or more; and
- (e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d) above, including the development charges background study required for the provision of services designated in this By-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (a) to (e) above that are growth-related;

“commercial” means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, but does include hotels, motels, motor inns and boarding, lodging and rooming houses;

“Council” means the Council of the Town of Amherstburg;

“development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that the effect of increasing the size of usability thereof, and includes redevelopment;

“development charge” means a charge imposed with respect to this By-law;

“dwelling unit” means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

“existing” means the number, use and size that existed as of the date this by-law was passed;

“farm building” means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;

“gross floor area” means:

- (a) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
- (b) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:

- (i) a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
- (ii) loading facilities above or below grade; and
- (iii) a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use;

“industrial” means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

“institutional” means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain;

“Local Board” means a school board, municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof;

“local services” means those services, facilities or things which are under the jurisdiction of the Town of Amherstburg and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

“multiple dwellings” means all dwellings other than single-detached, semi-detached, apartment unit dwellings;

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

“non-profit” means a corporation without share capital that has objects of a charitable nature;

“non-residential use” means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

“Official Plan” means the Official Plan adopted for the Town, as amended and approved;

“owner” means the owner of land or a person who has made application for an approval for the development of land upon which development charges are imposed;

“place of worship” means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

“rate” means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

“regulation” means any regulation made pursuant to the Act;

“residential dwelling” means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more Dwelling Units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

“residential use” means the use of a building or structure or portion thereof for one or more Dwelling Units. This also includes a Dwelling Unit on land that is used for an Agricultural Use;

“row dwelling” means a building containing three or more attached dwelling units in a single row, each of which dwelling units has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;

“semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but not other parts, attached to another dwelling unit where the residential unit are not connected by an interior corridor;

“service” means a service designated in Schedule “A” to this By-law, and “services” shall have a corresponding meaning;

“Servicing Area” means an area within the Town of Amherstburg and identified on Schedule “C” to this By-law where development shall proceed only on the basis of full municipal wastewater and water services;

“servicing agreement” means an agreement between a landowner and the municipality relative to the provision of municipal services to specified land within the municipality;

“single detached dwelling unit” means a residential building consisting of one dwelling unit and not attached to another structure;

“solar farm” means any solar energy system comprised of one or more solar panels and associated control or conversion electronics that converts sunlight into electricity. A solar farm may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary;

“special care/special need dwelling” means a building:

1. containing two or more dwelling units which units have a common entrance from street level;
2. where the occupants have the right to use in common with other occupants halls, stairs, yards, common rooms and accessory buildings;
3. that is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements; and
4. where support services, such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels;

and includes, but is not limited to, retirement homes or lodges, charitable dwellings, group homes (including correctional group homes) and hospices;

“telecommunications tower” means any tower, apparatus, structure or other thing that is used or is capable of being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility as defined in the Telecommunications Act;

“Town” means the area within the geographic limits of the Town of Amherstburg;

“wind turbine” means any wind energy system, comprising one or more turbines, that converts energy into electricity, with a combined nameplate generating capacity greater than 500 kilowatts and a height greater than 100 metres and consists of a wind turbine, a tower, and associated control or conversion electronics. A wind turbine and energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary; and

“Zoning By-law” means the Zoning By-law of the Town of Amherstburg or any successor thereof passed pursuant to Section 34 of the Planning Act, S.O. 1998.

2. DESIGNATION OF SERVICES

2.1 The categories of services for which development charges are imposed under this By-law are as follows:

- (a) Transportation Services;
- (b) Fire Protection Services;
- (c) Police Services;
- (d) Parks and Recreation Services;
- (e) Administration - Studies;
- (f) Water Services; and
- (g) Wastewater Services

2.2 The components of the services designated in section 2.1 are described in Schedule “A”.

3. APPLICATION OF BY-LAW RULES

3.1 Development charges shall be payable in the amounts set out in this By-law where:

- (a) the lands are located in the area described in section 3.2; and
- (b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the Town of Amherstburg whether or not the land or use thereof is exempt from taxation under s.13 or the Assessment Act.

3.3. Notwithstanding clause 3.2 above, this By-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the municipality or a local board thereof; or
- (b) the County of Essex or any local board thereof; or
- (c) a board of education.

Approvals for Development

3.4 (a) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:

- (i) the passing of a zoning by-law or of an amendment to a zoning by-law under Section 34 of the *Planning Act*;
- (ii) the approval of a minor variance under Section 45 of the *Planning Act*;

- (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (iv) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
 - (v) a consent under Section 53 of the *Planning Act*;
 - (vi) the approval of a description under Section 50 of the *Condominium Act*, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (b) No more than one development charge for each service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this By-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.
- (c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to:
- (a) an enlargement to an existing dwelling unit;
 - (b) one or two additional dwelling units in an existing single detached dwelling;
 - (c) one additional dwelling unit in any other existing residential building; or
- 3.6 Notwithstanding section 3.5(b), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.
- 3.7 Notwithstanding section 3.5, development charges shall be imposed if the additional unit has a gross floor area greater than
- (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and
 - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.
- 3.8 Exemption for Industrial Development:
- 3.8.1 Notwithstanding any other provision of this By-law, no development charges are payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8.2 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charges payable in respect of the enlargement is the amount of the development charges that would otherwise be payable multiplied by the fraction determined as follows:
- (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection 3.8.2 (a) by the amount of the enlargement.
- 3.8.3 For the purpose of section 3.8 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

3.9 Other Exemptions:

Notwithstanding the provision of this By-law, development charges shall not be imposed with respect to:

- (a) lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*; and
- (b) the development of non-residential farm buildings constructed for bona-fide farm uses.
- (c) a building or structure used for a community use owned by a non-profit corporation.

Amount of Charges

Residential

3.10 The development charges set out in Schedule “B” shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use. Refer to subsequent schedules for exceptions.

Non-Residential

- 3.11 (a) The development charges described in Schedule “B” to this By-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use. Refer to subsequent schedules for exceptions.
- (b) The following percentage of each service for non-residential uses, as provided in Schedule “B”, shall be imposed:

Service	NON-RESIDENTIAL		
	Year 1 November 2014 - July 2015	Year 1 July 2015 - November 2015	Years 2 to 5 November 2015 - November 2019
Municipal Wide Services:			
Transportation Services	0%	100%	100%
Fire Protection Services	0%	100%	100%
Police Services	0%	100%	100%
Parks and Recreation Services	0%	100%	100%
Administration - Studies	0%	100%	100%
Urban Services			
Wastewater	0%	100%	100%
Water	0%	100%	100%

Wind Turbines and Telecommunication Towers

3.12 The development charges described in Schedule “B” to this By-law shall be imposed on wind turbines and telecommunication towers with respect to transportation services, police services, fire protection services and administration – studies on a per unit basis.

Solar Farms

- 3.13 The development charges described in Schedule “B” to this By-law shall be imposed on solar farms with respect to transportation services, police services, fire protection services and administration – studies based on a per square foot of the panel surface.

Reduction of Development Charges for Redevelopment

- 3.14 Despite any other provisions of this By-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months outside the downtown area and within 36 months inside the downtown area, prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.11 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment. Refer to Schedule “D” for the downtown area definition map.

Time of Payment of Development Charges

- 3.15 Development charges shall be calculated and payable in money or by provision of service as may be agreed upon, or by credit granted under the Act, on the date that the building permit is issued in relation to a building or structure on land to which the development charges applies.
- 3.16 Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charges have been paid in full.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under subsections 3.11 and 3.12, Council may, by agreement, give a credit towards development charges in exchange for work that relates to a service to which development charges relate under this By-law.

5. INDEXING

- 5.1 Development charges imposed pursuant to this By-law shall be adjusted annually on January 1, without amendment to this By-law, in accordance with the second quarter of the prescribed index in the Act.

6. SCHEDULES

6.1 The following schedules shall form part of this By-law:

- Schedule "A" - Components of Services Designated in subsection 2.1
- Schedule "B" - Residential and Non-Residential Schedule of Development Charges
- Schedule "C" - Sanitary Servicing Area Map
- Schedule "D" - Downtown Area Map
- Schedule "E" - Properties Assessed a Charge under the Malden Sewage Project

7. CONFLICTS

7.1 Where the Town and an owner or former owner have entered into an agreement with respect to land within the area to which this By-law applies, and a conflict exists between the provisions of this By-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.

7.2 Notwithstanding section 7.1, where a development which is the subject of an agreement to which section 7.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4(a), additional development charges in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this By-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

8.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. DATE BY-LAW IN FORCE

9.1 This By-law shall come into effect at 12:01 AM on October 4, 2014.

10. DATE BY-LAW EXPIRES

10.1 This By-law will expire at 12:01 AM on October 4, 2019 unless it is repealed by Council at an earlier date.

Read a first, second and third time and finally passed this 3rd day of October, 2014.


MAYOR - WAYNE HURST


CLERK - PAULA PARKER

SCHEDULE "A" TO BY-LAW 2014-101

COMPONENTS OF SERVICES DESIGNATED IN SUBSECTION 2.1

100% Eligible Services

Transportation Services

- Roads
- Sidewalks and Streetlights
- Public Works Facilities
- Public Works Rolling Stock

Fire Protection Services

- Fire Facilities
- Fire Vehicles
- Fire Small Equipment and Gear

Police Services

- Police Facilities
- Police Vehicles
- Police Small Equipment and Gear

Water Services

- Water Distribution
- Water Treatment

Wastewater Services

- Wastewater Collection
- Wastewater Treatment

90% Eligible Services

Parks and Recreation Services

- Parkland Development
- Parkland Trails
- Parkland Amenities
- Recreation Facilities
- Parks and Recreation Vehicles and Equipment

Administration Services

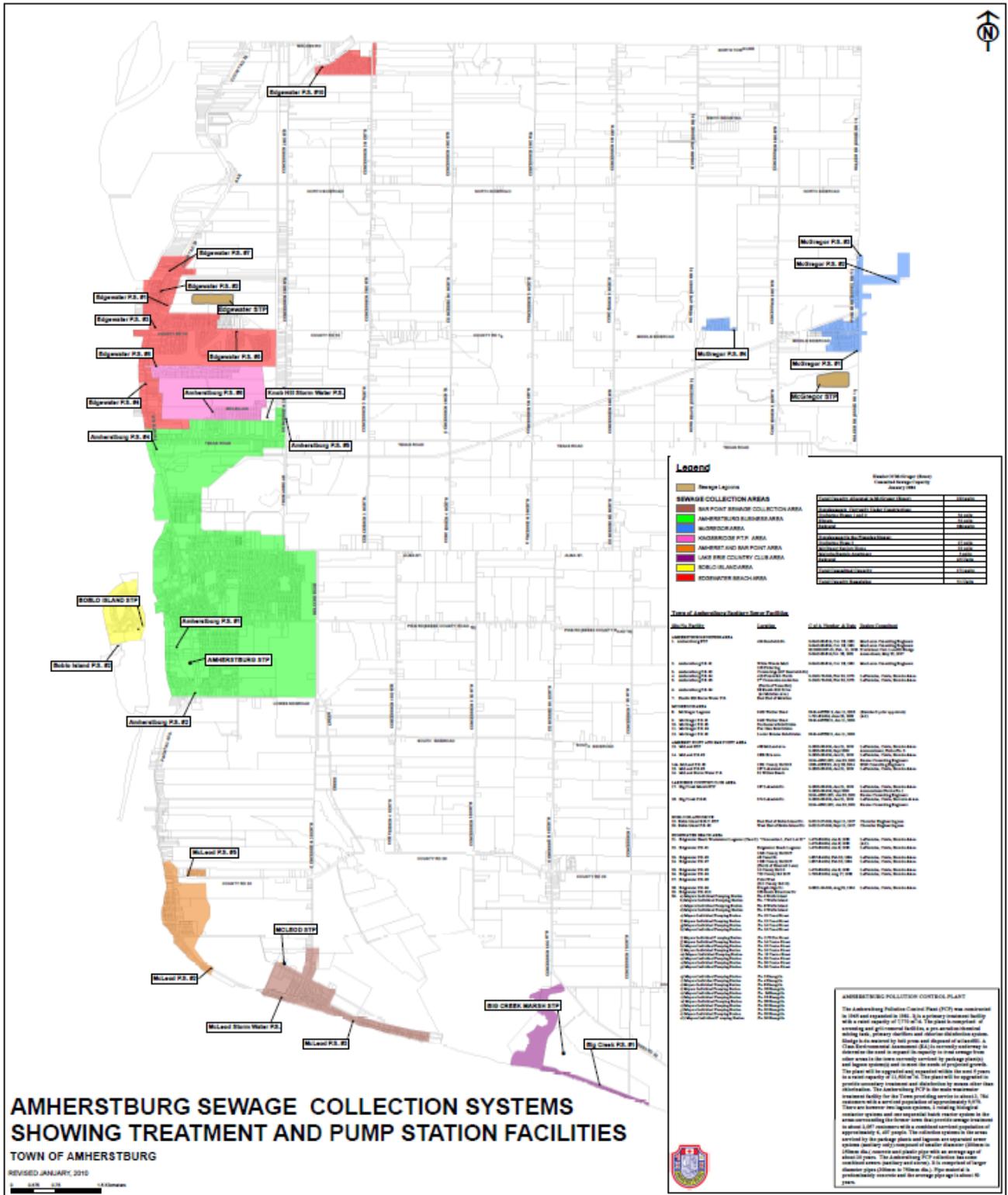
- Growth Related Studies

SCHEDULE “B” TO BY-LAW 2014-101
SCHEDULE OF DEVELOPMENT CHARGES

Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines & Telecommunication Towers	Solar Farms (per sq ft.)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per ft² of Gross Floor Area)		
Municipal Wide Services:								
Transportation Services	\$ 2,957	\$ 1,721	\$ 1,315	\$ 2,047	\$ 989	\$ 1.63	\$ 2,957	\$ 1.63
Fire Protection Services	\$ 589	\$ 343	\$ 262	\$ 408	\$ 197	\$ 0.29	\$ 589	\$ 0.29
Police Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Parks and Recreation Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administration - Studies	\$ 119	\$ 69	\$ 53	\$ 82	\$ 40	\$ 0.07	\$ 119	\$ 0.07
Total Municipal Wide Services	\$ 3,665	\$ 2,133	\$ 1,630	\$ 2,537	\$ 1,226	\$ 1.99	\$ 3,665	\$ 1.99
Urban Services								
Wastewater	4,348	2,530	1,934	3,010	1,454	2.23	\$ -	\$ -
Water	4,126	2,401	1,835	2,856	1,380	2.11	\$ -	\$ -
Total Urban Services	8,474	4,931	3,769	5,866	2,834	4.34	\$ -	\$ -
GRAND TOTAL RURAL AREA	3,665	2,133	1,630	2,537	1,226	1.99	\$ 3,665	1.99
GRAND TOTAL URBAN AREA	12,139	7,064	5,399	8,403	4,060	6.33	\$ 3,665	1.99

- Property roll numbers assessed a charge under the Malden Sewage Project shall have the respective DC Charges reduced by \$1,422.28 for one dwelling unit per lot. Please refer to Schedule “E”.
- Please refer to Schedule “D” for the defined Sanitary Sewer (Wastewater) Servicing Area.
- As per current agreements regarding the Boblo Island Development, once development on the island reaches 145 units, DC Charges will become applicable.

**SCHEDULE "C" TO BY-LAW 2014-101
SANITARY SERVICING AREA MAP**



SCHEDULE "D" TO BY-LAW 2014-101

DOWNTOWN AREA MAP



SCHEDULE "E" TO BY-LAW 2014-101

PROPERTIES ASSESSED A CHARGE UNDER THE MALDEN SEWAGE PROJECT

The following property roll numbers were assessed a charge under the Malden Sewage Project. The DC Charges outlined in Schedule "B" to this By-law shall be reduced by \$1,422.28 for one dwelling unit per lot for each of the following:

<u>Line</u>	<u>Roll Number</u>	<u>Line</u>	<u>Roll Number</u>	<u>Line</u>	<u>Roll Number</u>
(1)	510000097000000	(44)	540000141000000	(86)	540000269000000
(2)	510000101000000	(45)	540000142000000	(87)	540000274000000
(3)	510000145000000	(46)	540000143000000	(88)	540000276500000
(4)	510000156000000	(47)	540000144000000	(89)	540000279000000
(5)	510000183000000	(48)	540000145000000	(90)	540000281000000
(6)	510000189010000	(49)	540000145050000	(91)	540000111000000
(7)	510000210000000	(50)	540000149000000	(92)	550000009000000
(8)	510000211000000	(51)	540000151000000	(93)	550000016000000
(9)	510000212000000	(52)	540000152000000	(94)	550000037000000
(10)	540000009010000	(53)	540000156000000	(95)	550000038000000
(11)	540000018000000	(54)	540000159000000	(96)	550000040000000
(12)	540000020000000	(55)	540000166000000	(97)	550000040100000
(13)	540000035000000	(56)	540000166100000	(98)	550000040120000
(14)	540000037000000	(57)	540000166150000	(99)	550000040130000
(15)	540000060000000	(58)	540000168000000	(100)	550000040200000
(16)	540000063000000	(59)	540000169000000	(101)	550000040250000
(17)	540000083000000	(60)	540000169010000	(102)	550000040500000
(18)	540000085000000	(61)	540000169020000	(103)	550000041000000
(19)	540000087000000	(62)	540000170000000	(104)	550000041200000
(20)	540000090000000	(63)	540000171000000	(105)	550000041900000
(21)	540000091000000	(64)	540000174000000	(106)	550000043000000
(22)	540000092000000	(65)	540000175000000	(107)	550000043300000
(23)	540000093000000	(66)	540000176000000	(108)	550000043400000
(24)	540000094000000	(67)	540000176010000	(109)	550000047100000
(25)	540000095000000	(68)	540000177000000	(110)	550000047200000
(26)	540000099000000	(69)	540000191000000	(111)	550000047300000
(27)	540000100000000	(70)	540000196000000	(112)	550000051000000
(28)	540000101000000	(71)	540000219500000	(113)	550000052000000
(29)	540000102000000	(72)	540000231000000	(114)	550000073300000
(30)	540000103000000	(73)	540000235000000	(115)	550000073700000
(31)	540000104000000	(74)	540000238000000	(116)	550000076000000
(32)	540000105000000	(75)	540000240000000	(117)	550000086000000
(33)	540000107000000	(76)	540000242000000	(118)	550000098100000
(34)	540000108000000	(77)	540000245000000	(119)	550000098200000
(35)	540000110000000	(78)	540000249000000	(120)	550000113000000
(36)	540000111000000	(79)	540000251000000	(121)	550000114400000
(37)	540000112000000	(80)	540000257500000	(122)	550000114600000
(38)	540000114000000	(81)	540000258000000	(123)	550000188000000
(39)	540000115000000	(82)	540000262000000	(124)	550000188000000
(40)	540000122000000	(83)	540000266000000	(125)	550000210000000
(41)	540000123000000	(84)	540000267000000	(126)	550000212000000
(42)	540000126000000	(85)	540000268000000	(127)	550000217000000
(43)	540000128000000				

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2019-083

By-law for the Imposition of Development Charges

A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES

WHEREAS the Town of Amherstburg will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Town of Amherstburg;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for or burden on municipal services does not place an excessive financial burden on the Town of Amherstburg or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg has given notice of and held a public meeting on the 26th day of August, 2019 in accordance with the Act and the regulations thereto;

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

1. INTERPRETATION

1.1 In this By-law the following items shall have the corresponding meanings:

"Act" means the *Development Charges Act, 1997, S.O. 1997, c.27*, as amended, or any successor thereof;

"apartment dwelling" means a building containing more than four dwelling units where the units are connected by an interior corridor, including stacked dwellings, but excluding a special care/special dwelling unit;

"apartment dwelling unit" means a dwelling unit within an apartment dwelling;

"back-to-back townhouse dwelling" means a building containing four or more dwelling units vertically by a common wall, including a rear common wall, that do not have rear yards.

"back-to-back townhouse dwelling unit" means a dwelling unit within a back-to-back townhouse dwelling.

“bedroom” means a habitable room which can be used as sleeping quarters, but does not include a bathroom, living room, dining room or kitchen;

“board of education” has the same meaning as set out in the *Education Act*, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

“bona fide farm uses” means the proposed development that will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Ontario Property Assessment Corporation, However, “bona fide farm uses” does not include marijuana production facilities and commercial greenhouses;

“building” means any structure or building as defined in the Building Code Act but does not include a vehicle.

“Building Code Act” means the *Building Code Act*, S.O. 1992, as amended, or any successor thereof;

“cannabis” means:

- i. A cannabis plant;
- ii. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- iii. Any substance or mixture of substances that contains or has on it any part of such a plant; and
- iv. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

“cannabis plant” means a plant that belongs to the genus Cannabis.

“cannabis production facilities” means a building, or part thereof, designed, used, or intended to be used for one or more of the following: cultivation, propagation, production, processing, harvesting, testing, alteration, destruction, storage, packaging, shipment or distribution of cannabis or marijuana where a licence, permit or authorization has been issued under applicable federal law but does not include a building or part thereof solely designed, used or intended to be used for retail sales of cannabis or marijuana.

“capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board,

- (a) to acquire land or an interest in land, including a leasehold interest,
- (b) to improve land,
- (c) to acquire, lease, construct or improve buildings and structures,
- (d) to acquire, construct or improve facilities including,

- (i) furniture and equipment other than computer equipment, and
 - (ii) material acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*, R.S.O. 1990, Chap. P.44, as amended, or any successor thereof; and
 - (iii) rolling stock with an estimated useful life of seven years or more, and
- (e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d) above, including the development charge background study required for the provision of services designated in this By-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (a) to (e) above that are growth-related;

“charitable dwelling” means a residential building, a part of a residential building or the residential portion of a mixed-use building maintained and operated by a corporation approved under the Charitable Institutions Act, R.S.O. 1990, c. C.9, for persons requiring residential, specialized or group care and charitable dwelling includes a children’s residence under the Child and Family Services Act, R.S.O. 1990, c. C.11, a home or a joint home under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c. H.13, an institution under the Mental Hospitals Act, R.S.O. 1990, c. M.8, a nursing home under the Nursing Homes Act, R.S.O., 1990, c. N.7, and a home for special care under the Homes for Special Care Act, R.S.O. 1990, c. H.12;

“commercial” means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or bona fide farm uses, but does include commercial greenhouses, hotels, motels, and motor inns;

“commercial greenhouse” means a building used, designed, or intended to be used for the sale, display, storage, and/or growing of plant products, flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from the lot either at wholesale or retail.

