



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

AGENDA

**Electronic Meeting
Public Participation via Livestream
<https://www.amherstburg.ca/livestream>**

**Monday, February 8, 2021
6:00 PM**

For information pertaining to this agenda or to arrange for any additional accessibility needs please contact Tammy Fowkes, Deputy Clerk at tfowkes@amherstburg.ca

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	Pages
1. CALL TO ORDER	7
2. ROLL CALL	
3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF	

4. MINUTES OF PREVIOUS MEETING

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

- | | |
|---|-----------|
| 4.1. Regular Council Meeting Minutes - December 14, 2020 | 9 |
| 4.2. Special In-Camera Council Meeting Minutes - December 18, 2020 | |
| 4.3. Special Council Meeting Minutes - Planning - January 11, 2021 | 38 |
| 4.4. Regular Council Meeting Minutes - January 11, 2021 | 41 |
| 4.5. Special In-Camera Council Meeting Minutes - January 11, 2021 | |
| 4.6. Regular Council Meeting Minutes - January 25, 2021 | 53 |

5. DELEGATIONS

- | | |
|--|-----------|
| 5.1. Request to Change Parking Time in Front of Queen Charlotte Building - Robert Iannucci, Nucceli's Frozen Yogurt | 62 |
| That the delegation BE RECEIVED . | |
| 5.2. Request to Change Parking Time in Front of Queen Charlotte Building - Bryce May, Happier Camper Canada | 65 |
| That the delegation BE RECEIVED . | |

6. REPORTS – CORPORATE SERVICES

There are no reports.

7. REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There are no reports.

8. REPORTS – ENGINEERING AND PUBLIC WORKS

8.1. Meadow View Estates Subdivision - Phase 1 - Accept and Assume Underground Infrastructure 68

It is recommended that:

1. The recommendations in the letter from the consulting engineer, Stantec Consulting Ltd dated December 21, 2020 regarding Meadow View Estates Subdivision - Phase 1 **BE ACCEPTED**; and,
2. The underground infrastructure for Meadow View Estates Subdivision - Phase 1 **BE ACCEPTED and ASSUMED**.

8.2. Meadow View Estates Subdivision Phase 2 - Accept and Assume Underground Infrastructure 74

It is recommended that:

1. The recommendations in the letter from the consulting engineer, Stantec Consulting Ltd dated December 21, 2020 regarding Meadow View Estates Subdivision - Phase 2 **BE ACCEPTED**; and,
2. The underground infrastructure for Meadow View Estates Subdivision – Phase 2 **BE ACCEPTED AND ASSUMED**.

9. REPORTS - PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1. Removal of Part Lot Control – Kingsbridge Phase 5 80

It is recommended that:

1. The application for Removal of Part Lot Control for Part of Lots 11 and 12, Concession 1, being Blocks 17, 18, 20, 22, 24, 26 through 32 inclusive, 34, 35, 36 and 37 on Plan 12M-669, known locally as Kingsbridge Subdivision, **BE APPROVED**; and,
2. **By-law 2021-003** being a by-law to remove certain lands from Part Lot Control be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

10. REPORTS - CAO's OFFICE

There are no reports.

11. INFORMATION REPORTS

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

- | | | |
|-------|--|----|
| 11.1. | Building Activity Report for Months of October, November & December 2020 | 89 |
| 11.2. | Pending Playground Equipment Removal from Wigle and Briar Ridge Parks | 95 |

12. CONSENT CORRESPONDENCE

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

- | | | |
|-------|--|-----|
| 12.1. | Impending Closure of Ontario Fire College - Chris McConnell, President, OPSEU Local 137 | 104 |
| 12.2. | Ontario Fire College - Lake of Bays Resolution | 106 |
| 12.3. | Extension Request for Community Safety and Well-Being Plan - Township of Asphodel-Norwood Resolution | 111 |
| 12.4. | Request for Revisions to the Municipal Elections Act - Lake of Bays Resolution | 113 |
| 12.5. | Request for Municipal Infrastructure Funding Opportunities - Lake of Bays Resolution | 116 |