“correctional group home” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit supervised on a 24-hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof, and licensed, approved or supervised by the Province of Ontario as a detention or correctional facility under any general or special act and amendments or replacement thereto. A correction group home may contain an office provided that the office is used only for the operation of the correctional group home in which it is located. A correctional group home shall not include any detention facility operated or supervised by the Federal Government nor any correctional institution or secure custody and detention facility operated by the Province of Ontario;

“Council” means the Council of the Town of Amherstburg;

“development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that the effect of increasing the size of usability thereof, and includes redevelopment;

“development charge” means a charge imposed with respect to this By-law;

“dwelling unit” means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

“existing” means the number, use and size that existed as of the date this by-law was passed;

“farm building” means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to bona fide farm uses, but excluding a residential use;

“gross floor area” means:

- (a) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
- (b) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
 - (i) a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
 - (ii) loading facilities above or below grade; and
 - (iii) a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use;

“group home” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit which may or may not be supervised on a 24-hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof and licensed, approved or supervised by the Province of Ontario for the accommodation of persons under any general or special act and amendments or replacements thereto. A group home may contain an office provided that the office is used only for the operation of the group home in which it is located;

“hospice” means a building or portion of a mixed-use building designed and intended to provide palliative care and emotional support to the terminally ill in a home or homelike setting so that quality of life is maintained, and family members may be active participants in care;

“industrial” means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, and includes cannabis production facilities, but does not include the sale of commodities to the general public through a warehouse club;

“institutional” means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain;

“live/work unit” means a building, or part thereof, which contains, or is intended to contain, both a dwelling unit and non-residential areas and which is intended for both residential use and non-residential use concurrently, and shares a common wall or floor with or without direct access between the residential and non-residential areas;

“Local Board” means a school board, municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof;

“local services” means those services, facilities or things which are under the jurisdiction of the Town of Amherstburg and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

“mixed-use development” means a building used, designed or intended for use for both residential and non-residential uses;

“multiple dwellings” means all dwellings other than single-detached, semi-detached, apartment unit dwellings and special care/special dwelling units. Multiple dwellings include, but is not limited to, townhouse dwelling, back-to-back townhouse dwelling, and the portion of a live/work unit intended to be used exclusively for living accommodations for one or more individuals;

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

“non-profit” means a corporation without share capital that has objects of a charitable nature;

“non-residential use” means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use and includes the non-residential portion of a live/work unit and/or mixed-use development;

“Official Plan” means the Official Plan adopted for the Town, as amended and approved;

“owner” means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

“place of worship” means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

“rate” means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

“regulation” means any regulation made pursuant to the Act;

“residential dwelling” means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more Dwelling Units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

“residential use” means the use of a building or structure or portion thereof for one or more Dwelling Units. This also includes a Dwelling Unit on land that is used for an Agricultural Use;

“retirement home or lodge” means a residential building or the residential portion of a mixed-use building which provides accommodation primarily for retired persons or couples where each private bedroom or living accommodation has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;

“row dwelling” means a building containing three or more attached dwelling units in a single row, each of which dwelling units has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;

“semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but not other parts, attached or another dwelling unit where the residential unit are not connected by an interior corridor;

“service” means a service designed in Schedule “A” to this By-law, and “services” shall have a corresponding meaning;

“Servicing Area” means an area within the Town of Amherstburg and identified on Schedule C to this by-law where development shall proceed only on the basis of full municipal wastewater and water services;

“servicing agreement” means an agreement between a landowner and the municipality relative to the provision of municipal services to specified land within the municipality;

“single detached dwelling unit” means a residential building consisting of one dwelling unit and not attached to another structure;

“solar farm” means any solar energy system comprised of one or more solar panels and associated control or conversion electronics that converts sunlight into electricity. A solar farm may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary;

“special care/special need dwelling” means a building:

- (i) containing two or more dwelling units which units have a common entrance from street level;
- (ii) where the occupants have the right to use in common with other occupants, halls, stairs, yards, common rooms and accessory buildings;
- (iii) that is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements; and
- (iv) where support services, such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels;

and includes, but is not limited to, retirement homes or lodges, charitable dwellings, group homes (including correctional group homes) and hospices;

“stacked townhouse dwelling” means a building containing four or more dwelling units which are horizontally and vertically separated in a split level or stacked manner, where each dwelling unit egresses directly outside to grade (no egress to a common corridor);

“telecommunications tower” means any tower, apparatus, structure or other thing that is used or is capable of being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility as defined in the Telecommunications Act;

“Town” means the area within the geographic limits of the Town of Amherstburg;

“townhouse dwelling” means a building divided vertically into three or more dwelling units, by common walls which prevent internal access between units where each dwelling unit egresses directly outside to grade.

“wind turbine” means any wind energy system, comprising one or more turbines, that converts energy into electricity, with a combined nameplate generating capacity greater than 500 kilowatts and a height greater than 100 metres and consists of a wind turbine, a tower, and associated control or conversion electronics. A wind turbine and energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary; and

“Zoning By-Law” means the Zoning By-Law of the Town of Amherstburg or any successor thereof passed pursuant to Section 34 of the Planning Act, S.O. 1998.

2. DESIGNATION OF SERVICES

2.1 The categories of services for which development charges are imposed under this By-law are as follows:

- (a) Services Related to a Highway;
- (b) Fire Protection Services;
- (c) Policing Services;
- (d) Parks and Recreation Services;
- (e) Administration Studies – Engineering and Protection Services;
- (f) Administration Studies – Community Based Services;
- (g) Water Services; and
- (h) Wastewater Services

2.2 The components of the services designated in section 2.1 are described in Schedule A.

3. APPLICATION OF BY-LAW RULES

3.1 Development charges shall be payable in the amounts set out in this By-law where:

- (a) the lands are located in the area described in section 3.2; and
- (b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the Town of Amherstburg whether or not the land or use thereof is exempt from taxation under s.13 or the Assessment Act.

3.3. Notwithstanding clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the municipality or a local board thereof; or
- (b) the County of Essex or any local board thereof; or
- (c) a board of education.

Approvals for Development

- 3.4 (a) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
- (i) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
 - (ii) the approval of a minor variance under section 45 of the *Planning Act*;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (v) a consent under section 53 of the *Planning Act*;
 - (vi) the approval of a description under section 50 of the *Condominium Act*, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (b) No more than one development charge for each service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this By-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.
- (c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to:
- (a) an enlargement to an existing dwelling unit;
 - (b) one or two additional dwelling units in an existing single detached dwelling; or
 - (c) one additional dwelling unit in any other existing residential building.
- 3.6 Notwithstanding section 3.5(b), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.

- 3.7 Notwithstanding section 3.5, development charges shall be imposed if the additional unit has a gross floor area greater than
- (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and
 - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.

3.8 Exemption for Industrial Development:

- 3.8.1 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8.2 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
- (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection 3.8.2 (a) by the amount of the enlargement.
- 3.8.3 For the purpose of section 3.8 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

3.9 Other Exemptions:

Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:

- (a) Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*;
- (b) The development of non-residential farm buildings constructed for bona-fide farm uses, excluding cannabis production facilities and commercial greenhouses; and
- (c) A building or structure used for a community use owned by a non-profit corporation.

Amount of Charges

Residential

- 3.10 (a) The development charges set out in Schedules B-1 and B-2 shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, including the residential portion of a live/work unit, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the

services according to the type of residential use. Refer to subsequent schedules for exceptions.

- (b) Notwithstanding 3.10 (a), the development charges set out in Schedules B-3 and B-4 shall be imposed for the period of October 4, 2019 to December 31, 2019.

Non-Residential

3.11 (a) The development charges described in Schedules B-1 and B-2 to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, including the non-residential portion of a live/work unit, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use. Refer to subsequent schedules for exceptions.

- (b) Notwithstanding 3.11 (a), the development charges set out in Schedules B-3 and B-4 shall be imposed for the period of October 4, 2019 to December 31, 2019.

Wind Turbines and Telecommunication Towers

3.12 (a) The development charges described in Schedules B-1 and B-2 to this by-law shall be imposed on wind turbines and telecommunication towers with respect to transportation services, police services, fire protection services and administration – studies on a per unit basis.

- (b) Notwithstanding 3.12 (a), the development charges set out in Schedules B-3 and B-4 shall be imposed for the period of October 4, 2019 to December 31, 2019.

Solar Farms

3.13 (a) The development charges described in Schedules B-1 and B-2 to this by-law shall be imposed on solar farms with respect to transportation services, police services, fire protection services and administration – studies based on a per square foot of the panel surface.

- (b) Notwithstanding 3.13 (a), the development charges set out in Schedules B-3 and B-4 shall be imposed for the period of October 4, 2019 to December 31, 2019.

Reduction of Development Charges for Redevelopment

3.14 Despite any other provisions of this By-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months outside the downtown area and within 36 months inside the downtown area, prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under subsection 3.11 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment. Refer to Schedule D for the downtown area definition map.

Time of Payment of Development Charges

- 3.15 Development charges shall be calculated and payable in money or by provision of service as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which the development charge applies.
- 3.16 Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- 3.17 Despite section 3.15, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under subsections 3.11 and 3.12, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this By-law.

5. INDEXING

- 5.1 Development charges imposed pursuant to this By-law shall be adjusted annually on January 1, without amendment to this By-law, in accordance with the second quarter of the prescribed index in the Act.

6. SCHEDULES

- 6.1 The following schedules shall form part of this By-law:

Schedule A - Components of Services Designated in subsection 2.1

Schedule B-1 - Residential and Non-Residential Schedule of Development Charges for Engineering & Protection Services Effective January 1, 2020

Schedule B-2 - Residential and Non-Residential Schedule of Development Charges for Community Based Services Effective January 1, 2020

Schedule B-3 - Residential and Non-Residential Schedule of Development Charges for Engineering & Protection Services Effective October 4, 2019 to December 31, 2019

Schedule B-4 - Residential and Non-Residential Schedule of Development Charges for Community Based Services Effective October 4, 2019 to December 31, 2019

Schedule C - Wastewater Servicing Area Map

Schedule D - Downtown Area Map

Schedule E - Properties Assessed a Charge under the Malden Sewage Project

7. CONFLICTS

- 7.1 Where the Town and an owner or former owner have entered into an agreement with respect to land within the area to which this By-law applies, and a conflict exists between the provisions of this By-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 7.2 Notwithstanding section 7.1, where a development which is the subject of an agreement to which section 7.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4(a), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this By-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

- 8.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. HEADINGS FOR REFERENCE ONLY

- 9.1 The headings inserted in this By-law are for convenience of reference only and shall not affect the construction or interpretation of this By-law.

10. BY-LAW REGISTRATION

- 10.1 A certified copy of this By-law may be registered on title to any land to which this By-law applies.

11. DATE BY-LAW IN FORCE

- 11.1 This By-law shall come into effect at 12:01 AM on October 4, 2019.

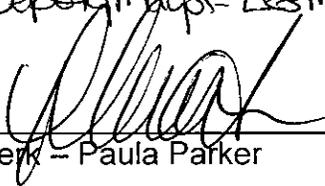
12. DATE BY-LAW EXPIRES

12.1 This By-law will expire at 12:01 AM on October 4, 2024 unless it is repealed by Council at an earlier date.

Passed this 23rd day of September, 2019.



Mayor – Aldo DiCarlo
Deputy Mayor – Les Melchior



Clerk – Paula Parker

SCHEDULE "A" TO BY-LAW 2019-083

COMPONENTS OF SERVICES DESIGNATED IN SUBSECTION 2.1

100% Eligible Services

Services Related to a Highway

Roads & Related

Public Works Facilities

Public Works Vehicles and Equipment

Fire Protection Services

Fire Facilities

Fire Vehicles

Fire Small Equipment and Gear

Police Services

Police Facilities

Police Vehicles

Police Small Equipment and Gear

Water Services

Water Distribution

Water Treatment

Wastewater Services

Wastewater Collection

Wastewater Treatment

90% Eligible Services

Parks and Recreation Services

Parkland Development

Parkland Trails

Parkland Amenities

Recreation Facilities

Parks and Recreation Vehicles and Equipment

Administration Services

Growth Related Studies – Engineering & Protection Services

Growth Related Studies – Community Based Services

Schedule "B-1"
By-Law No. 2019-083
Schedule of Development Charges for Engineering & Protection Services
Effective January 1, 2020

Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines & Telecommunication Towers	Solar Farms (per sq.ft.)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Water Services	1,349	759	587	873	485	0.77	-	-
Services Related to a Highway	3,555	2,000	1,546	2,300	1,278	2.02	3,555	2.02
Fire Protection Services	766	431	333	496	276	0.44	766	0.44
Policing Services	-	-	-	-	-	-	-	-
Administration Studies - Engineering & Protection Services	587	330	255	380	211	0.34	587	0.34
Total Municipal Wide Services	6,257	3,520	2,721	4,049	2,250	3.57	4,908	2.80
Wastewater Serviced Area Services								
Wastewater Services	6,978	3,926	3,034	4,514	2,509	4.28	-	-
Total Wastewater Serviced Area Services	6,978	3,926	3,034	4,514	2,509	4.28	-	-
TOTAL MUNICIPAL WIDE ENGINEERING & PROTECTION SERVICES	6,257	3,520	2,721	4,049	2,250	3.57	4,908	2.80
TOTAL WASTEWATER SERVICED AREAS ENGINEERING & PROTECTION SERVICES	13,235	7,446	5,755	8,563	4,759	7.85	4,908	2.80

- Property roll numbers assessed a charge under the Malden Sewage Project shall have the respective D.C. Charge for Wastewater reduced by \$1,422.28 for one dwelling unit per lot. Refer to Schedule E for eligible properties.
- Refer to Schedule D for the defined Wastewater Servicing Area.
- As per the agreement with Boblo Developments Inc., dated March 27, 2006, development charges are exempted until such time as the development identified in the agreement reaches 145 units, after which development charges are applicable.

Schedule "B-2"
By-law No. 2019-083
Schedule of Development Charges for Community Based Services
Effective January 1, 2020

Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines & Telecommunication Towers	Solar Farms (per sq. ft.)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Parks & Recreation Services	2,773	1,560	1,206	1,794	997	0.53	-	-
Administration Studies - Community Based Services	234	132	102	151	84	0.14	234	0.14
Total Municipal Wide Community Based Services	3,007	1,692	1,308	1,945	1,081	0.67	234	0.14

- As per the agreement with Boblo Developments Inc., dated March 27, 2006, development charges are exempted until such time as the development identified in the agreement reaches 145 units, after which development charges are applicable.

Schedule "B-3"
By-law No. 2019-083
Schedule of Development Charges for Engineering & Protection Services
Effective October 4, 2019 to December 31, 2019

Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines & Telecommunication Towers	Solar Farms (per sq.ft.)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Water Services	1,349	759	587	873	485	0.77	-	-
Services Related to a Highway	3,555	2,000	1,546	2,300	1,278	2.02	3,179	1.75
Fire Protection Services	766	431	333	496	276	0.44	633	0.31
Policing Services	-	-	-	-	-	-	-	-
Administration Studies - Engineering & Protection Services	587	330	255	380	211	0.34	128	0.07
Total Municipal Wide Services	6,257	3,520	2,721	4,049	2,250	3.57	3,940	2.13
Wastewater Serviced Area Services								
Wastewater Services	4,675	2,721	2,080	3,236	1,563	2.40	-	-
Total Wastewater Serviced Area Services	4,675	2,721	2,080	3,236	1,563	2.40	-	-
TOTAL MUNICIPAL WIDE ENGINEERING & PROTECTION SERVICES	6,257	3,520	2,721	4,049	2,250	3.57	3,940	2.13
TOTAL WASTEWATER SERVICED AREAS ENGINEERING & PROTECTION SERVICES	10,932	6,241	4,801	7,285	3,813	5.97	3,940	2.13

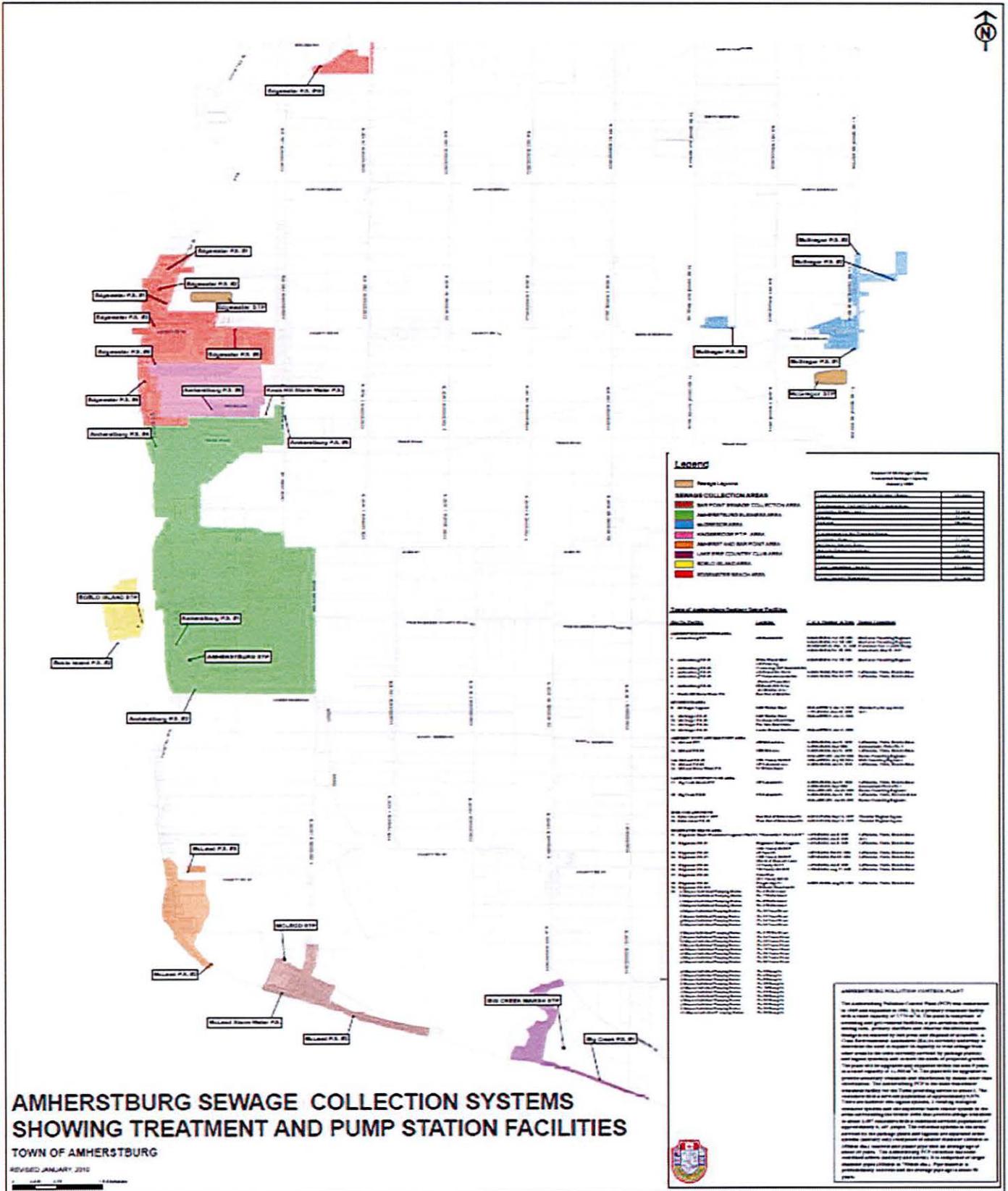
- Property roll numbers assessed a charge under the Malden Sewage Project shall have the respective D.C. Charge for Wastewater reduced by \$1,422.28 for one dwelling unit per lot. Refer to Schedule E for eligible properties.
- Refer to Schedule D for the defined Wastewater Servicing Area.
- As per the agreement with Boblo Developments Inc., dated March 27, 2006, development charges are exempted until such time as the development identified in the agreement reaches 145 units, after which development charges are applicable.

Schedule "B-4"
By-law No. 2019-083
Schedule of Development Charges for Community Based Services
Effective October 4, 2019 to December 31, 2019

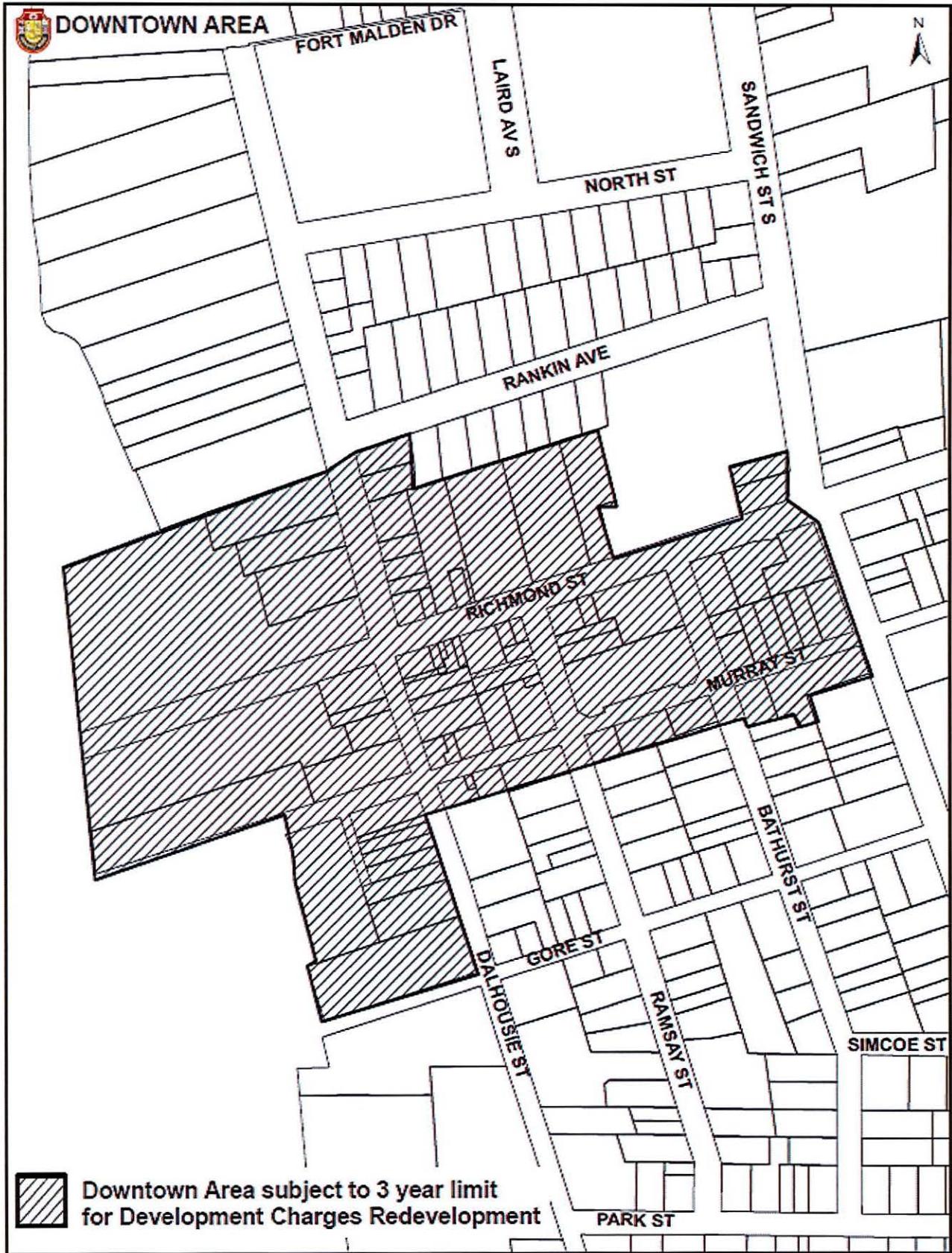
Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines & Telecommunication Towers	Solar Farms (per sq.ft.)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Parks & Recreation Services	1,883	1,221	901	1,598	467	0.53	-	-
Administration Studies - Community Based Services	234	132	102	151	84	0.14	-	-
Total Municipal Wide Community Based Services	2,117	1,353	1,003	1,749	551	0.67	-	-

- As per the agreement with Boblo Developments Inc., dated March 27, 2006, development charges are exempted until such time as the development identified in the agreement reaches 145 units, after which development charges are applicable.

Schedule "C" to By-law No. 2019-083
Wastewater Servicing Map Area



Schedule "D" to By-law No. 2019-083
Downtown Area Map



**Schedule "E" to By-law No. 2019-083
Properties Assessed a Charge Under the Malden Sewage Project**

The following property roll numbers were assessed a charge under the Malden Sewage Project. The charges for Wastewater Services outlined in Schedule "B-1" and "B-3" to this By-law shall be reduced by \$1,422.28 for one dwelling unit per lot for each of the following:

Line	Roll Number	Line	Roll Number	Line	Roll Number
(1)	51000097000000	(40)	54000012600000	(79)	54000026700000
(2)	51000010100000	(41)	54000012800000	(80)	54000026800000
(3)	51000014500000	(42)	54000014100000	(81)	54000027650000
(4)	51000015600000	(43)	54000014200000	(82)	54000027900000
(5)	51000018300000	(44)	54000014300000	(83)	54000011100000
(6)	51000018901000	(45)	54000014500000	(84)	55000009000000
(7)	51000021000000	(46)	54000014505000	(85)	55000001600000
(8)	51000021100000	(47)	54000014900000	(86)	55000003700000
(9)	51000021200000	(48)	54000015100000	(87)	55000003800000
(10)	54000009010000	(49)	54000015200000	(88)	55000004010000
(11)	54000001800000	(50)	54000015600000	(89)	55000004012000
(12)	54000002000000	(51)	54000015900000	(90)	55000004013000
(13)	54000003500000	(52)	54000016600000	(91)	55000004020000
(14)	54000003700000	(53)	54000016615000	(92)	55000004025000
(15)	54000006000000	(54)	54000016800000	(93)	55000004050000
(16)	54000006300000	(55)	54000016900000	(94)	55000004100000
(17)	54000008300000	(56)	54000016901000	(95)	55000004120000
(18)	54000008500000	(57)	54000016902000	(96)	55000004190000
(19)	54000009000000	(58)	54000017000000	(97)	55000004300000
(20)	54000009100000	(59)	54000017100000	(98)	55000004330000
(21)	54000009200000	(60)	54000017400000	(99)	55000004340000
(22)	54000009300000	(61)	54000017500000	(101)	55000004710000
(23)	54000009400000	(62)	54000017600000	(101)	55000004720000
(24)	54000009500000	(63)	54000017601000	(102)	55000004730000
(25)	54000009900000	(64)	54000017700000	(103)	55000005100000
(26)	54000010000000	(65)	54000019100000	(104)	55000005200000
(27)	54000010100000	(66)	54000019600000	(105)	55000007330000
(28)	54000010200000	(67)	54000021950000	(106)	55000007370000
(29)	54000010300000	(68)	54000023500000	(107)	55000007600000
(30)	54000010400000	(69)	54000023800000	(108)	55000008600000
(31)	54000010500000	(70)	54000024000000	(109)	55000009810000
(32)	54000010700000	(71)	54000024200000	(110)	55000009820000
(33)	54000010800000	(72)	54000024500000	(111)	55000011300000
(34)	54000011000000	(73)	54000024900000	(112)	55000011440000
(35)	54000011100000	(74)	54000025100000	(113)	55000011460000
(36)	54000011200000	(75)	54000025750000	(114)	55000018800000
(37)	54000011400000	(76)	54000025800000	(115)	55000021000000
(38)	54000011500000	(77)	54000026200000	(116)	55000021200000
(39)	54000012300000	(78)	54000026600000	(117)	55000021700000



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: 2023 Special Events Approval – Part III

1. RECOMMENDATION:

It is recommended that:

- 1. The following events BE APPROVED:
a. Woofa-Roo Pet Fest – June 24 & 25, 2023
b. Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
c. 2023 Rocks and Roads Race Series – August 13, 2023
d. Good Friday Procession – Way of the Cross – April 7, 2023
2. An exemption from table number 3-1(2) of Noise By-law #2001-43, as amended 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:
a. Woofa-Roo Pet Fest – June 24 & 25, 2023
b. Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
c. 2023 Rocks and Roads Race Series – August 13, 2023
d. Good Friday Procession – Way of the Cross – April 7, 2023
3. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:
a. Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
b. 2023 Rocks and Roads Race Series – August 13, 2023
c. Good Friday Procession- Way of the Cross – April 7, 2023

4. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Committee are met prior to the event.

2. **BACKGROUND:**

At their October 5, 2015 Special Meeting, Council approved the Public Events Policy. As per Council's direction, Section 7.3 of the policy states:

"7.3. Council has the authority and responsibility to:

7.3.1 Consider any exemptions to Municipal By-laws for Public Events.

7.3.2. Consider and approve any new events presented by the SERT.

7.3.3. Consider and approve all recurring events presented by the SERT."

Each Event Organizer is required to follow the Public Events Manual, fill out the required forms and submit to the Special Events Resource Team (SERT).

On February 23, 2023 & March 16, 2023, the SERT met and reviewed applications submitted by the Event Organizers for the following events:

- a.) Woofa-Roo Pet Fest – June 24 & 25, 2023
- b.) Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
- c.) 2023 Rocks and Roads Race Series – August 13, 2023
- d.) Good Friday Procession – Way of the Cross – April 7, 2023

The SERT reviewed the application in detail and has informed the Event Organizer of every requirement that must be met to allow their event to proceed. This includes ensuring the event conforms to all Town By-laws, Town insurance requirements and Provincial laws. As per Section 7.3 of the Public Event's Policy, the Event Organizers have also been informed that each event must be approved by Council before they may hold their event.

The Special Events Resource Team also amended the Event Emergency Response Plan in 2021 and all Event Organizers were made aware that this plan had to be submitted prior to approval and followed for any size event.

Noise Exemption

Noise By-law #2001-43, as amended prohibits the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound in residential, commercial and agricultural areas.

Notwithstanding anything contained in the Noise By-law, a person may apply to Council for an exemption from any of the provisions of the Noise By-law with respect to any source of sound or vibration. Council, by resolution, may grant the exemption applied for and can impose terms and conditions, as Council deems appropriate.

All events requiring a Noise By-law exemption that have been identified by the SERT have been listed below for Council's approval:

- a) Woofa-Roo Pet Fest – June 24 & 25, 2023 (0930hrs – 1730hrs)
- b) Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023 (1600hrs-2000hrs)
- c) 2023 Rocks and Roads Race Series – August 13, 2023 (1500hrs-1700hrs)
- d) Good Friday Procession – Way of the Cross – April 7, 2023 (0930hrs – 1130hrs)

Road Closures

At the January 25, 2016 Council meeting, Council passed the following motions:

“That:

1. The use of the Downtown Core for Festivals and Events subject to the criteria established in the Town's Festival and Events Policy BE APPROVED; and,
2. Road closures NOT BE PERMITTED prior to 5:00 pm without Council consent.”

Accordingly, all road closures requested prior to 5:00 pm have been identified by the SERT and are outlined below for Council's approval:

- a) Amherstburg Freedom Museum Ribs & Ragtime – June 10, 2023
- b) 2023 Rocks and Roads Race Series – August 13, 2023
- c) Good Friday Procession – Way of the Cross – April 7, 2023

The road closure for Amherstburg Freedom Museum Ribs & Ragtime is requested from approximately 9:00 a.m.-10:00 p.m. from King St. (at Gore) to 297 King St.

The road closure for Special Olympics Ontario Windsor Series is requested from approximately 8:00 a.m. – 3:00 p.m. The road closure is requested from August 13, 2023 starting at 8:00am till 3:00pm from Concession 4S to County Rd 20 to Creek Rd to Meloche to County Rd 18.

The rolling road closure for Good Friday Procession is requested from approximately 0930hrs – 1130hrs on Brock St, down Richmond St, left on Ramsay to Park, up Bathurst, left on Simcoe, back to Brock St.

Additionally, the event organizer has taken steps to notify each property owner that will be affected by the closure. The property owners will have access to their property during the road closures. All intersections will be staffed with two (2) Auxiliary Police for the duration of the event each day. Emergency services will have access should that be required.

Additionally, the event organizer and the Town reached out to the County with respect to the road closures on the County roads.

3. DISCUSSION:

Event	Woofa~Roo Pet Fest
Event Organizer	Lorene Clayton
Event Date	June 24 & 25, 2023
Event Time	9:30 am – 5:30 pm
Event Location	3295 Meloche Rd (Libro Centre) indoor/outdoor
Event Details	<p>Woofa~Roo Pet Fest is a pet and family friendly festival featuring a variety of dog sports, charity games, educational demonstrations, live entertainment, specialty vendors and interactive presentations. Some of our activities are: Dock Diving (Dock Diving Mall) - 40,000 gallon pool of water where dogs run down a dock and jump into a pool to retrieve a toy or object - this draws competitors from all over the country and the US - there is a charitable component to this event as the company donate a portion of their public participation fees to a rescue Dog Agility (Indoors) - utilizing 1/3 of the dry indoor arena on a padded surface - dog agility is a big draw and hugely entertaining for our guests - this includes dogs performing their skills with weave poles, tunnels, ladders, dog tricks and more Lure Coursing (Centre Circle) - this is a track set up for dogs with high prey drive skills to chase a lure around a course Police K9 Demonstration (Outdoor Event Field - Sunday only) - Windsor Police K9's and their handler will be out in full force to demonstrate their highly trained dogs Wismer Clydesdales (Grass Field south of the gravel parking lots - Sunday only weather permitting) - in preparation for their international competition, a team of 6 Clydesdales will conduct a 15 minute wagon demonstration - the horses will be available for photo opportunities with the public there after Bird of Prey Demonstration (Outdoor Event Field - Saturday only) - educational presentation of birds of prey and flight demonstration Dog Races (Outdoor Event Field) - Weiner dog races, small, medium and large all breed races conducted throughout the weekend - proceeds benefit the St. John Ambulance Therapy Dogs Woofa~Roo Challenge (Outdoor Event Field) - a game to test your dogs 'distractability' - proceeds benefit the St. John Ambulance Therapy Dogs Woofa~Roo Howling Contest (Outdoor Event Field) - as the title suggests, it's a howling contest - proceeds benefit SNAP for CATS Live Entertainment (Outdoor Food Court) - working in concert with a music school, we offer live entertainment (typically featuring young students) Pet-Ucation Centre (Indoors) - an interactive</p>

	presentation with trained professionals covering topics such as training, animal health and animal education Silent Auction (Indoors) - all proceeds benefit our charities and rescues Specialty Vendors (Indoors and Outdoors) - unique pet and people products for sale to our public Still under development: Pony clubs of Ontario (parade of horse breeds - (Grass Field South) Crazy Canine Costume Contest - (Indoors) We typically have 120 - 150 volunteers - many are students working towards their 40 hours of community service. Specialty vendors number between 50 and 70 booths.
Noise By-law Exemption	Requested from 9:30am-5:30pm Saturday & Sunday
Road Closure before 5 PM	n/a
Navy Yard Park By-law Exemption	n/a
Permit Fees	\$250 Deposit + Libro Rental + Noise Exemption Fee

Event	Ribs & Ragtime
Event Organizer	Amherstburg Freedom Museum
Event Date	June 10, 2023
Event Time	4:00PM – 8:00PM
Event Location	277 King St.
Event Details	The 14th annual Ribs and Ragtime garden party welcomes all to experience an evening of jazz music and delicious ribs and chicken! Held on the museum property, one stage will be used to provide entertainment to guests. Dedicated volunteers will serve guests food while they enjoy the entertainment.
Noise By-law Exemption	Requested from 4:00pm to 8:00pm to allow for live music
Road Closure before 5 PM	Road Closure required for set up and event from 9:00am-9:00pm
Navy Yard Park By-law Exemption	Not Required
Permit Fees	\$250 Deposit + Noise Exemption Fee + Road Closure Fee

Event	2023 Rocks and Roads Race Series
Event Organizer	Ryan Henderson
Event Date	August 13, 2023
Event Time	8:00am to 5:00pm
Event Location	3295 Meloche Rd
Event Details	Gran Fondo style bike race. This event will be almost a 100% carbon copy of the 2022 Can Am Police Fire Games road race that was held last summer. As the Cam Am games are completed this year Special Olympics Ontario is backing the event which is also a fund raiser for Special Olympic Athletes. (This is not a race designed for Special Olympic Athletes however all persons are encouraged to attend) A Gran Fondo race

	is organized similar to a marathon. Those who wish to race against other athletes will find themselves at the front of the group while others wishing to work on their skills or enjoy the ride will be located in the middle and back of the pack. Last year the community supported the event as did the athletes who absolutely loved the event.
Noise By-law Exemption	Requested from 8:00am to 5:00pm to allow starting the race and awards
Navy Yard Park By-law Exemption	Not Required
Permit Fees	\$250 Deposit + Road Closure Fee + Noise Exemption Fee

Event	Good Friday Procession – Way of the Cross
Event Organizer	St. John the Baptist Church
Event Date	April 7, 2023
Event Time	9:30AM – 11:30AM
Event Location	Start & End 225 Brock St.
Event Details	Aside from the time when the pandemic did not allow, this event had been an annual occurrence for over 40 years that brought together the parish and community. We are hoping to be able to bring this event back this year and moving forward, for many years to come. The reenactment of the time leading to Jesus's crucifixion begins in the church with the participants, parishioners and members of the community following outside onto the street and through specific streets of Amhersburg, stopping at Richmond Terrace Nursing Home, Christ Church, St. Andrew's Presbyterian Church, and then leading back to St. John the Baptist Church where the reenactment of the crucifixion takes place.
Noise By-law Exemption	Requested from 9:30am to 11:30pm to allow for live music
Road Closure before 5 PM	Road Closure required for set up and event from 9:30am-11:30am
Navy Yard Park By-law Exemption	Not Required
Permit Fees	\$250 Deposit + Noise Exemption Fee + Road Closure Fee

4. RISK ANALYSIS:

The Clerk identifies the Town's insurance requirements and the Town relays the information to each Event Organizer. Special events on Town property are not able to proceed until the Clerk is satisfied the insurance requirements are met. A member of Administration from the SERT will be in attendance and on call for each event to ensure the event is operating in accordance with all Town policies, rules and regulations.

It should be noted, that should these events not be approved, it might have the following detrimental effects on the community:

- Less awareness and exposure for the Town to attract visitors which could result in economic loss for the Town and its businesses;
- A lack of support from Council may discourage long standing volunteer associations from providing social and economic opportunities. This would result in a perception of non-worth for their volunteer efforts;
- Less exposure for the Town reducing its tourism market share;
- Less exposure for the Town reducing its ability to attract new residents;
- Less exposure for the Town reducing its value to potential investors;
- Tourism is a primary industry for the Town of Amherstburg, reducing events will directly impact employment opportunities;
- Event experiences are learning opportunities for our guests, which promote repeat visits, the deep history Amherstburg has to offer and showcases our local museums, attractions, and historical sites;
- Events financially support not-for-profit organizations, to ensure sustainability within our community.

5. FINANCIAL MATTERS:

Each event application received is to be submitted with the required \$250 deposit. The Event Organizers will be responsible to pay for, facility rentals and all other costs associated with their event as per the Town's User Fee By-law, as amended Any damages to Town equipment or property are recoverable from the Event Organizer.

6. CONSULTATIONS:

The Special Events Resource Team was consulted inclusive of Windsor Police-Amherstburg Detachment and Amherstburg Fire Department. The SERT reviewed the application and has corresponded with the Event Organizers on requirements that must be met and By-law exemptions that must be obtained in order to be granted a Special Event Permit for their event, pending Council approval of this report.

7. CONCLUSION:

The SERT is confident that once all requirements are met by the Event Organizers, the events held in the Town of Amherstburg will enhance the community experience for both residents and visitors alike.

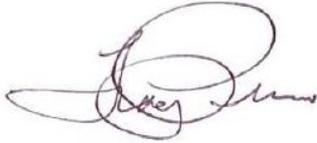


Bill Tetler
Manager, Licensing and Enforcement

Report Approval Details

Document Title:	2023 Special Events Approval - Part III.docx
Attachments:	
Final Approval Date:	Mar 17, 2023

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



Tracy Prince



Valerie Critchley



Kevin Fox



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: March 17, 2023
Author's Phone: 519 736-0012 ext. 2251	Date to Council: March 27, 2023
Author's E-mail: btetler@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Downspout Connections By-law

1. RECOMMENDATION:

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated March 27, 2023 regarding a new Downspout Connections By-Law **BE RECEIVED**; and
2. **By-law 2023-046** being a By-Law to regulate downspout connections within 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.

2. BACKGROUND:

In 2020, Amherstburg Council passed By-law 2020-044, being a by-law to require downspout disconnection in designated areas. This By-law addressed downspout disconnections in the following areas:

- (i) Kingsbridge Subdivision;
- (ii) McGregor Hidden Creek Condominium Community, Downtown Core, Canard Estates and Fox Glen Subdivision.

3. DISCUSSION:

It is important that the Town does not allow the overload of our sewer system. The typical home would have 4-6 downspout connections. By limiting a property owner to a single connection to the sewer, this will limit the amount of water entering the system and therefore reduce the strain during a storm. This By-law will only apply to newly constructed homes and homes that undergo sufficient renovations that require the owner to procure a Building Permit.

4. RISK ANALYSIS:

There are no associated risks with this report.

5. FINANCIAL MATTERS:

There are no financial impacts associated with this report

6. CONSULTATIONS:

Antonietta Giofu, Director, Engineering and Public Works
Angelo Avolio, Chief Building Official
Dwayne Grondin, Manger, Environmental Services

7. CONCLUSION:

With a new Downspout Connections By-law in place for newly constructed homes and homes that undergo sufficient renovations, this will help prevent the influx of additional water to the sewer system, which will reduce the load and assist in preventing basement flooding.

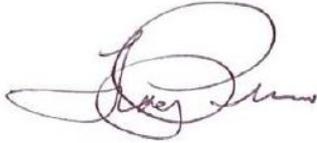


Bill Tetler
Manager, Licensing and Enforcement

Report Approval Details

Document Title:	Downspout Connections By-law.docx
Attachments:	- Downspout Bylaw 2023-046.docx
Final Approval Date:	Mar 18, 2023

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



Tracy Prince



Valerie Critchley



Kevin Fox

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2023-046

A By-law to Regulate Downspout Connections in the Town of Amherstburg

WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, affords a municipality the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, affords a municipality the authority to pass by-laws respecting matters pertaining to drainage and flood control;

AND WHEREAS the downspout connections are regulated for the better regulation of sewerage and drainage;

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

Short Title

This By-law may be referred to as the “**Downspout By-law**”.

Definitions

In this By-law,

“**Agricultural**” means any real property for which its present or post-remediation use is for growing agricultural crops for food or feed either as harvested crops, cover crops or as pasture;

“**Chief Building Official**” means the person appointed by Council pursuant to the Building Code Act or an employee of the Town who acts at the directions of the Chief Building Official in the enforcement of this by-law;

“**Clerk**” means the Clerk of the Corporation of the Town of Amherstburg as appointed under By-law by the Town;

“**Construct**” means to build, reconstruct, or repair when such activity affects any engineered component of a facility;

“**Council**” means the council for the Town of Amherstburg;

“**Commercial**” means property used primarily for business, retail, governmental or professional purposes;

“**Clean Out**” means a device that has a removable cap and is incorporated into a drain pipe to permit the insertion of steel sewer rod pipe cleaning apparatus;

“Development” means the construction, erection or planning of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;

“Downspout” means the pipes that take the collected roof runoff in your eavestroughs down to the ground;

“Drainage” means the movement of water to a place of disposal, whether by way of the natural characteristics of the ground surface or by artificial means;

“Duplex dwelling” means the whole of a dwelling other than a converted dwelling that is divided horizontally into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule;

“Dwelling” means a building or structure or part of a building or structure, occupied or capable of being occupied, in whole or in part for the purpose of human habitation;

“Industrial” means a Property that is used for manufacturing, processing, warehousing or retail purposes;

“Institutional” means a property that is used for manufacturing, processing, warehousing or retail purposes;

“Maintain” means construct, reconstruct, install, inspect, test, repair, replace, operate, patrol, maintain, use, modernize, expand, upgrade, or other similar activities;

“Officer” means a Police Officer or a Municipal By-Law Enforcement Officer appointed under any federal or provincial statute or regulation or Town by-law or any other person assigned or appointed by the Town to administer or enforce this By-Law and includes a person employed by the Town whose duties are to enforce this By-Law;

“Owner” includes a mortgagee, lessee, tenant, occupant, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian;

“Residential” means property refers to all land and structures intended for private dwelling purposes, whether on a permanent or a temporary basis;

“Roof Water Leader” means a pipe inside or outside of a building, that conveys storm water from the roof of a building to a place for disposal;

“Town” means the municipal corporation of the Town of Amherstburg.

“Unlawful Downspout Connection” shall mean any connection, installed or maintained, constructed or cause to permit, drainage from any roof water leader or downspout that conveys storm water from any new or reconstructed residential, industrial, commercial or institutional buildings directly or indirectly to a sanitary, combined or storm sewer connection for the purpose of storm water drainage.

Restrictions

1. No person shall construct, install or maintain, or cause or permit to be constructed, installed or maintained, drainage from any roof water leader or downspout that conveys storm water from any new or reconstructed residential, industrial, commercial or institutional buildings directly or indirectly to a sanitary, combined or storm sewer connection for the purpose of storm water drainage with the exception of one (1) as determined by the Chief Building Official in a residential area as defined.
2. The Town may disconnect any building drainage system connected in contravention of section 1 from a municipal sewer – or any sewer system tributary thereto – and no such disconnection shall be subsequently reconnected except with the written consent of the Town.
3. Where there has been subsequent reconnection without the Town's written consent, the Town may without notice disconnect the building drainage system from any municipal sewer – or any sewer system tributary thereto – with all associated costs, fees and charges for the disconnection being borne by the owner of the respective property. The costs will be added to the tax roll for the respective property and collected in the same manner as taxes.
4. Notwithstanding any other provisions of this By-law, where compliance with this By-law would have hazardous repercussions, the owner of property may request temporary exemption from this By-law's provisions in the form and manner specified by the Town.

Exemptions

5. This By-law does not apply to properties zoned (A) agricultural as defined in the Town's Zoning By-law 1999-52 as amended from time to time.
6. In accordance with section 4, if the owner believes that section 1 will have hazardous repercussions, they may appeal the order to Town Council by filing an appeal with the Clerk within fourteen (14) days of the date of the notice.

Enforcement

7. No person shall prevent, hinder or obstruct, or attempt to hinder or obstruct an Officer who is exercising a power or performing a duty under this By-law.
8. If an Officer is satisfied that a contravention of this By-law has occurred, he or she 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 discontinue the contravening activity.

9. An order under section 8 shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention and the location on the land on which the contravention occurred; and
- (b) the date by which there must be compliance with the order.

10. If an Officer is satisfied that a contravention of this By-law has occurred, he or she 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.

11. An order under section 10 shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
- (b) the work to be completed; and
- (c) the date by which the work must be complete.

12. An order made under sections 8 or 10 may be served personally or by registered mail to the last known address of:

- (a) the person who caused, created or permitted the offence; and
- (b) the owner or occupier of the lands where the contravention occurred.

13. Where an owner or occupier of the land on which the contravention occurred, who has been served with an order and fails to comply with the order, then an Officer, or any authorized agent on behalf of the Town may enter on the land at any reasonable time and complete the work required to bring the land into compliance with the provisions of this By-law as set out in the order.

14. Where the work required to bring the land into compliance with the By-law has been performed by or for the Town, the costs incurred in doing the work may be collected by action or the costs may be added to the tax roll for the land and collected in the same manner as taxes.

15. An Officer may enter on land, and into buildings, at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this By-law or an order made under this By-law is being complied with, although an Officer may not enter into a private residence or dwelling unit.

Offence and Penalty

16. Every person who contravenes any provision of this By-law is guilty of an offence and shall, upon conviction, be subject to a penalty under the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

17. Any person other than a corporation who contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an Officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$5,000 for a first offence, and a maximum fine of \$10,000 for a subsequent offence.

18. Any corporation which contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an Officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for any subsequent offence.

19. This By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time and finally passed this 27th day of March, 2023

MAYOR – Michael Prue

CLERK – Kevin Fox



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: Advisory Committees and Terms of Reference

1. RECOMMENDATION:

It is recommended that:

- 1. _____ and _____ BE APPOINTED as the Council Members of the Amherstburg Environmental Advisory Committee for the 2022-2026 term of Council;
2. _____ and _____ BE APPOINTED as the Council Members of the Economic Development Advisory Committee for the 2022-2026 term of Council;
3. _____ and _____ BE APPOINTED as the Council Members of the Parks and Recreation Advisory Committee for the 2022-2026 term of Council;
4. The following five applicants BE APPOINTED as members of the Amherstburg Environmental Advisory Committee:
a. _____
b. _____
c. _____
d. _____
e. _____
5. The following five applicants BE APPOINTED as members of the Economic Development Advisory Committee:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

6. The following five applicants **BE APPOINTED** as members of the Parks and Recreation Advisory Committee:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

7. The Town of Amherstburg Board and Committee Terms of Reference **BE ADOPTED**; and

8. The individual Terms of Reference **BE ADOPTED** for the following Boards and Committees:

- a. Amherstburg Environmental Advisory Committee
- b. Audit and Finance Advisory Committee
- c. Heritage Committee

2. BACKGROUND:

On December 5th, 2022, Council received a report from Administration identifying a structured approach to striking its Committees involving an initial consideration of those Local Boards and legislatively required or permitted Committees followed by a subsequent consideration of the formation of Advisory Committees.

On January 23rd, 2023, Council directed that Administration open a call for applications in accordance with the Town’s Board and Committees Appointment Policy for the Amherstburg Environmental Advisory Committee (AEAC), Economic Development Advisory Committee (EDAC) and the Parks and Recreation Advisory Committee (P&R).

As a result of that call for applications, numerous applications have been received and provided to Council under separate cover for consideration.

Additionally, it was identified to Council that Terms of Reference for the various committees would come forward for adoption.

3. DISCUSSION:

For each of the three advisory committees there are five lay member appointments for Council’s consideration and two Council Member appointments.

The attached Terms of Reference are included for Council’s consideration.