13. CORRESPONDENCE

13.1. Municipal Representation, Essex Region Source Protection Committee - Essex Region Conservation Authority 120

It is recommended that:

1. The correspondence dated January 25, 2021, from ERCA regarding Essex Region Source Protection Committee, Municipal Representation **BE RECEIVED**; and,
2. The Town of Amherstburg **ENDORSE** the appointment of Kevin Webb as the City of Windsor's representative on the Essex Region Source Protection Committee.

13.2. 2021 Census of Population - Statistics Canada 122

It is recommended that:

1. The correspondence from Statistics Canada **BE RECEIVED**; and,
2. The Town of Amherstburg **SUPPORTS** the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca.

14. OTHER MINUTES

14.1. Drainage Board Meeting Minutes - February 2, 2021 123

It is recommended that:

1. The Drainage Board Meeting Minutes of February 2, 2021, **BE RECEIVED**; and,
2. **By-law 2021-009** being a by-law to provide for the Bridges Over the Owen Bondy Drain based on the Drainage Report by N.J. Peralta Engineering Ltd. **BE PROVISIONALLY ADOPTED** by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same.

15. UNFINISHED BUSINESS

15.1. Unfinished Business List as at February 8, 2021

179

16. NEW BUSINESS

17. NOTICE OF MOTION

There are no Notices of Motion.

18. BY-LAWS

18.1. By-law 2021-011 - Confirmatory By-law

182

That **By-law 2021-011** being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on February 8, 2021, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

19. ADJOURNMENT

That Council rise and adjourn at p.m.

FEBRUARY 2021

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 Drainage Board Meeting (First Sitting of the Court of Revision for the Cook Drain) Electronic Participation 6:00 pm	3	4	5	6
7	8 Electronic Meeting (Livestream) Regular Council Meeting 6:00 p.m.	9	10	11	12	13
14	15	16	17	18	19	20

21	22 Electronic Meeting (Livestream) Regular Council Meeting 6:00 p.m.	23 Committee of Adjustment Meeting Electronic Participation 7:30 a.m.	24	25	26	27
28						



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, December 14, 2020
6:00 PM

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

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

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

This meeting was recessed on December 14, 2020 and resumed on December 18, 2020.

CALL TO ORDER

The Mayor called the meeting to order at 6:13 p.m. on December 14, 2020.

ROLL CALL

Councillor Courtney was absent with notice at roll call, all others were present.

Councillor Courtney joined the meeting at 7:16 p.m.

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

Councillor Renaud declared a conflict of pecuniary interest with respect to Item # 6.3 (Delegation - Ice Removal), Item # 8.5 (2021 User Fee By-law), and Item # 7.1 (COVID-19 Response Presentation). Councillor Renaud advised that he is the President of the Amherstburg Minor Hockey Association (AMHA).

Councillor McArthur advised that he consulted with the Integrity Commissioner with respect to ice removal at the Libro Centre. He advised that his daughter is enrolled in Skate Amherstburg and while he does not have a pecuniary interest at this time, he may have to declare one in the event he is eligible for a refund should Council opt to remove the ice. He further noted that he does not have a conflict of interest with respect to Item # 8.5 (2021 User Fees) as he has not enrolled his daughter into the Skate Amherstburg program for the 2021 season as of yet.

December 18, 2020 *(resumption of December 14, 2020 Regular Meeting)* - Councillor Courtney declared a pecuniary interest with respect to Item # 8.5 (2021 User Fees). Councillor Courtney advised that he plays in the Men's hockey league at the Libro Centre.

REPORT OUT FROM IN-CAMERA SESSION - December 11, 2020

Council met on December 11th, 2020, for a Special In-Camera Meeting at 9:02 a.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

Item A was heard under Section 239(2)(b)&(d) of the Act. As a result of that discussion, Item # 7.1 (COVID-19 Response Presentation) is on the agenda this evening.

MINUTES OF PREVIOUS MEETING

Resolution # 20201214-447

Moved By Councillor Renaud
Seconded By Councillor McArthur

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

- 5.1 Special Council Meeting Minutes - 2021 Budget - November 17, 2020**
- 5.2 Special Council Meeting Minutes - Planning - November 23, 2020**
- 5.3 Regular Council Meeting Minutes - November 23, 2020**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 6.1 2021 Budget By-law - Rodger Hudson**

Resolution # 20201214-448

Moved By Councillor McArthur
Seconded By Councillor Prue

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

- 6.2 Ontario Waste Management Association (OWMA) - Robert Cook, Robert Cook Consulting**

Resolution # 20201214-449

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. **The delegation BE RECEIVED; and,**
2. **The request to amend Bill 197, COVID-19 Economic Recovery Act, 2020 to eliminate the development approval requirement provisions from adjacent municipalities and that the 'host' municipality be empowered to render final approval for landfills within their jurisdiction BE SUPPORTED pending concurrence by County Council.**

The Mayor put the Motion.

Motion Carried

6.3 Ice Removal - Wes Ewer and Adam Armaly, AMHA, and Lynn Fox, Skate Amherstburg

Resolution # 20201214-450

Moved By Deputy Mayor Meloche

Seconded By Councillor Prue

That the delegations BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Item # 13.2 was moved forward

INFORMATION REPORT

13.2 Amherstburg Integrity Report - July 2017 to Dec 2019

Bruce Elman, Integrity Commissioner, presented his report.

Resolution # 20201214-451

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That the information report BE RECEIVED.

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

7.1 COVID-19 Response - Municipal Impacts of the Recent Changes in Colour - John Miceli, CAO

Councillor Renaud removed himself from discussion and voting after the presentation due to his declared conflict of pecuniary interest.

Moved By Councillor Prue
Seconded By Councillor Simone

That Option 3, to remove ice and reinstall ice at the end of August BE SUPPORTED.

The Mayor put the Motion.

Motion Lost

Resolution # 20201214-452

Moved By Councillor Courtney
Seconded By Councillor McArthur

That Option 2, to remove ice and reinstall ice when pandemic status changes back to Orange to allow user groups to book ice at first available opportunity BE SUPPORTED with a report back to Council at the February 22, 2021 before installing ice for March.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

8.1 Investing in Canada Infrastructure Program: COVID-19 Resilience Infrastructure Stream

Resolution # 20201214-453

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

1. **Administration BE DIRECTED to apply for grant funding from the Ministry of Infrastructure, Investing in Canada Infrastructure program (ICIP) COVID-19 Resilience Infrastructure Stream; and,**
2. **The intent to proceed with the project(s) outlined in the application(s) for ICIP funding BE AFFIRMED subject to approval of that funding.**

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council recess for a break at 8:36 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That Council resume at 8:48 p.m.

The Mayor put the Motion.

Motion Carried

8.2 2021 Capital Demands

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. **The 2021 Mill and Pave Road Works in the recommended 2021 Budget be approved contingent on OCIF grant funding at a total estimated cost of \$400,000 funded from OCIF, \$345,420 and from Reserve Fund General (current taxation) \$55,420;**
2. **The 2021 Budget BE ADOPTED, amended and the 2021 total own purposes tax levy of \$25,727,156 including \$24,424,492 general levy and \$1,302,664 special capital levy, BE APPROVED; and,**

3. **Administration REPORT BACK with a Final Levy By-law for adoption of the 2021 tax rates, based on the approved 2021 own purposes tax levy, following receipt of the returned assessment roll for 2021.**

Moved By Councillor Prue
Seconded By Councillor Courtney

That Item # 8.2 and # 8.3 BE DEFERRED until confirmation of OCIF funding.