Supplementary to these items, a question had been raised with regards to why the Seniors Advisory Committee (SAC) was not recommended to be reinstated. The SAC, alongside the Amherstburg Accessibility Advisory Committee (AAAC), contributed members to form the Inclusive Community Program Advisory Steering Committee, as an Ad-Hoc Committee during the last term of Council designed to oversee and direct that grant program.

The grant itself was focused on producing a Needs Assessment and Action Plan on how to make the community more Age Friendly, Accessible and Inclusive. The Members of both SAC and AAAC appointed by Council to serve on that Advisory Steering Committee endorsed the adoption of one of the Town's current strategic guiding documents, the Inclusive Community Program Needs Assessment and Action Plan (attached to this report).

Council Resolution # 20220328-09 adopted this as a strategic guiding document and directed specific action items to be considered during budget deliberations for 2023-2028, over the course of the Action Plan. The ICP Needs Assessment was designed to be an advisory tool to Council to assist in recognizing the needs of Older Adults and Persons with Disabilities in the community. The Action Plan then identifies the recommendations that are provided to target the identified needs. For example, one recommendation in the Transportation Domain supported the adoption of a Public Transit Pilot Project to enhance the affordable transportation options available to older adults and people with disabilities.

One of the findings of the ICP Needs Assessment and Action Plan was that the Town's ongoing initiatives should support civic participation in open forums such as the Senior's Expo. This recommendation promotes increasing the opportunities for those in that demographic to be engaged and to directly participate in activities and open forums designed to afford these opportunities.

Taken together, with the other recommended action items, this philosophical approach will see investment in and growth of, those open forums and public platforms, as well as the other identified needs, like recreational programming, services and supports, infrastructure, transit, etc.

Administration would therefore recommend that we continue to follow the path of increasing those public engagement opportunities, recreational amenities, supports and other identified action items, and monitor the effectiveness of these tools in addressing the identified needs of the Inclusive Community Program.

4. RISK ANALYSIS:

The Terms of Reference provided have been carefully structured to meet legislative obligations and statutory responsibilities. Where a committee or local board has such a mandate changes around those responsibilities assigned could impact the Town of Amherstburg's ability to abide by its legal responsibilities.

5. FINANCIAL MATTERS:

The 2023 budget has been built to meet the needs of the current service level established around the existing Board and Committee structure and the Terms of Reference provided. Substantial changes to either the Town's Committee structure or the provided Terms of Reference reflect a service level change that should have a corresponding consideration for meeting the resourcing requirements and may represent a larger discussion than is intended in this report.

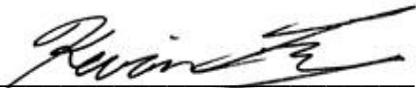
Should Council wish to have a more fulsome discussion around the service level and the resourcing requirements associated with Boards and Committees, Administration could bring a subsequent report to identify what unbudgeted expenses could be incurred.

6. CONSULTATIONS:

Melissa Osborne, Deputy CAO / Director of Development Services
Tracy Prince, Chief Financial Officer / Treasurer
Adam Coates, Heritage Planner

7. CONCLUSION:

Council is presented with the results of the call for applications for its Advisory Committees for consideration and appointment. Additionally, it is recommended that Council adopt the provided Terms of Reference for Local Boards and Committees.



Kevin Fox
Clerk/Risk Manager

Report Approval Details

Document Title:	Advisory Committees and Terms of Reference.docx
Attachments:	- REVISED - Committee Terms of Reference Revised 2023 - DRAFT.pdf - DRAFT - Terms of Reference - AFAC.pdf - DRAFT - Terms of Reference - Heritage Committee.pdf - DRAFT - Terms of Reference - AEAC.pdf
Final Approval Date:	Mar 23, 2023

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



Tracy Prince

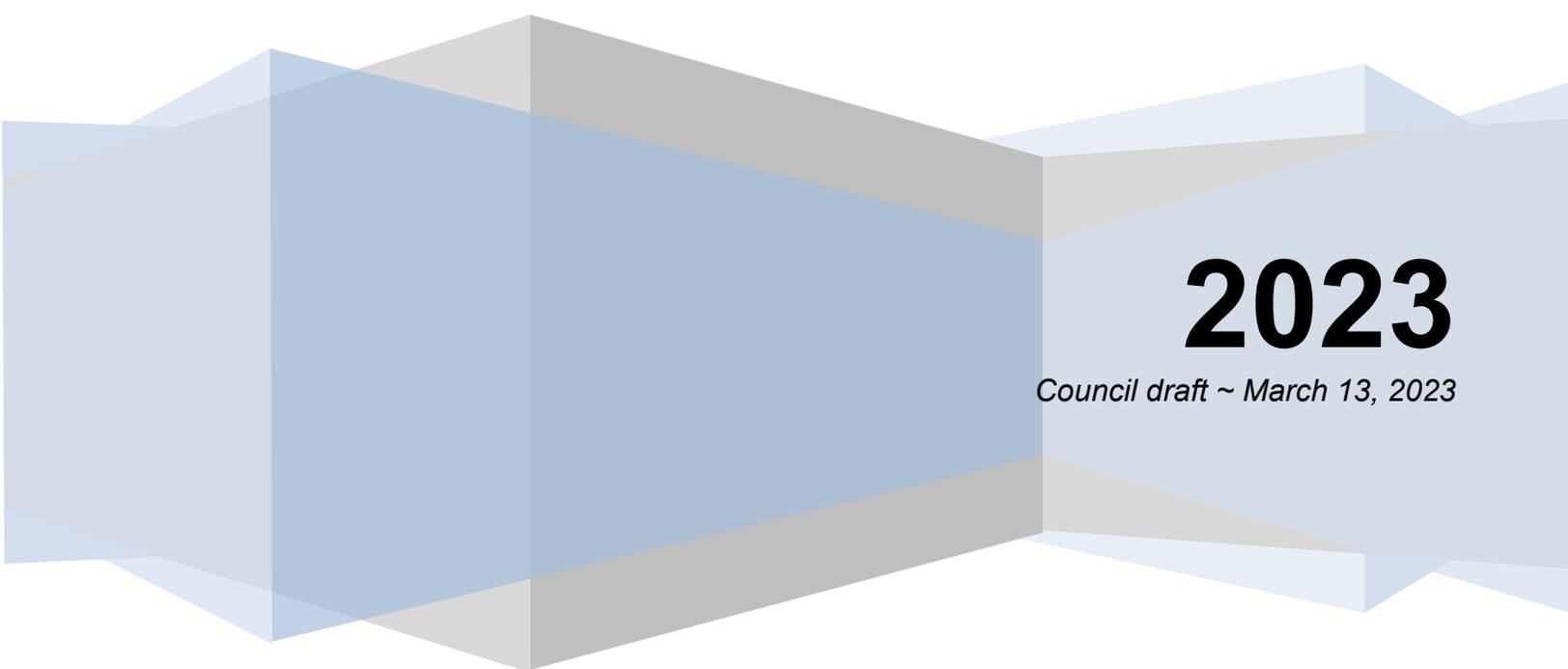


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Local Boards/Committees ~ Terms of Reference



2023

Council draft ~ March 13, 2023

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Town of Amherstburg

Local Boards/Committees – Terms of Reference

Purpose:

The Corporation of the Town of Amherstburg (the “Town”) is committed to community engagement through participation of volunteers and appointees to boards and committees. These terms of reference are intended to act as a guide for committee and board volunteers during their term.

Definitions:

Local Board - a board that is generally established by legislation and members are appointed by Council. They have authority to address their responsibilities as determined under the relevant legislation. Examples include:

- Windsor Police Services Board
- Essex Region Conservation Authority Board of Directors

Statutory Committee - a committee that is permitted or required by Provincial legislation and perform functions as specified in the relevant legislation. Examples include:

- Committee of Adjustment
- Property Standards Committee
- Accessibility Advisory Committee
- Heritage Committee
- Parks and Recreation Advisory Committee

Advisory Committee - a committee that provides advice and recommendations to Council as requested on areas within their mandate with no authority for decision making or independent actions. Members are appointed by Council and membership typically includes one member of Council as liaison.

- Amherstburg Environmental Advisory Committee

Ad-Hoc Committees - created to perform a specific task and are dissolved when the task is completed. The Committee has no authority for decision making or independent actions. Members are appointed by Council and membership typically includes one member of Council as liaison. Examples include:

- Inclusive Community Program Advisory Steering Committee (*Retired*)

Composition

No committee appointed by Council shall exceed eleven (11) members, including Council appointed liaisons. Where activity levels warrant, Council may authorize an Ad-hoc committee.

Committee members shall:

- be a tenant or owner of land in the Town of Amherstburg, or the spouse of such owner or tenant
- 18 years of age or older
- have a demonstrated expertise, interest, and involvement in the sector(s) of the specified committee
- fairly represent the sector(s) of the specified committee
- commit the time required to work on the Committee
- sign a statement affirming a commitment to abide by the Code of Conduct

Exceptions:

The Essex County Library Board members must not be an employee of the Essex County Library Board or the County of Essex.

The Amherstburg Accessibility Advisory Committee a majority of members shall be persons with disabilities, as per AODA.

First Meeting – Commencement of Term

The term of appointment commences after the Inaugural Meeting of the new Council and generally ends at the conclusion of Council's term.

At the first meeting of the term of the newly appointed board/committee, and at the first meeting of each year thereafter, the following must occur:

1. Elect Chair and Vice-Chair.
2. Establish regular meeting schedule by motion.

The Secretary calls for nominations of the Chair. A member of the Committee can make a nomination which must be seconded by another member of the Committee. When all nominations have been received the Secretary closes nominations. Once the Chair has been elected the same process applies for the election of the Vice-Chair.

The Secretary shall advise the Town Clerk of the regular meeting schedule established at the first meeting. The meeting schedule will be posted on the Town's website.

Responsibilities and Protocol

Conduct of Board and Committee Members

Board and Committee members shall:

- Perform their duties in a manner that maintains and enhances public confidence in the integrity, objectivity and impartiality of the Town;
- Not engage in any business or transaction, or have a financial or other personal interest that is incompatible with the discharge of the members official duties.
- Not circumvent the guidelines of the Procurement Policy at any time.
- Not be under an obligation to any person who might benefit from special consideration or favour from the employee or who might seek, in any way, preferential treatment.
- Not give, in the performance of official duties, preferential treatment to relatives or friends or to organizations in which relatives or friends have an interest, financial or otherwise.
- Not deal with an application to the Municipality for a loan, grant, award, or other benefit which involves themselves or immediate relatives.
- Not be in a position where the member could derive any direct or indirect benefit or interest from any contracts about which the employee can influence decisions
- Not benefit from the use of information acquired during the course of official duties that is not generally available to the public.
- Be professional and courteous with other members, Council, administration and the general public.
- Be respectful of Elected Officials, administration and other members and in doing so will not publicly criticize Elected Officials, administration or other members.
- Not engage in any form of harassment, including either sexual or personal harassment, whether it involves administration, Elected Officials, or members of the public.
- Not benefit, either directly or indirectly, from the use of information acquired during the course of official duties that is not generally available to the public.
- Ensure personal information controlled by the Town is used or disclosed in compliance with the MFIPPA.
- Understand the board/committee's relationship to Council.
- Strive to attend all scheduled meetings and advise in advance when unable to attend (to determine if there is going to be a quorum).
- Prepare for meetings by reading agendas and any background information supplied.
- Actively participate in the discussion and decision making process;
- Undertake any work assigned, including special projects and research, between meetings.
- Operate under Procedural By-law of Council, as well as other Town operating policies and procedures, such as the Procurement Policy, Media Relations, and other policies adopted by Council, where applicable.
- Be open-minded and allow for a variety of opinions to be hear.
- Focus on the issues listed on the agenda.
- Maintain a high degree of professionalism.

- Ask questions and seek clarification through the staff liaison, Council liaison or Chair.
- Respect the role of and responsibility of the Chair and Vice-Chair.
- Respect that actions taken and/or recommendations shall reflect the majority view of the board/committee.
- Respect the decisions of Council.
- Clearly identify any items of pecuniary interest before they are discussed and refrain from discussing and voting on same.
- Maintain confidentiality when necessary (for example, matters discussed in a closed meeting).
- Allow fellow committee members to speak without interruption.
- Direct all comments and questions through the Chair.

Responsibilities of Chair and Vice-Chair

The Chair and/or Vice-Chair hold the following responsibilities:

- Operate under the Town's Procedural By-law;
- Facilitate the meeting by identifying the order of proceedings and speakers according to the published agenda;
- Ensure active participation by all members;
- Maintain decorum and ensure fairness and accountability;
- Generally refrain from participation in the discussion until all members have had an opportunity to speak to the matter;
- Refrain from making decisions. The Chair can only run a meeting in a fair and efficient manner when the will of the majority prevails after the minority has had a fair chance to present its point of view;
- Assist staff liaison when possible or when requested;
- Represent the views of the board/committee and not personal views;
- Ensure the board/committee elects or re-elects the Chair and Vice-Chair on an annual basis.

Responsibilities of Council Member Appointee(s)

Every board and committee shall include at least 1 Council liaison, but shall not exceed 2, who has all of the rights and privileges of any other member, including voting.

In addition, the Council member is also responsible for:

- Ensuring the members are fairly and appropriately engaged;
- Liaising between Council and the board/committee, providing information and clarification;
- Ensuring members are aware of Council issues that may affect the goals and objectives of the board/committee, including past actions of Council;
- When necessary and appropriate, explain the rationale behind the board/committee's recommendation when brought forward to Council.

The Mayor is ex-officio, a member of all committees, sub-committees and ad-hoc committees of Council and is entitled to vote, make motions and amendments.

Responsibilities of Staff Liaison

A departmental staff liaison is assigned to a board/committee by the Chief Administrative Officer.

As a non-voting member, the responsibilities of the staff liaison are to:

- Provide guidance and advice with respect to appropriate, up-to-date, legislation and/or Town finances;
- Prepare any necessary reports for Council's consideration;
- Remain impartial during discussions of board/committee matters with all members;
- Ensure that any recommendations proposed by the board/committee do not contradict the Town's budget, by-laws or policies and procedures;
- Attempt to reconcile conflicts;
- Report any resignations of the board/committee members to the Municipal Clerk;
- Report any irregularities to the Municipal Clerk;
- Post meeting dates/times under "Committee Meetings" on the website and amend as necessary
- Book the meeting venue (i.e.: Council Chambers)

Responsibility of Recording Secretary

(In some instances, the recording secretary and staff liaison are one in the same)

The responsibilities of the recording secretary are to:

- Prepare the agenda for each meeting;
- Circulate agendas and minutes in accordance with Town procedures;
- Record the minutes of the meeting including resolutions, decisions and other proceedings at the meeting, without note or comment in accordance with the Municipal Act requirements;
- Submit the minutes of each committee to the Regular Council agenda for Council's receipt;
- Ensure fully executed Minutes are retained in accordance with the Town's Records Retention periods.

When it is necessary to cancel a meeting (due to inclement weather or prior knowledge of lack of quorum), if time permits, the members should be contacted to advise of the cancellation.

Attendance

Boards/committees generally meet once a quarter as per the Town's Procedural By-law. Nonetheless, if more frequent meetings are required to move the activities of the board/committee forward, a more frequent meeting schedule may be authorized by the Municipal Clerk in consideration of resourcing requirements and staff availability.

If a member is unable to attend a meeting, he/she should inform the staff liaison or Chair.

If a member is absent from three scheduled meetings within a calendar year the member shall be removed from the board/committee.

In the event a member finds it necessary to resign, he/she shall notify the Clerk in writing, and the Clerk shall notify Council to take action in accordance with the Board and Committee Appointment Policy.

Communications

Communications emanating from a board/committee shall be consistent with the communication policies and by-laws of the Town and must reflect the Town's graphic standard and comply with accessible document principles.

Communications to Council or Administration are generally through the staff liaison, Council liaison or Chair.

Written communications, including media releases, advisories, flyers, posters and other printed materials shall not be created by Committee members with the exception of letters of appreciation or recognition that do not require Council's approval.

Committees and committee members are not authorized to design and launch websites or social media accounts. Responsibility for managing and monitoring corporate websites and social media sites is centralized through the Town Administration. Any Town policies relating to social media shall apply.

If a staff liaison is uncomfortable with a proposed communication from the board/committee, he/she should direct it to his/her department head, Town Clerk or Chief Administrative Officer for guidance.

Only authorized spokespersons may speak on behalf of a board/committee. The Town's Media Relations Policy shall apply to boards and committees. Members acting as spokespersons for the Town or the Board shall be removed by Council.

Effective Meeting Management

The business of the board/committee is conducted at its meetings. Conducting effective meetings ensures the agenda items are dealt with in an organized fashion, having regard for the rules of procedure and ensuring those who wish to speak on the matter are heard.

What is a Meeting

A meeting is any regular, special or other meeting of Council, of a local board, or of a committee of either of them. For a formal meeting to take place, notice must be given, an agenda must be prepared and the general process regarding location and procedures must have been followed in accordance with the Procedural By-law of Council.

Open and Closed Meetings

The Municipal Act, 2001, as amended, (“Municipal Act”) requires local government in Ontario to be open, transparent and accountable.

All meetings of boards and committees must be open to the public unless an exception, as provided under Section 239 of the Municipal Act, applies.

Boards and committees are permitted to go into a Closed Meeting if the subject matter relates to:

1. The security of the property of the municipality or local board - Section 239(2)(a)
2. Personal matters about an identifiable individual, including municipal or local board employees -Section 239(2)(b)
3. A proposed or pending acquisition or disposition of land by the municipality or local board - Section 239(2)(c)
4. Labour relations or employee negotiations - Section 239(2)(d)
5. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - Section 239(2)(e)
6. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose -Section 239(2)(f)
7. A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act - Section 239(2)(g)
8. The consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) if the council, board, commission or other body is the head of an institution for the purposes of that Act - Section 239(3)
9. Education and training of the members and at the meeting no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, board or committee - Section 239(3.1)

All matters pertaining to a closed meeting must first be approved by the Clerk to ensure it is appropriately being dealt with in closed session.

If a matter requires a Confidential Report or Memo, it must be included with the closed meeting agenda. Closed meeting agendas shall not be published. Separate minutes shall be taken and submitted to the Clerk.

Discussions and outcomes from a closed meeting shall not be discussed in public.

Resolution to Move into Closed Session

Prior to moving into closed session a resolution must first be passed in open session indicating that the board/committee is, or will be, moving into closed session and stating the general nature of the meeting. It is also recommended that the appropriate section of the Act be included on the agenda, or in the motion, where applicable.

The members should avoid moving into closed session without public notice. Therefore, the agenda should include the item in as much detail as possible, including the section of the Act.

Voting and Rising from Closed Session

Voting is not permitted on any matter in closed session except on a procedural matter, to receive information or to provide direction or instructions to the staff liaison of the board/committee or persons retained under contract by the board/committee. Action on the matter must be taken in open session in the form of a resolution.

A motion is required to move back into open session.

Only the item(s) listed in the motion to move into closed session shall be discussed and no other topics shall be added. The Chair is responsible to ensure no new topics are introduced in a closed meeting.

Closed Meeting Investigator

Effective January 1, 2008, any person has the right to request an investigation into whether a local board or committee subject to the Municipal Act has complied with all of the closed meeting rules established by the Province and the Procedural By-law of the municipality or board/committee.

The Investigator for the Town of Amherstburg is the Ontario Ombudsman. The Office of the Ombudsman receives requests, investigates, makes a determination and reports publicly on compliance.

Notice of Meetings

Public notice of all regular and special meetings is mandatory for all boards and committees. The agenda is sufficient notice as long as it is posted on the Town's website. It should also be provided to the members of the board/committee. The notice (agenda) must contain the date, time and place of the meeting and shall be provided to the committee/board members and be posted no later than 48 hours before the hour appointed for the holding of such meeting, in accordance with the Town's Procedural By-law, unless the matter before the body is subject the exemptions in the Municipal Act such as for a meeting closed to the public.

Agendas

Each board and committee secretary is responsible for the preparation and distribution of the meeting agenda. The board/committee secretary will determine the method for delivery of the agenda to members.

The Chair may add items to the agenda through the secretary. A deadline must be established for submission of agenda items to coincide with the Procedural By-law notice requirements. Agenda items should be relevant to the business of the board/committee and should only include items that require the attention or action of the board/committee. Agenda items should not include Administrative matters, which are handled at the staff liaison or secretary level.

Agendas shall follow a prescribed order of business. The agenda should contain the following:

1. Call to Order
2. Disclosures of Pecuniary Interest and General Nature Thereof
3. Land Acknowledgement
4. Adoption of Minutes
5. Presentations
6. Order of Business
7. Correspondence
8. Unfinished Business
9. Adjournment

Conflict of Interest

The Municipal Conflict of Interest Act applies to Members of Council as well as boards and committees. A member must declare, generally at the outset of the meeting, any direct or indirect pecuniary (financial) interests that he or she may have in any matter before the board/committee at that meeting, whether open or closed. A pecuniary interest also applies to the member if his/her spouse, child or parent is affected by the matter before the meeting.

If missed at the beginning of the meeting, the member must declare a conflict when the matter comes up for consideration.

The member shall identify the matter to which he/she has a conflict and state the reason why. The conflict shall be recorded in the minutes. The member may remove him/herself from the meeting while the matter is under consideration. The member must abstain from discussing and/or voting on the matter. If the matter is under consideration in a closed meeting, the member shall take leave of the meeting until the matter has been concluded.

In the event a member discovers after the meeting that he/she actually had a direct or indirect pecuniary interest in the matter, he/she shall declare the interest at the next available meeting and it shall be recorded in the minutes.

The onus is on the member to determine whether he/she has a conflict of interest. If uncertain, the member is advised to seek legal advice.

If a member fails to declare a pecuniary interest, any elector may bring an Application before the Ontario Superior Court.

A copy of the Municipal Conflict of Interest Act is available at <https://www.ontario.ca/laws/statute/90m50> or from the Municipal Clerk.

Minutes

The Municipal Clerk (or designate) provides training and/or advice in the recording of minutes at the beginning of each term.

Minutes of meetings represent a clear and accurate account of the business conducted by the board/committee. Minutes provide a permanent and official record of all proceedings, policy and budgetary decisions. Minutes should only reflect actions and not discussions.

The recording secretary of the board/committee is responsible for recording, without note or comment, all proceedings and decisions of the meeting, whether open or closed.

The secretary shall submit the minutes in an acceptable and accessible format to the Municipal Clerk and shall include the minutes with the next board/committee meeting agenda package. The minutes will be provided to Council through the Regular Council Agenda.

Any actions to be taken by the committee/board shall be made by resolution.

Resolutions that require Council approval shall not be acted upon until the minutes have been received by Council and the specific item addressed and approved by Council.

Quorum

A quorum is a majority of the members constituting the board/committee as set out in the resolution establishing the board/committee.

If there is no quorum present within 15 minutes of the appointed hour of the meeting, the board/committee shall adjourn until the date and time of the next regular or special meeting. The names of those members present shall be recorded in the minutes.

If a meeting starts with a quorum and members of the board/committee leave during the meeting, the meeting shall continue as long as two members of the board/committee remain. However, no voting shall take place without quorum.

The Mayor is ex-officio, a member of all committees, sub-committees and ad-hoc committees of Council. An ex-officio is not counted in determining the number required for a quorum or whether a quorum is present at a meeting.

Delegations

From time to time, delegations may wish to appear and speak to a matter. Delegations must register with the staff liaison or secretary prior to the meeting, as per the Town's current procedural by-law.

Rules of Procedure

The Procedural By-law shall apply to all boards/committees. A copy of which shall be provided to all members by the Municipal Clerk.

Where the by-law is silent, the Municipal Clerk is available to assist boards/committees with the interpretation of the rules.

The Municipal Clerk, or designate, will perform regular audits of committee meetings or minutes to ensure their adherence to the Procedural By-law.

Conduct

All members shall conduct themselves in a professional manner and with proper decorum. Appropriate courtesy and respect will be shown to all delegations, to each other as members, and to all those who appear before or with the board/committee.

Members shall recognize that there are legitimate differences in opinions. Comments and language shall be courteous and non-derogatory, ensuring that neither offence nor embarrassment is caused.

Members shall remain on topic when discussing agenda items.

Members shall review the Code of Conduct for Committee/Board Members with the Municipal Clerk at the beginning of each term and sign a statement of commitment to adhere to the Code. This affirms the Member's understanding and willingness to abide by the code of conduct, which will stay on file with the Municipal Clerk.

The Code of Conduct applies to board/committee volunteers and will be strictly enforced. The Clerk and/or the CAO, at the direction of Council, shall dismiss a member in violation of this committee/board member code of conduct after two clear warnings have been served on the violating member, on the advice of Council, or wherever it is noted that a Member shall be removed in these Terms of Reference.

Budget and Expenses

Boards and committees that may incur expenses must ensure such expenses are administered through the assigned staff liaison. The budget will generally include expenses such as:

- Remuneration to board/committee members to attend meetings where such members are paid board/committee members (for example Committee of Adjustment, Amherstburg Accessibility Advisory Committee);
- Mileage for board/committee members where a board/committee member is travelling to attend workshops, conferences or other training relevant to that committee;
- Meals for board/committee members while travelling to attend workshops,

- conferences or other training relevant to that committee;
- Costs for committee members, excluding the staff liaison, to attend workshops, conferences and other training;
- Other costs that may be specific to the legislative mandate of the committee.

Budgets shall not include projects, supplies or work that will be carried out by Town of Amherstburg's departments or contractors and other vendors, as these costs will be included in the appropriate budget. Any projects or work deemed necessary by a board or committee will be recommended to Council by way of a motion and such motion will be included in the board/committee minutes.

Budgets shall be prepared annually in the format provided above and shall be submitted to the Town Clerk no later than the first working day in October. Questions regarding the preparation of budgets should be directed to the Municipal Clerk and/or Treasurer.

Boards and committees will not apply for grant funding without the prior approval of the Chief Administrative Officer or Treasurer. The Chief Administrative Officer or Treasurer will determine if Council approval is required.

Expenses incurred by a board/committee against an approved budget shall be detailed in the agenda of the board/committee meeting and will be ratified as part of the meeting business.

In the event a board/committee has been approved a budget to carry out the mandate of the board/committee, a staff liaison shall be appointed by the Town as Treasurer for that board/committee. A person so appointed by the Town, shall oversee the finances of the board/committee and ensure that all purchases by the board/committee are in accordance with the Town's Procurement Policy.

Insurance Coverage

Appointees to the Town's boards and committees and their activities are covered under the Town's insurance policies.

All persons appointed to a board/committee by Town Council are covered by the Town's insurance provider. The insurance policy includes coverage against general liability claims made by another person resulting from activities as a board/committee member.

Board/committee members and the people volunteering their time to the board/committee are required to follow Town policies. The board/committee must ensure that volunteers are: aware of and abide by applicable Town policies; that they understand who they report to; that they are provided with proper tools; that they are given proper instructions as to their duties and responsibilities; and that they are provided with all required health and safety instructions and training. All events must be approved by the Town.

Any board/committee sponsored event must be supervised by board/committee member(s).

Where there is an incident or accident at any of these events, where a person or property is (potentially) injured or harmed, the board/committee member or representative must report it to the Town Clerk immediately.

Role of the Clerk's Department

The Town Clerk is responsible for carrying out the direction of Council with respect to the recruitment of board/committee members and the filling of vacancies.

The Town Clerk is available to answer questions, provide guidance and advice with respect to appropriate legislation.

The Town Clerk is responsible for preparing relevant documentation, information and notifying the boards/committees of any legislative changes impacting each Board/Committee.

The Town Clerk is responsible for ensuring the Board/Committee minutes and agendas are prepared in accordance with the policies outlined in this terms of reference, that minutes are being submitted for inclusion on the Council agenda in the prescribed time period and ensuring agendas and minutes are posted, by the staff liaison, to the Town website.

Pursuant to the Municipal Act, the Town Clerk is responsible for records and information management. Under the Act, any person has the right to inspect the records of the municipality subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Appendix “A” - Boards/Committees Mandates

Local Boards:

Essex County Library Board

The Essex County Library Board members act as a conduit with the community to exchange information and value. Board members are to provide guidance & leadership to assist librarian and staff.

Council shall appoint 1 nominee to be submitted to the Essex County Striking Committee to serve as a representative on the Essex County Library Board.

If the appointee is the Deputy Mayor or Mayor, the Town must submit a second layperson nominee. A layperson can be a member of the general public or a Councillor.

The Essex County Striking Committee reviews the nominees received and makes recommendations to County Council for approval.

Essex Region Conservation Authority

ERCA determines policy decisions and approval, final budget, major projects such as land acquisitions, major capital equipment purchases, conservation area development, floodplain studies, shoreline protection, etc., as set out in the current budget, as well as the hiring/dismissal of the General Manager/Secretary-Treasurer.

Council may appoint 2 Council members or one Councillor and one layperson.

Essex Power Board of Directors

Pursuant to an agreement among the municipalities of Leamington, LaSalle, Amherstburg and Tecumseh, the Essex Power Corporation was formed to provide hydro-electric services to those communities.

Each municipality shall appoint 1 Council member.

Statutory Committees:

Accessibility Advisory Committee (AAAC)

The Accessibility for Ontarians with Disabilities Act (AODA) provides that municipalities must establish an Accessibility Advisory Committee. The Committee shall advise Council about the preparation, implementation and effectiveness of the municipality’s Accessibility Plan for all municipal properties, facilities and services as the regulations prescribe. The Committee is also responsible for carrying out all obligations of an Accessibility Advisory Committee as established by the AODA.

Currently the Committee is comprised of 1 member of Council and 6 appointed lay members from the community. The AODA requires that a majority of members shall be persons with disabilities.

Committee of Adjustment (CoA)

The Committee of Adjustment is responsible for holding hearings under the Planning Act with respect to minor variances from the Town’s Zoning By-law and applications for consents to sever which result in the creation of new lots or lot additions.

Currently the Committee is comprised of 5 appointed lay members from the community.

Property Standards Committee (PSC)

This Committee is legislated by the Ontario Building Code and in accordance with the Town’s Property Standards By-law. The Property Standards By-law provides for a Property Standards Committee comprised of 5 appointed lay members. The Property Standards Committee considers appeals from orders issued by the Property Standards Officer.

Election Compliance Audit Committee (ECAC)

In accordance with the Municipal Elections Act, 1996, Council must establish an Election Compliance Audit Committee. The Committee must be comprised of persons with accounting and audit, academic or legal backgrounds and/or other individuals with knowledge of election campaign finances.

Members should have a demonstrated knowledge and understanding of municipal election campaign finances; proven analytical and decision-making skills; experience working on a committee, task force or similar setting; and good oral and written communication skills.

The Committee shall perform the duties related to the compliance audit application process as outlined in the Act, including:

- considering a compliance audit application received by an elector and deciding whether the application should be granted or rejected;
- appointing an Auditor if the application is granted;
- receiving the Auditor's report;
- reviewing the Auditor's report and deciding whether legal proceedings should be commenced; and
- determining whether to recover the costs of conducting the compliance audit from the applicant, if the Auditor's report indicates there were no apparent contraventions and, if there were no reasonable grounds for the application.

The Election Compliance Audit Committee is comprised of 3 lay members from the community. Employees of the Town of Amherstburg, Council members and any candidates in the most recent municipal election or in any by-election during the term of Council are ineligible to be appointed as a member of this Committee.

Fence Viewer Committee

The Council of every local municipality shall by by-law appoint such number of fence-viewers as are required to carry out the provisions of the Line Fences Act.

The Fence Viewer Committee is comprised of 5 lay members from the community.

Livestock Evaluator Committee

Where a dog/wildlife kills or injures livestock or poultry, the local municipality in which the killing or injury occurred is liable to the owner of the livestock or poultry for the amount of damages that is determined by a valuer. The amount shall be paid to the owner within 30 days of the determination. Council shall appoint one or more persons as valuers of livestock and poultry for the purposes of this Act.

The Livestock Evaluator Committee is comprised of 5 lay members.

Drainage Board

The Drainage Board acts as the facilitator in carrying out the procedures under the Drainage Act. It considers all drainage matters inclusive of the Meeting to Consider and Court of Revision. The following are the specific purposes and functions of the Board:

- Conduct a meeting to consider the preliminary and/or final report in accordance with Sections 10(2) and 42 of the Drainage Act and decide on adoption of the report.
- Sit as a Court of Revision (3 members) as defined in Section 97 of the Drainage Act to hear appeals on assessments as outlined in Sections 52 to 56 of the Drainage Act and make final decisions as a Court.
- Hear all resident complaints respecting drainage matters.
- Assist administration in creation/revision of drainage policies and procedures for the consideration and approval of Council.

- The Board may recommend to Council the expulsion of a member for reasons as listed, but not limited to, a member in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; disrupting the work of the Board, or other legal issues.

The Drainage Board is comprised of 5 lay members and are appointed by by-law.

Parks and Recreation Advisory Committee (PRAC)

The Parks and Recreation Advisory Committee is appointed under the Ministry of Tourism and Recreation Act and Regulation 797, by by-law and advises Council on matters relating to the beautification, horticulture, forestry and landscaping initiatives of the Town's green space and parks. The Committee is not mandatory under legislation however shall:

- promote tourism and recreation in Ontario to residents of Ontario and other jurisdictions;
- cause the Ministry to stimulate employment and income opportunities through the effective development of tourism and recreation;
- encourage and support the use of parks, tourist facilities and attractions in Ontario;
- ensure that adequate opportunities are available to all residents of Ontario to pursue recreational, sports and fitness activities appropriate to their needs and interests;
- provide recreational, sports and fitness resources to municipalities and to provincial recreational and sports organizations; and
- encourage and promote improvement in the standards of accommodation, facilities and services offered to the travelling and vacationing public.

The Parks and Recreation Advisory Committee is comprised of 2 Council members and 5 lay members from the community and are appointed by by-law.

Advisory Committees:

Co-An Park Committee

The Co-An Park Committee was established pre-amalgamation by the former Township of Colchester North (now Town of Essex) and the former Township of Anderdon (now Town of Amherstburg). The Committee oversees the operation, maintenance and management of the park and its personnel in accordance with the Co-An Park Agreement.

Co-An Park is comprised of 1 Council member and 3 appointed members from the public for each municipality.

Economic Development Advisory Committee (EDAC)

The role of the Economic Development Advisory Committee (EDAC) is to advise Town Council on matters related to the Town’s socio-economic development including:

- supporting and enhancing the Town of Amherstburg strategic plan and other economic development programs;
- opportunities, tools, policies and by-laws to support existing business retention and expansion and new business investment and attraction;
- funding opportunities from both Federal and Provincial levels of government to be used for programs and projects to support economic and community initiatives.
- facilitating communication between various business, commerce, and marketing organizations in Amherstburg and with the community-at-large regarding business, investment, and community development.

EDAC is comprised of 2 Council members and 5 appointed members from the public.

Ad-Hoc Committees:

N/A

New Committees:

Prior to establishment, any new committee must have a clear written mandate that must be approved by motion of Council.

TERMS OF REFERENCE

	Committee:	Audit and Finance Advisory Committee
	Administered By:	Chief Financial Officer / Treasurer
	Approval Date:	DRAFT
	Replaces:	N/A
	Attachment(s):	N/A

1. COMMITTEE NAME

This committee shall be known as the Audit and Finance Advisory Committee (AFAC).

2. MANDATE

2.1. The purpose of the Audit and Finance Advisory Committee is to serve as an advisory body to Council with regards to financial reporting, internal controls, the internal audit function, and, the audit of the annual financial statements.

2.1.1. The Audit and Finance Advisory Committee advise council specifically on the interrelated areas of; financial reporting, audit activities and risk management and internal controls.

3. SCOPE

3.1. The AFAC Committee Terms of Reference apply to appointed members of the committee for the duration of their appointment.

3.2. The Terms of Reference shall be reviewed and updated periodically at the discretion of the Town Clerk or designate.

4. DEFINITIONS

4.1. **Advisory Committee** - a committee that provides advice and recommendations to Council as requested on areas within their mandate with no authority for decision making or independent actions. Members are appointed by Council and membership typically includes at least one member of Council as liaison.

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

5. INTERPRETATIONS

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

6. GENERAL CONDITIONS

6.1. Composition

6.1.1. The committee shall consist of the following seven (7) members; two (2) of which shall be drawn from Members of the current Council and five (5) of which shall be composed of eligible lay members of the community.

6.1.1.1. To be eligible a lay member shall:

- a. Be a resident of the Town of Amherstburg;
- b. Be a minimum of 18 years of age;
- c. Not be an employee of the Corporation of the Town of Amherstburg;
and,
- d. Stated Commitment to the Code of Conduct – Council, Committees
and Local Boards.

6.1.1.2. Preference in the selection of lay members will be given to those with the following competencies:

- a. Financial professional with demonstrated skills and experience in providing audit services or accounting as demonstrated by a certification in the field, or progress towards same;
- b. Experience in, or, providing auditing or financial services to, a municipal, provincial, or federal government, or a similar entity such as a local board or regulated industry; and,
- c. Excellent verbal, written, listening, teamwork and collaboration skills;

6.2. Advisory Role

6.2.1. The Audit and Finance Advisory Committee is to serve as an advisory body to Council. The committee does not have any delegated authority. The recommendations which require Council action will be placed on the Council Agenda for consideration.

6.2.2. The Audit and Finance Advisory Committee does not have the authority to direct staff. Recommendations requiring implementation, expenditures, reports or staff actions will be reviewed by staff and considered by Council as necessary before action by staff is taken.

6.3. Communication

6.3.1. Open respectful communication with management, other committee members and advisors as applicable to strengthen the Committee's knowledge of current and prospective issues.

- 6.3.2. Insist on open discussions with management and the external auditors about issues of quality and integrity.

6.4. **Committee Meeting Schedule**

- 6.4.1. The Audit and Finance Advisory Committee will be called to meet as required and in line with the provision of financial reporting to which the committee has a role.
 - 6.4.1.1. If a member is unable to attend a meeting, he/she should inform the staff liaison or Chair.
 - 6.4.1.2. If a member is absent from three meetings within a calendar year, the member shall be removed from the board/committee.
- 6.4.2. When it is necessary to cancel a meeting (due to inclement weather or prior knowledge of lack of quorum), if time permits, the members should be contacted to advise of the cancellation.
- 6.4.3. Committee meetings are open to the public and are subject to the provisions of Section 239 of the Municipal Act, 2001. Members of the public who are in attendance shall not interfere with the conduct of the Committee.
- 6.4.4. Meetings shall not conflict with regular meetings of Council, or other committee meetings.

7. **ADVISORY AND EDUCATIONAL FUNCTIONS**

The following items identify functions of Audit and Finance Advisory Committee:

7.1. **Financial Reporting**

- 7.1.1. Reviewing other financial information, e.g. reviewing annual report for consistency with the financial information in the financial statements and other audit reports required by the organization.

7.2. **Audit Activities**

- 7.2.1. Review of all audit and non-audit services to be performed by the external auditor; including receipt of the auditors' annual engagement letter.
- 7.2.2. Reviewing the overall scope of the external audit, including areas of identified risk.
- 7.2.3. Reviewing and discussing the annual financial statements and related note disclosures with the external auditors
- 7.2.4. Reviewing with the external auditors the results of the audit and determine if there were any difficulties or disputes with management, any significant changes in accounting policies and any management estimates that require significant judgement.
- 7.2.5. Reviewing with the external auditors any internal control weaknesses, and if appropriate, determine whether effective steps have been taken to overcome them; and,
- 7.2.6. Recommending the re-appointment (or replacement) of the external auditors to Council and their compensation, in accordance with Section 296 of the Municipal Act, 2001.

7.3. Risk Management and Control

- 7.3.1. Reviewing the organization's financial risk management policies specific to fraud;
- 7.3.2. Having a clear understanding of the risks of fraud and error in the entity from communication with the external auditors;
- 7.3.3. Review reports from the external auditor with regards to the adequacy of the system of internal controls and risk management systems to mitigate the financial risks facing the organization and to ensure a strong internal control environment exists;
- 7.3.4. Review with the external auditors the potential risk of management's override of controls or other inappropriate influence over the financial reporting process; and,
- 7.3.5. Review with the external auditors into the condition of the books and records and the adequacy of resources committed to the accounting function and internal controls.

7.4. Other Responsibilities

- 7.4.1. Review the status of all open implementation plans resulting from any external auditor or consultant finding report related to scope of mandate.
- 7.4.2. Review the proposed draft budget for the purpose of making independent recommendations to Council, taking into consideration:
 - 7.4.2.1. Impact of the Capital Budget with regards to the Operating costs;
 - 7.4.2.2. Asset Management Plan;
 - 7.4.2.3. Legislative changes (PSAB, Labour Acts, Municipal Act, Planning Act, etc.); and,
 - 7.4.2.4. Approved Community Based Strategic Plan and other guiding documents or Council resolutions.
- 7.4.3. To consider any additional matters referred for review to the Committee by Council within scope of mandate.

8. RESPONSIBILITIES

8.1. Council has the authority and responsibility to:

- 8.1.1. Approve the Terms of Reference for the Audit and Finance Advisory Committee.

8.2. The Clerk has the authority and responsibility to:

- 8.2.1. Ensure the provision of public notice through the creation and dissemination of a public agenda for each meeting.
- 8.2.2. Record the minutes of the meeting including resolutions, decisions and other proceedings at the meeting, without note or comment, in accordance with section 228(1)(a) of the Municipal Act.
- 8.2.3. Ensure the committee elects or re-elects the Chair and Vice-Chair on an annual basis.

8.3. The **Staff Liaison** has the authority and responsibility to:

- 8.3.1. Prepare any necessary reports for Council's consideration.
- 8.3.2. Provide guidance and advice with respect to appropriate, up-to-date, legislation and/or Town finances and to ensure that any recommendations proposed by the committee do not contradict the Town's budget, by-laws, policies or procedures.
- 8.3.3. Conduct themselves in a professional manner with respect to meetings and reports to council.
- 8.3.4. Attempt to reconcile conflicts.
- 8.3.5. Report any irregularities to the Town Clerk.

8.4. **Members of the Audit and Finance Advisory Committee** have the responsibility to:

- 8.4.1. Abide by the Committee's Terms of Reference, all Town policies and by-laws.

8.5. **Chair and Vice Chair** has the authority and responsibility to:

- 8.5.1. Operate under the Town's Procedural By-law;
- 8.5.2. Facilitate the meeting by identifying the order of proceedings and speakers according to the published agenda;
- 8.5.3. Ensure active participation by all members;
- 8.5.4. Maintain decorum and ensure fairness and accountability;
- 8.5.5. When acting as Chair, generally refrain from participation in the discussion until all members have had an opportunity to speak to the matter;
- 8.5.6. Refrain from making decisions. The Chair can only run a meeting in a fair and efficient manner when the will of the majority prevails after the minority has had a fair chance to present its point of view.
- 8.5.7. Assist staff liaison when possible or when requested.

8.6. **Council Member Appointee(s)** has the authority and responsibility to:

- 8.6.1. Ensure members are fairly and appropriately engaged.
- 8.6.2. Liaise between Council and the committee, providing information and clarification.
- 8.6.3. Ensure members are aware of Council issues that may affect the goals and objectives of the committee, including past actions of Council.
- 8.6.4. When necessary and appropriate, explain the rationale behind the committee's recommendation when brought forward to Council.

9. **REFERENCES AND RELATED DOCUMENTS**

9.1. N/A

TERMS OF REFERENCE

	Committee:	Heritage Committee
	Administered By:	Heritage Planner
	Approval Date:	DRAFT
	Replaces:	N/A
	Attachment(s):	N/A

1. COMMITTEE NAME

This committee shall be known as the Heritage Committee.

2. MANDATE

- 2.1. The mandate of the Heritage Committee is to advise and assist council in the identification and preservation of buildings, structures and lands that are of cultural and/or historical value or interest; and to initiate and promote a conservation ethic of stewardship through planning, education, and communication.
- 2.2. The Heritage Committee shall advise and assist Council on matters relating to Part IV and Part V of the Ontario Heritage Act and such other heritage matters as Council may specify by by-law.
- 2.3. Council is required, under the Ontario Heritage Act, to consult with Heritage Committee on the following items:
 - 2.3.1. Recommend and comment on the protection, such as designation under Parts IV and V the Ontario Heritage Act, of cultural heritage resources within the Town of Amherstburg;
 - 2.3.2. Advise Council on all applications to demolish cultural heritage resources which are either listed or designated on the Town's Heritage Register;
 - 2.3.3. Assist in maintaining the Town's Heritage Register through advising Council prior to the listing of a property that has not been designated on the Heritage Register
 - 2.3.4. Advise Council prior to removing a property from the Heritage Register;
 - 2.3.5. Advise Council prior to the repeal of a by-law, or part thereof, designating a property;
 - 2.3.6. Advise Council prior to the amendment of a by-law, or part thereof, designating a property;
 - 2.3.7. Advise Council prior to the passing of by-laws providing for the entering into of easements or covenants with the owners of real property, or interests therein, for the conservation of buildings of historical or architectural value or interest; and
 - 2.3.8. Advise Council to initiate a prosecution for failure to comply with a designation by-law and the OHA.

3. SCOPE

- 3.1. The Heritage Committee Terms of Reference apply to appointed members of the committee for the duration of their appointment.
- 3.2. The Terms of Reference shall be reviewed and updated periodically at the discretion of the Town Clerk or designate.

4. DEFINITIONS

- 4.1. **Advisory Committee** - a committee that provides advice and recommendations to Council as requested on areas within their mandate with no authority for decision making or independent actions. Members are appointed by Council and membership typically includes at least one member of Council as liaison.

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

5. INTERPRETATIONS

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

6. GENERAL CONDITIONS

6.1. Committee Composition

- 6.1.1. The Heritage Committee shall consist of a minimum of five members in accordance with the Ontario Heritage Act, but seek to appoint five lay members and two Council member to ensure this standard is upheld.
- 6.1.2. In the event a member finds it necessary to resign, he/she shall notify the Town Clerk in writing.

6.2. Committee Meeting Schedule

- 6.2.1. The Heritage Committee will be scheduled to meet once every two months with tentative meetings scheduled for the intervening months in the event the committee must meet to address a matter within a legislated timeframe.

Nonetheless, if more frequent meetings are required to move the activities of the committee forward, a more frequent meeting schedule may be authorized by the Town Clerk.

- 6.2.1.1. If a member is unable to attend a meeting, he/she should inform the staff liaison or Chair.
- 6.2.1.2. If a member is absent from three meetings within a calendar year, the member shall be removed from the board/committee.

- 6.2.2. When it is necessary to cancel a meeting (due to inclement weather or prior knowledge of lack of quorum), if time permits, the members should be contacted to advise of the cancellation.
- 6.2.3. Committee meetings are open to the public and are subject to the provisions of Section 239 of the Municipal Act, 2001. Members of the public who are in attendance shall not interfere with the conduct of the Committee.
- 6.2.4. Meetings shall not conflict with regular meetings of Council, or other committee meetings.

6.3. **Advisory and Educational Functions**

- 6.3.1. The Heritage Committee is to serve as an advisory body to Council. The committee does not have any delegated authority. The recommendations which require Council action will be placed on the Council Agenda for consideration.
- 6.3.2. The Heritage Committee does not have the authority to direct staff. Recommendations requiring implementation, expenditures, reports or staff actions will be reviewed by staff and considered by Council as necessary before action by staff is taken.
- 6.3.3. The Heritage Committee will educate the community and promote public awareness concerning heritage issues in the community.
- 6.3.4. The Heritage Committee is empowered to make recommendations that encourage the promotion of heritage preservation by private and public sectors for the benefit of all citizens of the community and posterity.
- 6.3.5. The Heritage Committee will advise Council on the recognition of heritage properties and efforts through plaques, awards, or ceremonies.

6.4. **Committee Work Plan**

- 6.4.1. The Heritage Committee chair and vice chair will collaborate with committee members to prepare a work plan that supports the committee's mandate.
- 6.4.2. The Heritage Committee Staff Liaison shall submit an annual report to Council outlining the accomplishments of the Committee for the previous year and provides the established work plan for the future year, in accordance with the mandate established through this Terms of Reference.

7. **RESPONSIBILITIES**

- 7.1. **Council** has the authority and responsibility to:
 - 7.1.1. Through by-law, establish and maintain a Heritage Committee to advise and assist the council on matters relating to Part's IV and V of the *Ontario Heritage Act* and all other such heritage matters as Council may specify.
 - 7.1.2. Approve the Terms of Reference for the Heritage Committee.

- 7.1.3. Consult with the Heritage Committee before including or removing a property that has not been designated under the *Ontario Heritage Act* from the Register.
- 7.1.4. Ensure the provision of notice in accordance with the *Ontario Heritage Act* to applicable property owners within 30 days of the addition of property of cultural heritage value or interest to the Register.
- 7.1.5. Consider notice of objections to the addition of property of cultural heritage value or interest to the Register and ensure the provision of notice of Council's decision to the owner of the property within 90 days after the decision.
- 7.1.6. Deliberate and respond to all notices of demolition or removal of buildings or structures on designated property.
- 7.1.7. Establish criteria and guidelines to determine and regulate heritage.
- 7.1.8. Exercise its legislative authority to control the demolition and alteration of heritage.
- 7.1.9. If necessary, Council will acquire, restore, and appropriately manage or dispose of heritage on a selective basis.
- 7.1.10. Seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties.

7.2. The **Clerk** has the authority and responsibility to:

- 7.2.1. The Clerk shall keep a Registry of property situated in the municipality that is of cultural heritage value or interest.
- 7.2.2. Ensure the provision of public notice through the creation and dissemination of a public agenda for each meeting.
- 7.2.3. Record the minutes of the meeting including resolutions, decisions and other proceedings at the meeting, without note or comment, in accordance with section 228(1)(a) of the Municipal Act.
- 7.2.4. Ensure the committee elects or re-elects the Chair and Vice-Chair on an annual basis.

7.3. The **Heritage Planner** has the authority and responsibility to:

- 7.3.1. Prepare any necessary reports for Council's consideration.
- 7.3.2. Research and investigate cultural heritage assets.
- 7.3.3. Follow procedural requirements for the evaluation of cultural assets as directed.
- 7.3.4. Develop policies and guidelines regarding cultural heritage assets for consideration by the Heritage Committee and Council.
- 7.3.5. Act as a liaison between the Heritage Committee and the development community, as required.
- 7.3.6. Investigate and evaluate, as appropriate, methods to achieve heritage objectives.
- 7.3.7. Provide guidance and advice with respect to appropriate, up-to-date, legislation and/or Town finances.
- 7.3.8. Conduct themselves in a professional manner with respect to meetings and reports to council.
- 7.3.9. Promote heritage efforts in the Town of Amherstburg.

7.4. **Members of the Heritage Committee** have the authority and responsibility to:

- 7.4.1. Encourage the preservation of buildings and sites having historical and/or architectural value.
- 7.4.2. Regularly review the Heritage Registry for accuracy and completeness, and recommend amendments to Council as appropriate.

- 7.4.3. Identify and maintain a list of possible heritage assets. This list will be the basis for the preservation, restoration, and utilization of heritage.
- 7.4.4. Make recommendations to regulate and guide alterations and additions of heritage.
- 7.4.5. Make recommendations to regulate vehicular and pedestrian traffic matters which may affect heritage.
- 7.4.6. Make recommendations to amend property standards, as appropriate, to meet the needs of heritage.
- 7.4.7. Consider social and community needs in the preservation, improvement, and utilization of heritage.
- 7.4.8. Provide guidance of new buildings on vacant lots in the heritage areas to be sympathetic in their design to the heritage character of the area.
- 7.4.9. Promote heritage efforts in the Town of Amherstburg.

7.5. **Chair and Vice-Chair** has the authority and responsibility to:

- 7.5.1. Operate under the Town's Procedural By-law;
- 7.5.2. Facilitate the meeting by identifying the order of proceedings and speakers according to the published agenda;
- 7.5.3. Ensure active participation by all members;
- 7.5.4. Maintain decorum and ensure fairness and accountability;
- 7.5.5. Generally refrain from participation in the discussion until all members have had an opportunity to speak to the matter;
- 7.5.6. Refrain from making decisions. The Chair can only run a meeting in a fair and efficient manner when the will of the majority prevails after the minority has had a fair chance to present its point of view.
- 7.5.7. Assist staff liaison when possible or when requested.

7.6. **Council Member Appointee(s)** has the authority and responsibility to:

- 7.6.1. Ensure members are fairly and appropriately engaged.
- 7.6.2. Liaise between Council and the committee, providing information and clarification.
- 7.6.3. Ensure members are aware of Council issues that may affect the goals and objectives of the committee, including past actions of Council.
- 7.6.4. When necessary and appropriate, explain the rationale behind the committee's recommendation when brought forward to Council.

7.7. **Staff Liaison** has the authority and responsibility to:

- 7.7.1. Prepare an annual report to Council at the beginning of each year outlining committee accomplishments over the previous year.
- 7.7.2. Provide advice to ensure that any recommendations proposed by the committee do not contradict the Town's budget, by-laws or policies and procedures.
- 7.7.3. Attempt to reconcile conflicts.
- 7.7.4. Report any irregularities to the Town Clerk.

8. **REFERENCES AND RELATED DOCUMENTS**

- 8.1. *Ontario Heritage Act, 1990*
- 8.2. *Criteria for Determining Heritage Value or Interest, O. Reg 9/06*

TERMS OF REFERENCE

	Committee:	Amherstburg Environmental Advisory Committee (AEAC)
	Type:	Advisory Committee
	Term:	2022-2026
	Approval Date:	<i>DRAFT</i>
	Replaces:	N/A
	Attachment(s):	N/A

1. PURPOSE

- 1.1. The Amherstburg Environmental Advisory Committee (AEAC) serves as an advisory resource and information support which provides guidance to Council on conservation practices, environmental policy development, environmental management and protection.
- 1.2. The Amherstburg Environmental Advisory Committee ensures a progressive approach to addressing the effects of climate change and working in collaboration with members of administration, Council and stakeholder groups.

2. MANDATE

- 2.1. The mandate of the Amherstburg Environmental Advisory Committee is to provide advice to Council on a range of environmental and sustainability issues including, but not limited to:
 - 2.1.1. To provide advice with respect to Town properties and assets best suited for multi-faceted environmental conservation practices;
 - 2.1.2. To provide advice as to how sustainable environmental practices may be achieved;
 - 2.1.3. To provide recommendations on funding opportunities that may be available for undertaking environmental upgrades and fostering greater appreciation for sustainable developments within the Town;
 - 2.1.4. To provide advice on waste reduction, reuse and recycling programs, including, water and energy conservation measures and climate change mitigation measures;
 - 2.1.5. To provide advice on community outreach and education activities of the Town which support the growth of environmental awareness and appreciation;
 - 2.1.6. To provide advice and recommendations on the potential for reforestation or rehabilitation of natural heritage features of municipal property; and,

3. TERM

- 3.1. The Amherstburg Environmental Advisory Committee serves a term coinciding with that of the appointing Council or until dissolved by a resolution of Council.

4. COMPOSITION

4.1. The Amherstburg Environmental Advisory Committee consists of seven (7) members. The composition shall be two (2) members of Council and five (5) citizen members.

4.1.1. A Staff liaison will provide assistance and support to the Amherstburg Environmental Advisory Committee.

(Additional members of Administration may be called on for specific subject matter expertise as committee resources.)

4.1.2. Citizen members should have demonstrated technical or professional experiences. Such experience may be derived from training in environmentally related disciplines and work experience.

4.1.2.1. Related environmental disciplines may include: Environmental Sciences, Biology, Botany, Chemistry, Ecology, Plant Science, Mineralogy, Limnology, Soil Science, Geology, Zoology, Physical Geography, Atmospheric Science, Resource Management, Forestry and Environmental Engineering.

4.1.3. Involvement in environmental action groups and initiatives should be a secondary qualification consideration.

4.1.3.1. Recognized environmental action groups may include, but are not limited to, the Citizens Environment Alliance, the Essex County Field Naturalist Club and the Holiday Beach Migration Observatory (HBMO).

4.2. Unless otherwise noted above, Committee members shall:

- Be committed to the Code of Conduct - Council, Committees and Local Boards;
- Be a tenant or owner of land in the Town of Amherstburg, or the spouse of such owner or tenant;
- Be 18 years of age or older;
- Have a demonstrated expertise, interest, and involvement in the field of study of the committee;
- Fairly represent the field of expertise of the committee; and,
- Be committed to the time required to work on the Committee.

5. ADMINISTRATION

5.1. The Committee will be procedurally governed by the Terms of Reference for Local Boards and Committees and the Town's procedural by-law. The Clerk, or designate, shall provide procedural support for the committee and the assign the role of the recording secretary for the Amherstburg Environmental Advisory Committee.

5.2. The Amherstburg Environmental Advisory Committee will meet each quarter.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF CORPORATE SERVICES

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

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: Annual Treasurer's Report – 2022 Council and Appointee Statement on Remuneration and Expenses

1. RECOMMENDATION:

It is recommended that:

- 1. The report from the Treasurer dated March 9, 2023, regarding Annual Treasurer's Report – 2022 Council and Appointee Statement on Remuneration and Expenses BE RECEIVED for information.

2. BACKGROUND:

Section 284 of the Municipal Act, 2001, indicates that the Treasurer of a municipality shall in each year on or before March 31, provide the Council of the municipality an itemized statement on remuneration and expense payments in the previous year to,

- (a) each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council;
(b) each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and
(c) each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body. 2001, c. 25, s. 284 (1).

Section 284 of the Municipal Act, 2001 also dictates as a mandatory item, that the statement shall identify the By-law under which the remuneration or expenses were authorized to be paid.

3. DISCUSSION:

This report for the year ended December 31, 2022 discloses funds paid to members of Council and to each person appointed by Council as remuneration and for expenses. The report, once received by Council will also be made available on the Town’s website.

4. RISK ANALYSIS:

The Treasurer’s Report is required by the Municipal Act; failure to provide an itemized statement of remuneration and expense payments for the 2022 year as required by section 284 would place the municipality in a state of non-compliance. Additionally, political risk exists if the disclosure requirement is not met.

5. FINANCIAL MATTERS:

Name	Remuneration for:	Amount
Council:		
DiCarlo, Aldo	Amherstburg Town Council*, Essex Power Board of Directors(Paid by Essex Power), and Windsor Police Services Board (Paid by City of Windsor)	\$57,977
Prue, Michael	Amherstburg Town Council*, ERCA Board	\$28,379
Meloche, Leo	Amherstburg Town Council*	\$28,465
Gibb, Chris	Amherstburg Town Council*	\$3,266
McArthur, Donald	Amherstburg Town Council*	\$24,850
Renaud, Marc	Amherstburg Town Council*	\$22,229
Allaire, Molly	Amherstburg Town Council*, ERCA Board	\$2,711
Simone, Patricia	Amherstburg Town Council*	\$22,229

Name	Remuneration for:	Amount
Courtney, Peter	Amherstburg Town Council*, ERCA Board	\$26,447
Crain, Linden	Amherstburg Town Council*	\$2,621
Pouget, Diane	Amherstburg Town Council*	\$2,421
Appointees:		
Wark, Bill	Essex Power Board of Directors** (Paid By Essex Power)	\$9,264
Buchanan, Terris	Committee of Adjustment	\$825
Cozens, David	Committee of Adjustment	\$825
Mailloux, Joshua	Committee of Adjustment	\$750
Shaw, Donald	Committee of Adjustment	\$825
Easterbrook, Christine	Accessibility Committee	\$200
Drew, Chris	Accessibility Committee	\$250
Curson-Prue, Shirley	Accessibility Committee, Heritage Committee**	\$250
Pietrangelo, Tony	Accessibility Committee	\$250
Morrison, Marolyn	ERCA Board	\$60
Bezaire, Robert	Drainage Board	\$750
Campigotto, Anthony	Drainage Board, Committee of Adjustment	\$1,650
Laramie, Brad	Drainage Board	\$900
Major, Allan	Drainage Board**	\$900
Pillon, Lloyd Robert	Drainage Board	\$825
Honor, Robert	Heritage Committee	\$715

*Amherstburg Town Council remuneration amount consists of: Salaries, Public Receptions, Conventions and Seminars, Travel and Mileage and Communication Allowance. Amounts vary among Council members.

** Amounts for Appointments include Per Diem, Convention and Seminars, Travel and Mileage. Amounts vary among Council Appointments.

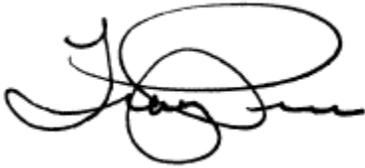
For a detailed breakdown including Appointing By-laws please see Appendix A.

6. CONSULTATIONS:

The Senior Financial Analyst and Municipal Clerk were consulted on this report.

7. CONCLUSION:

This report is submitted for review by Council and to be received for information.

A handwritten signature in black ink, appearing to read 'Tracy Prince', with a large loop at the top and a horizontal line at the bottom.

Tracy Prince
Director of Corporate Services/CFO
Treasurer

Report Approval Details

Document Title:	2023-03-31 - 2022 Council and Appointee Statement of Remuneration and Expenses.docx
Attachments:	- Treasurer's Report 2022 Appdx A.pdf
Final Approval Date:	Mar 19, 2023

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



Valerie Critchley



Kevin Fox

**TOWN OF AMHERSTBURG
TREASURER'S REPORT
FOR THE YEAR ENDED DECEMBER 31, 2022**

Pursuant to Section 284 of the Ontario Municipal Act 2001

COUNCIL

DICARLO, Aldo (Mayor)	By-Law 2014-100	Salary	42,074.34
		Communication Allowance	948.00
		Per Diem	0.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	43,022.34
<hr/>			
PRUE, Michael (Mayor & Council Member)	By-Law 2014-100	Salary	26,053.85
		Communication Allowance	414.14
		Per Diem	1,400.00
		Public Receptions	0.00
		Legal	0.00
		Training and Conferences	0.00
		Travel & Mileage	330.86
Total	28,198.85		
<hr/>			
MELOCHE, Leo (Deputy Mayor)	By-Law 2014-100	Salary	28,003.14
		Communication Allowance	304.18
		Per Diem	0.00
		Public Receptions	101.70
		Legal	0.00
		Travel & Mileage	56.12
		Total	28,465.14
<hr/>			
GIBB, Chris (Deputy Mayor)	By-Law 2014-100	Salary	2,545.74
		Communication Allowance	120.25
		Per Diem	600.00
		Public Receptions	0.00
		Legal	0.00
		Travel & Mileage	0.00
		Total	3,265.99
<hr/>			
ALLAIRE, Molly (Council Member)	By-Law 2014-100	Salary	2,020.81
		Communication Allowance	0.00
		Per Diem	600.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	2,620.81
<hr/>			

**TOWN OF AMHERSTBURG
TREASURER'S REPORT
FOR THE YEAR ENDED DECEMBER 31, 2022**

Pursuant to Section 284 of the Ontario Municipal Act 2001

COUNCIL

COURTNEY, Peter (Council Member)	By-Law 2014-100	Salary	24,249.72
		Communication Allowance	1,210.94
		Per Diem	400.00
		Public Receptions	150.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	26,010.66
<hr/>			
CRAIN, Linden (Council Member)	By-Law 2014-100	Salary	2,020.81
		Communication Allowance	0.00
		Per Diem	600.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	2,620.81
<hr/>			
MCARTHUR, Donald (Council Member)	By-Law 2014-100	Salary	24,249.72
		Communication Allowance	0.00
		Per Diem	600.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	24,849.72
<hr/>			
POUGET, Diane (Council Member)	By-Law 2014-100	Salary	2,020.81
		Communication Allowance	0.00
		Per Diem	400.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	2,420.81
<hr/>			
RENAUD, Marc (Council Member)	By-Law 2014-100	Salary	22,228.91
		Communication Allowance	0.00
		Per Diem	0.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	22,228.91
<hr/>			

**TOWN OF AMHERSTBURG
TREASURER'S REPORT
FOR THE YEAR ENDED DECEMBER 31, 2022**

Pursuant to Section 284 of the Ontario Municipal Act 2001

COUNCIL

SIMONE, Patricia (Council Member)	By-Law 2014-100	Salary	22,228.91
		Communication Allowance	0.00
		Per Diem	0.00
		Public Receptions	0.00
		Training and Conferences	0.00
		Travel & Mileage	0.00
		Total	<u>22,228.91</u>

**TOWN OF AMHERSTBURG
TREASURER'S REPORT
FOR THE YEAR ENDED DECEMBER 31, 2022**

Pursuant to Section 284 of the Ontario Municipal Act 2001

COUNCIL

WINDSOR POLICE SERVICES BOARD

DICARLO, Aldo	Remuneration	6,500.00
	Total WPS Board	6,500.00

ESSEX POWER BOARD OF DIRECTORS

DICARLO, Aldo	Remuneration	8,455.37
WARK, Bill	Remuneration	9,263.52
	Total Essex Power Board	17,718.89

ERCA

PRUE, Michael	Per Diem	180.00
COURTNEY, Peter	Per Diem & Mileage	435.90
ALLAIRE, Molly	Per Diem & Mileage	89.90
MORRISON, Marolyn	Per Diem	60.00
	Total ERCA Board	765.80

COMMITTEE OF ADJUSTMENT

BUCHANAN, Terris	By-Law 2019-015	Honorarium	825.00
CAMPIGOTTO, Anthony	By-Law 2019-015	Honorarium	825.00
COZENS, David	By-Law 2019-015	Honorarium	825.00
MAILLOUX, Joshua	By-Law 2019-015	Honorarium	750.00
SHAW, Donald	By-Law 2019-015	Honorarium	825.00
		Total Committee of Adjustmer	4,050.00

ACCESSIBILITY COMMITTEE

CURSON-PRUE, Shirley	By-Law 2019-063 & 2019-107	Per Diem	250.00
DREW, Chris	By-Law 2019-063 & 2019-107	Per Diem	250.00
EASTERBROOK, Christine	By-Law 2019-063 & 2019-107	Per Diem	200.00
PIETRANGELO, Tony	By-Law 2019-063 & 2019-107	Per Diem	250.00
		Total Accessibility Committee	950.00

DRAINAGE BOARD

BEZAIRE. Robert	By-Law 2019--017 & 2019-074	Honorarium	750.00
CAMPIGOTTO, Anthony	By-Law 2019--017 & 2019-074	Honorarium	825.00
LARAMIE, Brad	By-Law 2019--017 & 2019-074	Honorarium	900.00
MAJOR, Allan	By-Law 2019--017 & 2019-074	Honorarium	900.00
PILLON, Lloyd Robert	By-Law 2019--017 & 2019-074	Honorarium	825.00
		Total Drainage Board	4,200.00

HERITAGE COMMITTEE

HONOR, Robert	By-Law 2019-018	Ontario Heritage Conference	715.38
		Total Heritage Committee	715.38



THE CORPORATION OF THE TOWN OF AMHERSTBURG
OFFICE OF ENGINEERING & 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: March 17, 2023
Author's Phone: 519 736-3664 ext. 2314	Date to Council: March 27, 2023
Author's E-mail: dgrondin@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Amherstburg Water Treatment Plant Submission of the 2022 Annual Summary Report

1. RECOMMENDATION:

It is recommended that:

1. The report from the Manager of Environmental Services dated March 17, 2023 regarding the Amherstburg Water Treatment Plant Submission of the 2022 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 2022 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 2022	

B) FLOW RATE COMPARISON

Table 2 on Page 2 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	17,320,000 L/d	June 2022
		15,903 L/min	11,305 L/min	November 2022
Treated Flow	MDWL #026-101	18,184 m ³ /d	13,624 m ³ /d	August 2022

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, Conservation and Parks.

5. FINANCIAL MATTERS:

There are no financial implications related to the Annual Summary Report findings for 2022.

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
Manager of Environmental Services

Report Approval Details

Document Title:	Amherstburg Water Treatment Plant Submission of the 2022 Annual Summary.docx
Attachments:	- Amherstburg WTP - Schedule 22 Annual Summary Report 2022.pdf
Final Approval Date:	Mar 21, 2023

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



Antonietta Giofu



Tracy Prince



Valerie Critchley



Kevin Fox



Annual Summary Report

February 6, 2023

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 2022 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, 2022 to December 31, 2022.

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 2022 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 underneath.

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, 2022 to December 31, 2022. 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 2022 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 2022	

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 2022.

- 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 75% 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	17,320,000 L/d	June 2022
		15,903 L/min	11,305 L/min	November 2022
Treated Flow	MDWL #026-101	18,184 m3/d	13,624 m3/d	August 2022

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-22 December-22

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	227710.00	7345.48	10314.00	7706.00	31	213392.00	6883.61	8228.00
Feb	209324.00	7475.86	8346.00	6245.00	28	189242.00	6758.64	7529.00
Mar	226600.00	7309.68	8776.00	8386.00	31	212859.00	6866.42	7749.00
Apr	232837.00	7761.23	10580.00	7750.00	30	220618.00	7353.93	10204.00
May	291934.00	9417.23	12330.00	8870.00	31	274146.00	8843.42	11748.00
Jun	338478.00	11282.60	17320.00	10538.00	30	328734.00	10957.80	13422.00
Jul	374008.00	12064.77	14818.00	10869.00	31	360694.00	11635.29	13066.00
Aug	339386.00	10947.94	14918.00	10764.00	31	331535.00	10694.68	13624.00
Sep	314183.00	10472.77	12614.00	9175.00	30	303462.00	10115.40	11501.00
Oct	288890.00	9319.03	11174.00	8387.00	31	274509.00	8855.13	10976.00
Nov	248418.00	8280.60	10176.00	11305.00	30	225261.00	7508.70	8295.00
Dec	259637.00	8375.39	9776.00	6773.00	31	239168.00	7715.10	8877.00
Total	3351405.00	110052.57	141142.00	106768.00	365	3173620.00	104188.12	125219.00
Avg	279283.75	9171.05	11761.83	8897.33	30	264468.33	8682.34	10434.92
Max	374008.00	12064.77	17320.00	11305.00	31	239168.00	11635.29	13624.00

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

Signature:  **Date** February 6 2023

Received By: Dwayne Grondin

Signature  **Date** March 17, 2023

Confirmed By Resolution of Council:

Signature _____ **Date** _____

February 18, 2023

Honourable Doug Ford, Premier of Ontario
Legislative Building
Queen's Park
Toronto Ontario
M7A 1A1
Email: premier@ontario.ca

Dear Premier Ford:

RE: Bill 23, More Homes Built Faster Act, 2022

On behalf of County Council, as adopted on February 15, 2023, I have been requested to send correspondence to the Province identifying our significant concerns with Bill 23, the *More Homes Built Faster Act, 2022* as proclaimed. Essex County acknowledges and supports Ontario's stated objective to increase housing supply.

We are supportive of efficient and effective municipal decision-making and will continue to work with the Province in this regard. We cannot, however, support measures that place the burden for financing new housing squarely on our residents and put at risk community and environmental sustainability. We believe Bill 23 jeopardizes the core principles of sustainable development. Changes to several Acts that are part of Bill 23 should be paused and revisited due to their severe implications for our municipalities.

The County of Essex is concerned the *More Homes Built Faster Act* will have significant unintended consequences that may delay or obstruct the construction of additional housing supply, the opposite of what is intended. Moreover, there are no assurances in the legislation that houses built can be afforded by those who need them. The Association of Municipalities of Ontario's evaluation of the measures in this Bill have concluded that there is no confidence that it will do anything to improve the affordability of housing.

At the County Council Meeting on February 15, 2023, the following resolutions were adopted:

1. That Essex County Council endorse the Administrative comments and recommendations to the Province, as contained in Report No. 2023-0215-IPS-R02-RB, included on the February 15, 2023, County Council Agenda and titled "*Bill 23, More Homes Built Faster Act, 2022* Information Update"; and,
2. That the Warden, on behalf of Essex County Council, write to the Minister of Municipal Affairs and Housing to request that the Province of Ontario create a municipal reimbursement fund to compensate the County of Essex and more importantly its local municipalities, in order that they be made whole as a result of the impacts of Bill 23 on municipal growth funding revenues and expenditures; and
3. That the Warden's letter to the Province also request that the Government of Ontario pause the further implementation of Bill 23, and participate in meaningful engagement with municipalities, and other key stakeholders, to address identified concerns in order to achieve the shared goal of increasing housing supply and improving affordability and sustainability; and
4. That Administration be authorized to prepare and submit to the Province of Ontario any additional comments on Bill 23, and any amending bills or related regulations, as necessary during their release.

Our concerns

Our concerns pertaining to Bill 23, the *More Homes Built Faster Act, 2022*, include not only those faced by the County as the upper-tier. They have been unanimously endorsed by the Mayors and Deputy Mayors of our seven lower-tier municipalities as outlined below.

Financial burden on municipalities

The move away from a "growth pays for growth" approach places severe financial burdens on municipalities and, by extension, taxpayers, including those families and individuals reaching for home ownership. The shift of growth costs to residents through increasing property tax and water/sewer rates will impact the ability of our residents to enjoy basic quality of life services that our municipalities will struggle to provide.

For the Essex County municipalities, the changes to development charges as outlined in the legislation will result in losses in the millions of dollars over the next 10 years. The complete financial impact is unknown at this time, however the initial losses due to the number of developments currently coming forward is already significant.

The County is also anticipating significant resource implications, including the potential need for additional staff and other resources to manage the policy and administrative aspects of the changes. These additional staffing requirements are due to the prohibitions on our conservation authorities from providing natural heritage review service delivery as part of the planning process. Our municipal building, planning and engineering departments will be further burdened by the legislative changes in the *Planning Act* and *Conservation Authorities Act*. Our municipal finance departments will face added work due to the number of changes imposed under the *Development Charges Act*.

Impact on infrastructure

A significant challenge in building homes at the pace anticipated by Bill 23 is the demand new construction puts on essential services – like water, and sanitary and storm sewers – and the infrastructure required to provide those services. This is compounded by reduced municipal financing for maintenance and growth-related upgrades of existing infrastructure.

Community sustainability and environmental protection

As expressed in the Association of Municipalities of Ontario (AMO) position, which we endorse, many of the proposed amendments to the *Planning Act* and *Conservation Authorities Act*, as well as the changes to the Ontario Wetland Evaluation System (OWES), signal a move away from environmental protection at a time when climate change impacts are being felt at the local level through more frequent flood events. We recognize the important function that wetlands provide in flood attenuation and ecosystem diversity.

Essex County is seeking assurance that natural heritage and water resources are managed in a way that maintains, enhances and restores these systems. We are further concerned that the proposed offsetting policy – or "pay to pave" – will result in the loss of biodiversity and ecosystems. An offsetting policy should be applied as a last resort in the planning process.

Erosion of local government

The removal of public meetings for subdivisions and third-party appeals for consents and minor variances demonstrates to residents that their opinions on development and its impacts on social wellbeing do not matter. The expanded power of the Ontario Land Tribunal to dismiss appeals and award costs to the successful parties further erodes local authority.

Lack of meaningful consultation

The very short consultation period provided by the Province has prevented municipalities from understanding, before commenting, the full extent and impacts of the sweeping changes that have been introduced, not to mention the various other related legislative, policy and regulatory changes that are still under consideration (e.g., Provincial Policy Statement, etc.).

We are seeking

Further consultation with Ontario's municipalities. Since the consultation timeline did not allow municipalities to fully review the proposed changes and provide comprehensive responses, we are asking the Province to pause the implementation of any further regulations and consult with municipalities and stakeholders. There is certainly a need to reflect on the vast implications of the legislative changes imposed to date.

Financial support. Early estimates of the financial impacts of the *More Homes Built Faster Act* are significant. Municipal governments are not positioned to absorb these costs and cannot carry out the Province's strategy without financial support. To address these very significant funding shortfalls we are requesting defined funding streams, not one-off grants that place additional burdens on municipal administrations to apply for and regularly report back to the Province.

Revisiting the changes that reduce sustainability and environmental protections. Municipalities need to have the ability to locally decide when to enter into service agreements with our conservation authorities for services that they are now prohibited from providing. Staff at the County and local municipalities do not have the resources to take responsibility for these services, and consultants in our region do not have the capacity to provide them. Further, if conservation authorities cannot issue permits when a development has gone through a *Planning*

Bill 23, More Homes Built Faster Act, 2022

February 18, 2023

Act application, there is an increased the risk that natural disasters will have devastating impacts on new developments and future residents. The changes to the provincial guidelines (e.g. OWES and natural heritage offsetting policy) need to be revisited.

Essex County Council thanks you for taking the time to review our concerns. We are hopeful for continued dialogue on the *More Homes Built Faster Act, 2022*. In the meantime, it is our intention to continue to support municipal organizations, such as the Association of Municipalities of Ontario, to lobby the province to work with municipalities in developing solutions that grow the housing supply. It is imperative that solutions be found through collaboration, cooperation and innovation by all parties.

Thank you,



Hilda MacDonald
Essex County Warden

cc:

The Hon. Steve Clark, Minister of Municipal Affairs & Housing, (minister.mah@ontario.ca)
Kate Manson-Smith, Deputy Minister Municipal Affairs and Housing (kate.mansonsmith@ontario.ca)
Anthony Leardi, MPP, Essex Riding (Anthony.Leardi@pc.ola.org)
Trevor Jones, MPP, Chatham-Kent-Essex (Trevor.Jones@pc.ola.org)
Andrew Dowie, MPP, Windsor-Tecumseh Riding (Andrew.Dowie@pc.ola.org)
Essex County Municipalities
Association of Municipalities of Ontario (AMO)



Honourable Steve Clark

Ministry of Municipal Affairs and Housing
College Park 17th Floor, 777 Bay Street
Toronto, ON M7A 2J3

March 17, 2023

RE: Tax Classification of Short-Term Rental Units

At its Regular Council Meeting held on March 6, 2023, Councillor Hammond brought forward a Notice of Motion for Council’s consideration regarding the current tax classification of Short-Term Rental Units. In particular, Council discussed the implications of having Short-Term Rental Units operate as a business within a residential community. Council noted that allowing Short-Term Rental Unit Operators to pay residential property taxes is inequitable to those business owners who must pay commercial property taxes, solely due to the location of their business.

As a result of this discussion, Council passed the following resolution:

R23-03-082

Moved by: Councillor Hammond

Seconded by: Councillor Matyi

That Council direct Administration to send a letter to the Municipal Property Assessment Corporation (“MPAC”), the Ministry of Municipal Affairs, and any other relevant bodies, to investigate the tax classification of short-term rental units and consider taxing them as commercial as opposed to residential.

Carried

I trust you will find this satisfactory. If you have any questions or comments, please feel free to contact the undersigned.

Yours truly,

Shelley Brown

Acting Clerk, Legal and Legislative Services
sbrown@essex.ca

c.c. Tracy Pringle, Municipal Property Assessment Corporation

Tracy.Pringle@mpac.ca



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

Anthony Leardi, MPP

Anthony.Leardi@pc.ola.org

Mary Birch, Interim CAO

mbirch@countyofessex.ca

All Ontario Municipalities



Honourable Steve Clark

March 22, 2023

Ministry of Municipal Affairs and Housing
College Park 17th Floor, 777 Bay Street
Toronto, ON M7A 2J3

RE: The Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales

Dear Honourable Steve Clark,

At its Regular Council Meeting held on March 6, 2023, Mayor Bondy brought forward a Notice of Motion for Council's consideration regarding the reinstatement of previous legislation permitting a municipality to retain surplus proceeds from tax sales. It was discussed that, prior to being repealed by the Modernizing Ontario's Municipal Legislation Act, 2017, Section 380(6) of the Municipal Act, 2001 allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction. It was further noted that the Public Tax Sale process is burdensome to a municipality who invest a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario.

As a result of this discussion, Council passed the following resolution:

R23-03-081

Moved by: Mayor Bondy

Seconded by: Councillor Allard

That Council direct Administration to send a letter to all relevant taxation bodies, including the Ministry of Municipal Affairs, the Ministry of Finance, Essex County Council, MPP Anthony Leardi, Association of the Municipalities of Ontario and all other municipalities in Ontario urging them to re-instate previous legislation that permitted a Municipality to apply for and retain the surplus proceeds from a tax sale in their jurisdiction.

Carried

I trust you will find this satisfactory. If you have any questions or comments, please feel free to contact the undersigned.

Yours truly,

Shelley Brown

Acting Clerk

sbrown@essex.ca



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

c.c. Honourable Peter Bethlenfalvy, Minister of Finance
minister.fin@ontario.ca

Mary Birch, Interim Chief Administrative Officer
mbirch@countyofessex.ca

Anthony Leardi, MPP
anthony.leardi@pc.ola.org

Association of Municipalities of Ontario ("AMO")
resolutions@amo.on.ca

All other municipalities in Ontario

March 6, 2023

To All Ontario Municipalities

Resolution re Reducing Municipal Insurance Costs

Please be advised the Council of the Municipality of Chatham-Kent, at its regular meeting held on March 6, 2023 passed the following resolution:

“Whereas Chatham-Kent has faced multiple double digit increases to insurance premiums over the past years;

And Whereas the costs on insurance are having a significant impact on municipal budgets in Chatham-Kent and around the Province;

Now Therefore, Council direct administration to engage with other municipalities, the Association of Municipalities of Ontario, and any other relevant municipal associations, to determine what tools may be available to reduce insurance costs, including cooperative purchasing of insurance, creation of a municipal reciprocal insurance provider, or legislative changes to address insurance costs to municipalities.

And administration report back to Council regarding the result of this engagement and any recommended Council resolutions to support improvements to municipal insurance in Ontario.

Further that administration be directed to forward this motion to all other municipalities in Ontario seeking support and collaboration on this issue.”

If you have any questions or comments, please contact Judy Smith at ckclerk@chatham-kent.ca

Sincerely,



Judy Smith, CMO
Director Municipal Governance/Clerk

C AMO



March 6, 2023

To: IBEW Local 636 Employers and Partners

Re: IBEW Local Union 636 Charity Golf Tournament May 27th, 2023

IBEW Local 636 is pleased to announce, along with our co-host Entegrus Powerlines Inc., that we are planning to hold our 2023 charity golf tournament on Saturday May 27th, 2023.

Our tournament will be held at Hidden Hills Golf & Country Club. The course is located at 25393 St Clair Rd. in Dover Centre which is just a 15 minute drive from Chatham. We will be hosting golfers from across Ontario including: our Members, Local 636 Staff, Representatives from the I.B.E.W., our business partners and corporate leaders from the industries we represent.

Our charity of choice remains MySafeWork, which promotes workplace safety. We are reaching out to our employers and business partners to help us raise funds through your participation in this tournament. The attached form outlines options for your participation. You can choose from Platinum or Gold sponsorships, which allow up to 4 players to come and enjoy a round of golf with lunch and dinner provided. Both options include a hole sponsorship. If that is not possible, you can sponsor a hole, or provide a prize. Please see the attached for more details.

If your organization is able to support this event, please make your cheques payable to: IBEW Local 636 and mail to IBEW Local 636 1001 Ritson Road South, Oshawa ON L1H 4G5. **All payments are due by May 12th**. For all other donations or inquiries contact Laurie Clayton at 905-286-0330 or 1-800-955-4239 or email at laurie.ibew636@bellnet.ca

Please accept our thanks in advance for your time and consideration. We hope to see you in May!

Yours truly,

LOCAL UNION 636, I.B.E.W.

Domenic Murdaca
Business Manager/Financial Secretary
DM:lac
Encl.

IBEW LOCAL 636/ENTEGRUS GOLF TOURNAMENT



Saturday May 27th, 2023
Hidden Hills Golf & Country Club
25393 St Clair Rd,
Dover Centre, ON N0P 1L0
<https://hiddenhillsgcc.com/>



- Registration opens at 11:00
- Putting Contest opens at 11:00
- Shotgun Start at 1:00

Lunch (hot dog) supplied prior to start

Chicken and Steak Tip Dinner to finish off the day
(Vegetarian option available with advance request-please contact Laurie
at 905-286-0330 or laurie.ibew636@bellnet.ca)

Prizes for Closest-to-the-Pin & the Longest Drive

Want to stay over after golfing? We have a block of rooms that is available for booking until April 26th.

We have a group rate of \$151 (plus taxes, includes breakfast) at the Holiday Inn Express and Suites at 575 Richmond Street in Chatham– call 519-351-1100. Use the booking code EGT to get the group rate.

Or use this link to book your room:

[IBEW Golf Tournament](#)

LOOKING FORWARD TO A FUN FILLED DAY!

MySafeWork



**SPONSOR REGISTRATION FORM
IBEW LOCAL 636 / ENTEGRUS GOLF
TOURNAMENT**

SATURDAY MAY 27TH, 2023



HIDDEN HILLS GOLF & COUNTRY CLUB
25393 St Clair Rd., Dover Centre (15 minute drive from
Chatham)

Deadline for applications & payments May 12th

Company:	_____
Sponsor Name & Title:	_____
Phone:	_____
Email Address:	_____

Sponsorship Options

(all levels include names on tables and option to provide promotional items in gift bag and a tax receipt) :

- Platinum (includes 4 golfers and hole sponsorship) \$1,000
- Gold (includes 2 golfers and hole sponsorship) \$500
- Hole Sponsorship \$250
- Golf and Dinner Only \$110 per IBEW member, \$130 per non-member
- Dinner Only \$50
- Other (Putting Contest, Hole in One, Longest Drive, Closest to the Pin, donation for our prize or raffle table)

Please specify: _____

Lunch and dinner included for all golfers

Golfer #1	_____
Golfer #2	_____
Golfer #3	_____
Golfer #4	_____

Please make cheques payable to:
IBEW Local 636

Send to:
IBEW Local 636
1001 Ritson Road South
Oshawa, ON L1H 4G5

For further information contact:

Laurie Clayton

905-286-0330 or 1-800-955-4239

laurie.ibew636@bellnet.ca

Fax: 905-286-0042

All proceeds go to:

MySafeWork



Township of Lucan Biddulph

270 Main Street
P.O Box 190, Lucan, Ontario N0M 2J0
Phone (519) 227-4491; Fax (519) 227-4998

March 22, 2023

The Honorable Steve Clark
Minister of Municipal Affairs and Housing

RE: Future Accuracy of Permanent Register of Electors

Please be advised that the Council of the Corporation of the Township of Lucan Biddulph at its meeting held on March 21, 2023 passed the following resolution:

Resolution No. 2023-094
Moved by Councillor D. Regan
Seconded by Deputy Mayor D. Manders

WHEREAS concerns surrounding the accuracy of the Voters' List has been highlighted in elections past and inaccuracies continue to plague municipal elections;

AND WHEREAS the Chief Electoral Officer for the Province of Ontario now has the responsibility to prepare and maintain a Permanent Register of Electors, under the Elections Act, for future municipal elections;

AND WHEREAS an accurate Permanent Register of Electors is paramount in upholding the integrity of democratic government;

AND WHEREAS an accurate Permanent Register of Electors could increase voter turnout statistics and possibly contribute to positive voter apathy;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Lucan Biddulph requests that the Province of Ontario, through Elections Ontario and the Chief Electoral Officer utilize any resources available to produce the highest quality Permanent Register of Electors;

AND FURTHER THAT this resolution be circulated to the Minister of Municipal Affairs and Housing, Elections Ontario, MPP Monte McNaughton and Ontario Municipal Councils for their support.

CARRIED

If you require any additional information, please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Reymers', with a stylized flourish at the end.

Ron Reymers
CAO/Clerk

cc. All Ontario Municipalities
Greg Essensa, Chief Electoral Officer for Ontario
Monte McNaughton, MPP – Lambton, Kent, Middlesex



Corporation of the Municipality of Calvin

Motion by: Councillor Moreton

Seconded by: Councillor Grant

WHEAREAS an announcement in the media was made that the English Public School Boards Association, the largest school association in the Province, is asking for the end of the moratorium on most pupil accommodation reviews;

AND WHEREAS this announcement potentially threatens the future closure of schools in many single school municipalities;

AND WHEREAS access to education and the presence of a school in a community is an essential service and has a direct link to the quality of life in a community;

AND WHEREAS schools play a key role in improving services and quality of life in a community and are viewed as activity centres where children have access to education, health services, recreation and culture;

AND WHEREAS schools are an important factor in the retention and attraction of residents in a community and is essential in order to resolve labour shortages and allow economic development and growth in small rural municipalities;

AND WHEREAS demographics in many areas are currently shifting and changing quickly as we work on meeting the needs of many Ontario residents during a housing crisis;

NOW THEREFORE BE IT RESOLVED that Council is requesting the provincial government through the Minister of Education to extend the moratorium on most pupil accommodation reviews in order to allow municipalities, townships, neighbourhoods and subdivisions the opportunity to prosper, develop and grow without being hindered by school closures due to low enrollments that could quickly change.

FURTHER BE IT RESOLVED that this resolution be forwarded to Premier Doug Ford, MPP Victor Fedeli and all Ontario Municipalities. **Resolution Number: 2023: 054 Carried**



Corporation of the Municipality of Calvin

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

March 15, 2023

Re: Barriers for Women in Politics

At the Special Council Meeting of March 14, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS the City of Cambridge values respect, integrity, equity, inclusivity and service in all areas of life, including politics;

WHEREAS women have historically been underrepresented in politics and continue to face barriers and discrimination in their pursuit of elected office;

WHEREAS misogyny and harassment have been identified as significant challenges for women in politics, both in Canada and around the world;

WHEREAS the City of Cambridge believes that all individuals have the right to participate in a political environment that is free from discrimination, harassment, and misogyny;

THEREFORE, BE IT RESOLVED that the City of Cambridge expresses its support for women in politics and their right to participate in a political environment that is free from misogyny and harassment and where everyone feels equitable;

BE IT FURTHER RESOLVED that the City of Cambridge commits to taking steps to ensure that our political environment is inclusive and welcoming to all individuals, regardless of gender, race, ethnicity, religion, sexual orientation, or other identity factors;

BE IT FURTHER RESOLVED that the City of Cambridge joins the Town of Grimsby in encouraging other municipalities in Ontario and across Canada to join us in supporting women in politics and promoting gender equity in all areas of society;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to all Ontario Municipalities for endorsement, the Premier of Ontario, the Minister of Municipal

Affairs and Housing, Cambridge's MP and MPP, and the Association of Municipalities of Ontario to express the City of Cambridge's commitment to this issue and encourage action at the provincial level to create legislation to ensure equity, safety, and security.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton
City Clerk

Cc: (via email)
Hon. Premier Ford
Minister of Municipal Affairs and Housing
Cambridge's MP and MPP
Association of Municipalities of Ontario
All Ontario Municipalities



March 14, 2023

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1
Via Email: premier@ontario.ca

Dear Premier Ford:

RE: School Bus Stop Arm Cameras

Pleased be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held March 6, 2023:

Moved by Councillor Rothwell **Seconded by** Councillor Blazek

WHEREAS almost 824,000 students travel in about 16,000 school vehicles every school day in Ontario and according to the Ministry of Transportation's statistics the rate of vehicles blowing by stopped school buses is over 30,000 times every day;

AND WHEREAS the Province of Ontario passed the Safer School Zones Act in 2017 which authorized the use of Automated School Bus Stop Arm Camera Systems to detect incidents where vehicles failed to stop when the school bus was stopped and the stop-arm extended (O. Reg. 424/20);

AND WHEREAS the Association of Municipalities (AMO) working on behalf of all Ontario Municipalities made its submission to the Standing Committee on General Government on May 21, 2019 in support of Administrative Monetary Penalties (AMPs) to be used to collect fine revenue for school bus stop arm infractions and other applications, including Automated Speed Enforcement (ASE) technologies deployed in school and community safety zones;

AND WHEREAS police resources can not be spread any thinner to enforce Highway Traffic Act offences throughout municipalities;

AND WHEREAS the administrative and financial costs to establish the required municipal Administrative Penalty program under the Highway Traffic Act, and its regulations, are substantial and maybe out of reach for small or rural municipalities that have insufficient amounts of traffic to generate the required funds to offset the annual operational costs of a municipal Administrative Penalty program;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of North Perth urges the Provincial Government to:

- a) Require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2023-2024 school year; and
- b) Underwrite the costs for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities;

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, Attorney General Doug Downey, Minister of Education Stephen Lecce, Provincial opposition parties, Mathew Rae MPP, AMO and all municipalities in Ontario.

CARRIED

If you have any questions regarding the above resolution, please do not hesitate to contact me at lcline@northperth.ca.

Sincerely,



Lindsay Cline,
Clerk/Legislative Services Supervisor
Municipality of North Perth

cc.
Hon. Doug Downey, Attorney General
Hon. Stephen Lecce, Minister of Education
Provincial Opposition Parties
MPP Matthew Rea
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, February 7, 2023
Time: 4:00 PM
Location: Council Chambers
Essex County Civic & Education Centre
360 Fairview Ave. West
Essex, Ontario

Attendance

Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex (Ex-Officio)
Michael Akpata	County of Essex
Rob Shepley	County of Essex
Kirk Walstedt	County of Essex
Gary Kaschak – Vice Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Mark McKenzie	City of Windsor

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Teresa Policella	Executive Assistant

City of Windsor Staff:

Tony Ardovini	Deputy Treasurer Financial Planning
Shawna Boakes	Executive Director of Operations

County of Essex Staff:

Mary Birch	Interim CAO and Director of Legislative and Community Services/Clerk
Sandra Zwiers	Director of Financial Services/Treasurer
Kate Hebert	Manager, Records & Accessibility/Deputy Clerk

Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Anne Marie Albidone	Manager of Environmental Services

1. Call to Order

The General Manager called the meeting to order at 4:04 PM as the Board's Chair and Vice Chair had yet to be elected for 2023.

2. Board Members for 2023-2026

The General Manager welcomed four new Board members - Deputy Mayor Michael Akpata, Deputy Mayor Rob Shepley, Deputy Mayor Kirk Walstedt and Councillor Mark McKenzie. She also welcomed back Board members Councillor Gary Kaschak, Warden and Mayor Hilda MacDonald, Mayor Gary McNamara, Councillor Kieran McKenzie and Councillor Jim Morrison.

3. Introduction of EWSWA Management Team

The General Manager introduced the EWSWA Management Team and Administrative staff – Tom Marentette, Manager of Waste Disposal, Steffan Brisebois, Manager of Finance and Administration, Cathy Copot-Nepszy, Manager of Waste Diversion and Teresa Policella, Executive Assistant. She also introduced Shawna Boakes, City of Windsor Executive Director of Operations and Tony Ardovini, City of Windsor Deputy Treasurer Financial Planning. She noted that various members of County of Essex and City of Windsor Administration attend most Board meetings to assist with clarification of agenda items, if needed.

The General Manager stated that agendas will be distributed electronically. If a hard copy of the agenda is required, Board members can advise Teresa Policella, Executive Assistant.

4. Election of Chair and Vice Chair for 2023

The General Manager stated that per the agreement between the City of Windsor and the County of Essex that created the Authority, the positions of Chair and Vice Chair rotate between the City and the County on a yearly basis. She noted that for 2023, the Chair will be a County of Essex Board member and the Vice Chair will be a City of Windsor Board member.

The General Manager called for any declarations of pecuniary interest in regards to the elections of the Chair and Vice Chair. None were noted.

The General Manager called for nominations for the position of Board Chair among the County of Essex representatives.

Board Member Walstedt nominated Board Member Gary McNamara for Board Chair.

Board Member MacDonald seconded the nomination.

The General Manager called three (3) additional times for nominations for the position of Board Chair. There were no other nominations.

The General Manager asked Mr. McNamara if he would stand for the position of Board Chair.

Mr. McNamara accepted the nomination as Board Chair.

The General Manager declared Mr. McNamara as Chair for 2023.

The General Manager asked for a motion for the nominations for Chair to be closed.

Moved by Kieran McKenzie

Seconded by Robert Shepley

THAT Gary McNamara is named as Board Chair for the period ending December 31, 2023.

**1-2023
Carried**

The General Manager called for nominations for Vice Chair among the City of Windsor representatives.

Board Member Morrison nominated Board Member Gary Kaschak for the position of Vice Chair.

The General Manager called three (3) additional times for nominations for the position of Board Vice Chair. There were no other nominations.

The General Manager asked Mr. Kaschak if he would stand for the position of Board Vice Chair.

Mr. Kaschak accepted the nomination of Board Vice Chair.

The General Manager declared Mr. Kaschak as Vice Chair for 2023.

The General Manager asked for a motion for the nominations of Vice Chair to be closed.

Moved by Hilda MacDonald

Seconded by Robert Shepley

THAT Gary Kaschak is named as Board Vice Chair for the period ending December 31, 2023.

**2-2023
Carried**

5. Declaration of Pecuniary Interest

Chair McNamara called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

6. Approval of the Minutes

Moved by Kieran McKenzie

Seconded by Hilda MacDonald

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated September 14, 2022, be approved and adopted.

**3-2023
Carried**

7. Business Arising from the Minutes

Mr. Kaschak asked if there were any updates to the Organics program. The Manager of Waste Diversion stated there were no further updates.

8. Correspondence

There are no items for discussion.

9. Delegations

There were no delegations for February 7, 2023.

10. Waste Disposal

A. Appointment of Board Member to the Regional Landfill Liaison Committee for 2023

The Chair called for nominations to appoint a Board member to the Regional Landfill Liaison Committee.

Mr. Kaschak nominated Board member Morrison.

The Chair called for any other nominations.

There were no other nominations.

The Chair asked Mr. Morrison if he accepted the nomination.

Mr. Morrison accepted the nomination.

Moved by Gary Kaschak

Seconded by Mark McKenzie

THAT the Board appoint Jim Morrison who is not a member of the Council of the Town of Essex, to the Landfill Liaison Committee for a one-year term for 2023.

**4-2023
Carried**

11. Finance & Administration

A. 2023 Budget Deliberation

The General Manager referred to the budget report on page 13 of the agenda package. The purpose of the report is to recommend approval of the 2023 expenditure budget estimates as well as the budget estimates related to non-municipal revenue. The report also recommends approval of a 4.1% increase to the 2022 base amount budgeted to the City of Windsor and the seven (7) County municipalities. This increase equates to \$566,240 and is comprised of two components. The first component is a \$1.00 increase on tipping fees assessed on waste delivered for disposal. The tipping fee will increase from \$40.00 to \$41.00 per tonne. This increase is approximately \$111,350. The other component is an increase in the fixed amount assessed to the municipalities based on population which equates to approximately \$454,890.

The General Manager stated that the municipal tonnage is projected to increase from 111,350 tonnes in 2022 to 112,370 tonnes in 2023.

The General Manager stated that the budget is normally deliberated in November and then presented to both the City of Windsor and County of Essex Council meetings for approval. The 2023 budget year was an exception due to the Board only forming in January 2023 due to the municipal election. She noted that if the budget is approved at this meeting, Authority Administration would arrange to appear before each of the respective Councils seeking approval.

The General Manager explained that the Technical Staff Committee, which is comprised of both City of Windsor and County of Essex staff, meets annually to review and discuss the budget. The Technical Staff Committee met in November 2022 and was provided an update in February 2023 when supplemental information was available. The Technical Staff reached a consensus regarding the 2023 Budget details and recommendations. She noted that the Technical Staff Committee was guided by the February 2018 recommendation from the CAOs of the City of Windsor and the County of Essex to reach a balanced budget by 2027 with 2018 being Year 1 of the 10-year period.

The General Manager stated that in addition to the annual budget process, a 15-year forecast is also prepared. To reach the goal of a balanced budget by 2027, an increase of 4.1% will need to be assessed to the City of Windsor and the seven (7) County municipalities. She noted that the Rate Stabilization Reserve is used to balance out large swings in episodic waste and fluctuations in Blue Box funding and revenue. There are estimates built into the budget and 15-year forecast documents. One estimate identified in the 15-year forecast document is the significant decrease of \$10 million in expenditures and the decrease in non-municipal revenue of \$5 million in the 2025 to 2026 calendar years on account of the transition of the Blue Box program to Extended Producer Responsibility. The \$3.9 million projected deficit in 2025 will be dependent on whether the transition to the Producer occurs in 2024 or January 1, 2026.

The General Manager stated that Administration tries to ensure that there is a healthy balance in the Rate Stabilization Reserve. The goal is to have 15% of our expenditures in the Reserve.

The General Manager asked if there were any questions. No questions were asked.

The General Manager stated that a zero-based budgeting approach is utilized. The budget assumes service levels stay the same. The budget does not include any new programs or any funding for the Green Bin program. The Budget does include the cost for additional labour to support the Waste Diversion program.

The General Manager explained the variances in the Budget Summary on page 16 of the agenda package. The fixed cost allocation represents the total amount the Authority will invoice to the City of Windsor and 7 County municipalities in the year. In summary, there was a favourable variance of \$2,468,850 between the 2022 budgeted deficit of (\$1,187,300) and the 2022 projected surplus of \$1,281,550. The 2022 budgeted deficit, when compared to the 2023 budgeted deficit, is expected to generate an unfavourable variance of \$2,570,080.

The Rate Stabilization Reserve in 2022 had an opening balance of \$9.8 million. The surplus from 2022 of \$1.28 million plus the interest will form the opening budgeted balance for 2023. In 2023, the Rate Stabilization Reserve is estimated to generate interest of approximately \$350,000. A draw from the reserve of \$103,000 is budgeted to fund the Clay Capping Project and the expected draw relating to the 2023 budgeted deficit amounts to \$3.75 million. The Rate Stabilization Reserve in 2023 is budgeted to have an ending balance of \$7.71 million.

The General Manager summarized additional charts contained in the report regarding revenue and expenditures.

The General Manager referred to page 19 of the agenda package which breaks down the municipal assessment between the City of Windsor and the County of Essex municipalities. The difference in the combined total municipal assessment from 2022 to 2023 is expected to be \$608,060.

The tables on pages 19 to 21 aid to present the significant variances (amounts over \$50,000) relating to the 2022 budgeted deficit and the 2022 projected surplus, and the 2022 budgeted deficit to the 2023 budgeted deficit. The General Manager spoke in detail to the significant variances.

The General Manger asked if there were any questions.

The Chair questioned the rationale for the 2022 unfavourable variance from municipal and residential tip fees.

The General Manager referred to the tonnage received from the City and the seven (7) County municipalities and stated that less material was collected at the curb and delivered to the depots than budgeted in 2022.

The Chair stated that he finds it interesting that the number is going down instead of maintaining or growing.

The General Manager stated that there were increases in 2020 and 2021 and speculate that the reduction could be due to residents returning to the office and school after the pandemic. Administration will continue to monitor incoming material.

The Chair asked if there were any further questions.

Mr. K. McKenzie asked about the projections and variances and how they relate to the reserves. He asked if we need to start preparing for worst case scenario if there is a lot of risk in the variances. He would like to understand the risks.

Mr. Morrison asked about the risks and reducing the reserve balance. He is concerned but understands that this is an estimate and there is a plan to build it up to \$5 million. Mr. Morrison referred to page 30 and the 2021 census population figures used to calculate the fixed cost allocation.

The General Manager stated that the most current census figures are used until the next census is released.

The General Manager continued to speak to the 2022 and 2023 variances.

The General Manager stated that the 2022 landfillable tonnes amounted to 336,600 which is approximately 79,000 tonnes over the 2022 budget. Approximately 257,000 tonnes of landfilled waste was budgeted for 2022 and approximately 300,000 tonnes of landfilled waste was budgeted for 2023. A 3-year trend is used to build this number.

The Chair spoke to assumptions used in order to budget municipal tipping fee revenue by stating that the only discretion would be a year of an anomaly, a flood, for example.

The General Manager responded that anomalies are not included in the budget. They are considered episodic waste and are not included in the budget estimates.

The General Manager made a general statement that the majority of the expenditure increases in 2023 are driven by contractual increases which tend to be a constant theme as it relates to Authority expenditures.

Mr. K. McKenzie asked if the government has offered any funding to help mitigate the cost of the implementation of the organics program.

The General Manager responded that London and Essex-Windsor are the last large municipalities in the province to introduce an organics program and at this time she is not aware of any funding being offered.

Mrs. MacDonald asked if other municipalities that have an organics program received funding many years ago and if we are being treated the same.

The General Manager responded that she did not know but would attempt and find out.

Mrs. MacDonald replied that we should have been doing this along time ago.

The Chair added that Mr. K. McKenzie has a good point. Why wouldn't the government look at this region to get the program up and running. He also noted that AMO has been doing their part for years. The Chair stated that maybe there is an opportunity to ask, the worst thing they could say is no.

The General Manager stated that the Authority could look into this and other funding opportunities.

The General Manager referred to Landfilled Tonnes chart on page 10 of the budget document. The potential risks are that the large volume waste haulers only deliver the minimum tonnes of material based on their Put or Pay contracts and not their budgeted tonnes. Historically, these large volume waste haulers have delivered more tonnes than what they were obligated to deliver and the budget is built on a 3-year trend. Other risks associated with revenue in the 2023 budget figures that were discussed related to contaminated episodic waste.

The General Manager highlighted the Recycling Revenue Chart on page 12 of the budget document. The Authority had record revenues in 2021 which were similar in 2011 and now there is a downward trend.

The General Manager summarized how significant budget estimates were calculated and how risks are mitigated within the document. Examples included using conservative estimates to calculate anticipated blue box material commodity prices and using 3 years of data to estimate the amount of tonnage that will be delivered for disposal. She further explained that while Essex-Windsor is scheduled to transition the blue box program in August 2024 the 15-year forecast allows for that date to be postponed to December 31, 2025.

The General Manager stated that the 2023 Capital Budget projects will be funded by various reserves. She noted that the Authority is trying not to invest unnecessary funds in the recycling centres due to transition but needs to maintain equipment repairs to ensure the facility is operational.

The General Manager asked if there were any questions.

Mr. Walstedt stated that he did not see any funding for clay capping of Landfill Number 3. He asked is there are any plans for this.

The General Manager stated that the line item of \$50,000 for site and grounds maintenance included in the budget. The previous large clay capping project is now complete and currently the \$50,000 is used for maintenance related projects. It was identified that some leachate wells need replacement and that has been included in the budget.

Mr. Walstedt questioned the future use of Landfill Number 3.

The General Manager explained that the Board received correspondence from the Municipality of Lakeshore in May 2022 regarding the end use plan of Landfill Number 3 and the Board received a report from Administration in June 2022. The General Manager indicated that the end use of a landfill site is a period of 25 years from the time the site ceases to accept waste. Landfill Number 3 closed in 1997 which in turn suggests 2023 would be the earliest that a plan could be implemented. The General Manager highlighted that \$10,000 has been included in the consulting budget to be used to explore end use options for the site.

Mr. Walstedt is concerned about the amount of years that leachate treatment will be required. He noted that there should be a long-term solution.

The General Manager stated that the Authority is dealing with this on an on-going basis for all sites and referred to the contamination study report that was presented to the Board in 2022.

Mr. K. McKenzie asked if the Board can expect a report on the recommendation regarding this issue.

The General Manager stated there have been ongoing discussions with the Town of Essex and the Municipality of Lakeshore. At the September 2022 Board meeting, it was reported that the consulting firm Stantec is investigating

the potential strategies of pre-treatment of leachate, long-term leachate studies and the feasibility of installing a force main to the Town of Essex Pollution Control Treatment Plant similar to the force main used at Closed Landfill 2.

Mr. K. McKenzie asked if the Board will be provided with the Stantec report.

The General Manager replied yes.

The General Manager referred to the Schedule of Fees on page 30 of the agenda package. What was noted on this schedule is the increase to the ICI rate for small businesses of \$2 per tonne and the increase of \$9 per tonne for greenhouse vines. She explained that vines historically had a reduced rate because the material did not take up significant space in the landfill but this waste has resulted in significant amounts of leachate, which results in an increase of leachate treatment and hauling costs as well as other operational challenges.

The Chair asked if there are any risks to shipping vines to the United States.

The General Manager stated that a large volume hauler is under contract until 2024 so any impact would be post that contract expiration date. The General Manager continued to speak to other reasons why vines are problematic to the Authority's landfilling operations.

Mr. Kaschak asked if vines could potentially go to an organics facility.

The General Manager stated that Authority Administration has had the opportunity to visit Seacliff Energy. Administration were able to ask the operators of the facility if vines could be accepted at the facility. The response was that vines have proven challenging to process in an anaerobic digester.

The Chair asked if there were any questions. No further questions were asked.

Moved by Hilda MacDonald
Seconded by Gary Kaschak
THAT the Board

1. Approve the 2023 **Expenditure and Revenue budget estimate figures** excluding the municipal Total Waste Management Fee (Tip Fee) and the municipal Fixed Cost Assessment.
2. Increase the **Total Waste Management Fee** by \$1.00 per tonne to \$41.00/tonne from \$40.00/tonne. This is the fee assessed to municipalities for each tonne of refuse delivered for disposal.
3. Increase the **Fixed Cost Assessment** to Windsor and the 7 County municipalities based on the following chart. Fixed costs are assessed based on population.

	2021 Census Population	2023 Amount	2022 Amount	Difference
WINDSOR	229,660	\$5,331,706	\$5,084,516	\$247,190
AMHERSTBURG	23,524	546,125	520,805	25,320
ESSEX	21,216	492,543	469,708	22,835
KINGSVILLE	22,119	513,507	489,700	23,807
LAKESHORE	40,410	938,144	894,650	43,495
LASALLE	32,721	759,639	724,421	35,219
LEAMINGTON	29,680	689,040	657,095	31,946
TECUMSEH	23,300	540,925	515,846	25,079
TOTAL	422,630	\$9,811,630	\$9,356,740	\$454,890

4. Approve the Fee Schedule, as attached to this report, exclusive of the municipal Total Waste Management Fee but inclusive of the per tonne rate increases outlined in the Fee Schedule for 2023.
5. That any resultant (deficit)/surplus from 2022 operations be contributed to or funded by the Rate Stabilization Reserve.
6. That any resultant (deficit)/surplus for 2023 be contributed to or funded by the Rate Stabilization Reserve.

**5-2023
Carried**

B. Authority’s Banker, Auditor and Solicitor

The Manager of Finance and Administration stated that the banker for the Authority is Canadian Imperial Bank of Commerce (CIBC). He noted that the

Authority partnered with the County of Essex in order to leverage the cash assets of both organizations.

The Authority's auditor is KPMG. The Manager of Finance also noted that the Authority partnered with the County of Essex at the time of the selection of an external auditor and further that KPMG is also the City of Windsor auditor.

The Manager of Finance stated that the Authority's solicitor is Mr. David Sundin from the County of Essex.

Moved by Kieran McKenzie
Seconded by Mark McKenzie

THAT the Board receive the report as information.

**6-2023
Carried**

C. Legal Invoice

Moved by Kirk Walstedt
Seconded by Robert Shepley

THAT the Board authorize the payment of the legal account as summarized.

**7-2023
Carried**

D. 2023 EWSWA Board Meeting Schedule

The General Manager referred to the 2023 meeting schedule presented in the agenda package and stated that the August 1st meeting will be cancelled due to a conflict with the City of Windsor Development & Heritage Standing Committee meeting on the same day. Three of the four City of Windsor representatives are on this committee. She noted that if there are agenda items that need to be addressed, a meeting will be scheduled at a later date.

The General Manager also noted that traditionally when a holiday falls on the first Monday of the month, the Board meeting is rescheduled to the following Wednesday to accommodate municipal Council meetings being rescheduled to the Tuesday. However, in October, two holidays fall in the first two weeks of the month. October 5th has been scheduled as an alternative meeting date.

Moved by Gary Kaschak
Seconded by Hilda MacDonald

THAT the Board approve the 2023 Essex-Windsor Solid Waste Authority Regular Board Meeting Schedule.

**8-2023
Carried**

12. Waste Diversion

A. Blue Box Extended Producer Responsibility presentation and update

The Manager of Waste Diversion provided a presentation and update regarding the transition of the Blue Box program to Extended Producer Responsibility.

The Chair left the meeting at 6:12 PM. The Vice Chair assumed the role of Chair.

At the end of the presentation, the Manager of Waste Diversion asked if there were any questions.

Mr. Morrison thanked the Manager of Waste Diversion for a very informative presentation. He asked when do we have to make some of the decisions, like opting out, for example.

The Manager of Waste Diversion stated that municipalities were willing to opt in but now they are steering to opt out due to the terms and conditions and unbalanced risk that CMO has set out in their agreements. She stated that a decision will have to be made early this year. She stated that the Authority has already opted out of being a receiving facility service provider last year. The Authority will also have to make a decision to opt in or out as a collection service provider early this year.

Mr. Morrison asked which direction is the province taking.

The Manager of Waste Diversion stated that municipalities have brought this up numerous times through AMO and other networks. There are many contracts that have not been signed by the municipalities, but that municipalities really are still trying to be supportive for a smooth transition to EPR.

Mr. K. McKenzie asked how will these changes impact residents on what service is provided and the changes that will be happening. He noted that these changes could be significant. He asked what does Administration and the Board have to do so that residents do not feel like their level of service is downgraded.

The Manager of Waste Diversion stated that this is definitely a concern of Administration. Administration participates on collaboration groups and are learning from the first group that is transitioning and what things we need to look at. By the time our region transitions, there will be enough information from other municipalities that are going through it now. She referred to the plastic bag ban and how the Authority provided information months in advance to residents before the program was implemented.

Moved by Michael Akpata
Seconded by Mark McKenzie

That the Board receive the presentation as information.

**9-2023
Carried**

13. Other Items

There were no other items raised for discussion.

14. By-Laws

A. By-Law 1-2023

Moved by Mark McKenzie
Seconded by Kirk Walstedt

THAT By-Law 1-2023, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 7th day of February, 2023

**10-2023
Carried**

15. Next Meeting Date

Tuesday, March 7, 2023

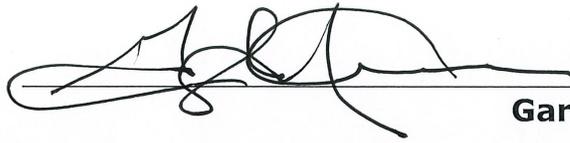
16. Adjournment

Moved by Robert Shepley
Seconded by Hilda MacDonald

THAT the Board stand adjourned at 6:25 PM.

**11-2023
Carried**

All of which is respectfully submitted.



Gary McNamara
Chair



Michelle Bishop
General Manager

UNFINISHED BUSINESS LIST

Council Question #	Agenda Item	Assigned To	Description	Meeting Type	Meeting Date	Comments
CQ 20-005	NEW BUSINESS	Valerie Critchley, Bill Tetler	Resolution # 20200309-096 Prue/Courtney That: 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.
CQ 20-006	Water Bill Fee - Dennis Richardson	Tracy Prince	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 Q3 2023.
CQ 20-011	NEW BUSINESS	Melissa Osborne	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 21-012	Agent of Change Policies	Valerie Critchley, Bill Tetler	Resolution # 20210614-203 Prue/Courtney That Administration BE DIRECTED to prepare a by-law regarding Agent of Change as soon as possible.	Regular Council Meeting	6/14/2021	In Progress
CQ 22-04	NEW BUSINESS	Antonietta Giofu	Resolution # 20220214-25 Moved By Councillor Prue Seconded By Councillor Simone That Administration BE DIRECTED to bring a report regarding Torontos Green Standard to see if that initiative is feasible in Amherstburg.	Regular Council Meeting	2/14/2022	Administration is investigating the feasibility of bringing initiative to Amherstburg - Q3
CQ 22-05	Libro Centre Outdoor Turf Upgrade Request - Terry Sawchuk, Jim Jariett, and Vancho Cirvoski, Amherstburg Minor Soccer Association (AMSA)	Terry Fasan, Heidi Baillargeon	Resolution # 20220314-03 Moved By Councillor Prue Seconded By Councillor Courtney That the delegation BE RECEIVED; and, Administration BE DIRECTED to bring back a report outlining the feasibility and costs to accomplish AMSA's outdoor turf upgrade requests.	Regular Council Meeting	3/14/2022	Pending Approval of Operating Budget Resources
CQ 22-10	Fort Erie Resolution re. Climate Change Action Plan	Antonietta Giofu	Resolution # 20220411-13 Prue/Courtney That Administration BE DIRECTED to review Fort Eries resolution and determine whether the Towns Climate Action Plan could be strengthened by adding Fort Eries recommendations.	Regular Council Meeting	4/11/2022	Administration is investigating the feasibility of bringing initiative to Amherstburg - Q3
CQ 22-17	Request for Public Boat Ramp at Ranta Park - Rodney Ferris, AMA Sportsmens' Association	Heidi Baillargeon, Viktorya Paller	Resolution # 20220613-06 McArthur/Courtney That The delegation BE RECEIVED; and, 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.	Regular Council Meeting	6/13/2022	In Progress

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2023-045**

**By-law to Designate an Economic Development
Community Improvement Project Area**

WHEREAS under Section 28(1) of the *Planning Act*, a “community improvement project area” is defined as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”;

AND WHEREAS Section 6.3.1 of the Town of Amherstburg Official Plan contains policies for the designation of community improvement areas;

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

1. An Economic Development Community Improvement Project Area as shown in Appendix “A”

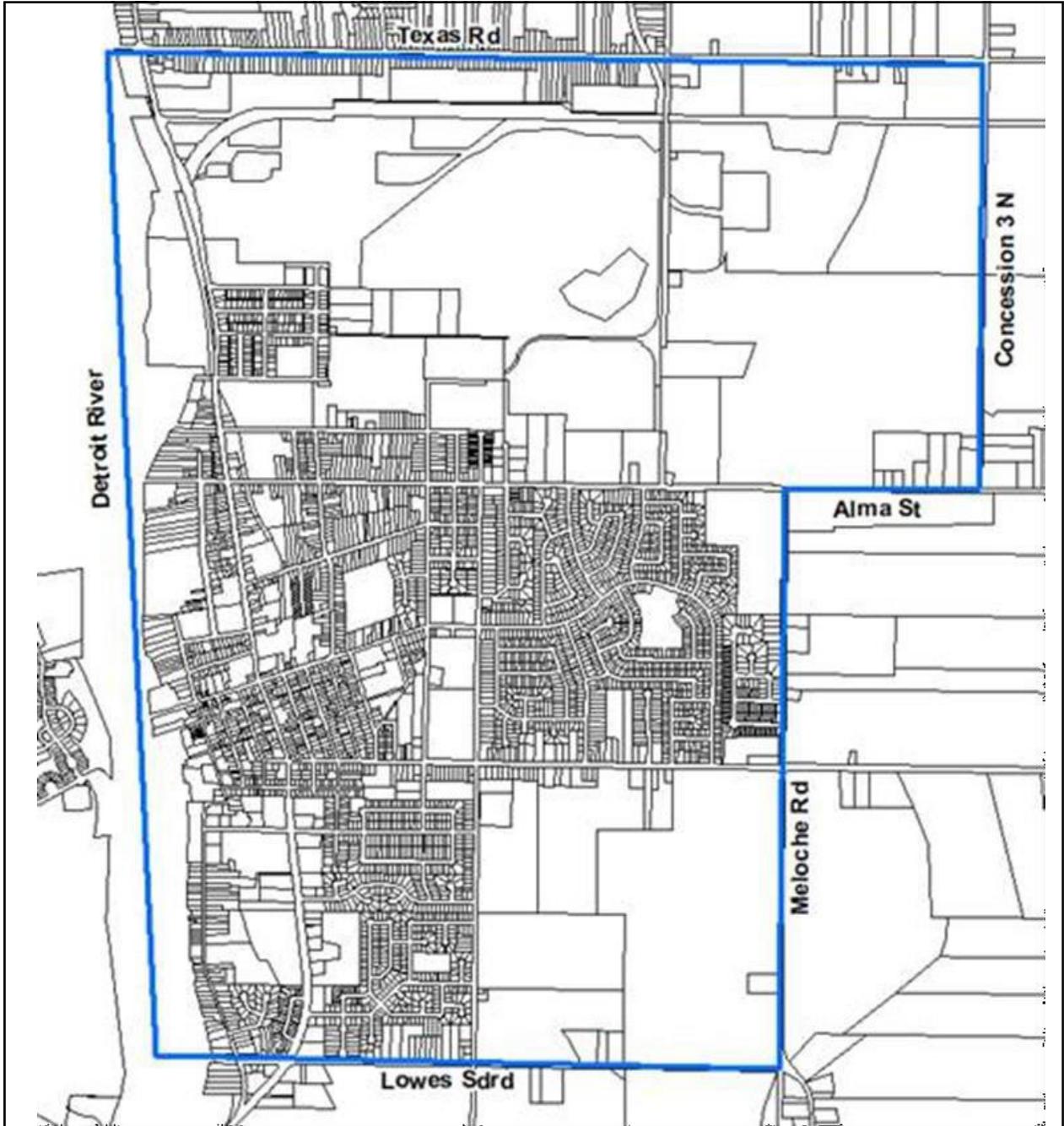
Read a first, second and third time and finally passed this 27th day of March, 2023.

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX

TOWN OF AMHERSTBURG

**APPENDIX "A" TO BY-LAW No. 2023-045
A BY-LAW TO DESIGNATE AN ECONOMIC DEVELOPMENT
COMMUNITY IMPROVEMENT PLAN AREA**



THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2023-047

**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 March 27th 2023, 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 27th day of March, 2023.

MAYOR – MICHAEL PRUE

CLERK – KEVIN FOX