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Courtney	X	
Councillor McArthur		X
Deputy Mayor Meloche		X
Councillor Prue	X	
Councillor Renaud		X
Councillor Simone	X	
Mayor DiCarlo		X

Motion Failed

Moved By Councillor Simone
Seconded By Councillor Prue

That Item # 8.2 and # 8.3 BE DEFERRED to a Special Meeting next week to discuss what to do with the OCIF funding if received.

The Mayor put the Motion.

Motion Failed

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

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

The Mayor put the Motion.

Motion Failed

Moved By Councillor Courtney
Seconded By Councillor Prue

That the meeting BE RECESSED at 10:03 p.m.

The Mayor put the Motion.

Motion Carried

December 18, 2020 – Resumption of December 14, 2020, Regular Council Meeting.

The Mayor resumed the meeting at 9:14 a.m. on December 18, 2020.

ROLL CALL

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

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

The Mayor reminded Council members of their obligation to declare a pecuniary interest if one arises.

Moved By Councillor Simone
Seconded By Councillor Courtney

That Council lay the motion for Items # 8.2 and # 8.3 on the table and begin with Item # 8.5 as Wes Ewer is in attendance for this item.

The Mayor put the Motion.

Motion Carried

REPORTS - CORPORATE SERVICES

8.2 2021 Capital Demands

Tabled

8.3 2021 Final Approved Budget

Tabled

8.5 2021 User Fees By-law

Councillor Renaud removed himself from discussion and voting on the matter due to his declared pecuniary interest.

Councillor Courtney removed himself from discussion and voting on the matter due to his declared pecuniary interest.

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That the Rules of Order BE WAIVED to allow Wes Ewer, AMHA, to speak.

The Mayor put the Motion.

Motion Carried

Resolution # 20201214-454

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

1. **By-law 2020-073 being a by-law to Amend By-law 2019-082 being a by-law to Establish User Fees and Charges for Services or the Use of Property be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same;**
2. **By-law 2012-104 being a by-law to provide for the regulation and keeping of dogs in the Town of Amherstburg be brought back as a housekeeping amendment for the purpose of removing Fees and Penalties, Schedule “A”; and,**
3. **By-law 2020-068 being a by-law to Establish User Fees and Charges for Services, Activities or the Use of Property be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

Council moved on to Agenda Item # 8.4

8.4 2021 Interim Tax Levy By-law 2020-070

Resolution # 20201214-455

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That By-law 2020-070 being a By-law to provide for an interim tax levy in default be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.

The Mayor put the Motion.

Motion Carried

8.6 By-law 2020-067 Temporary Borrowing

Resolution # 20201214-456

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That By-law 2020-067 being a by-law to provide for the temporary borrowing of an upset limit of five million dollars for the Town of Amherstburg be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

8.7 2020 Tax Write Offs and Rebates

Resolution # 20201214-457

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the property tax adjustments outlined in the report from the Supervisor of Revenue dated November 23, 2020 regarding 2020 Write-offs and Rebates BE AFFIRMED.

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

10.1 Kingsbridge Subdivision - Knobb Hill Drive Phase 2 (Whelan Avenue to Welsh Avenue) - Acceptance and Assumption of Infrastructure – Placement of Infrastructure on Maintenance

Resolution # 20201214-458

Moved By Councillor Prue
Seconded By Councillor Renaud

That:

- 1. The recommendations in the letters regarding Kingsbridge Development Knobb Hill Drive Phase 2 dated August 6, 2020 and**

November 26, 2020 from the consulting engineer, BairdAE BE ACCEPTED;

- 2. The underground infrastructure, pathway, road base with base asphalt and curbs for Kingsbridge Subdivision - Knobb Hill Drive Phase 2 (Whelan Avenue to Welsh Avenue) ACCEPTED and ASSUMED; and,**
- 3. The surface asphalt for Kingsbridge Subdivision - Knobb Hill Drive Phase 2 (Whelan Avenue to Welsh Avenue) BE PLACED on a 1-year maintenance period, commencing August 6, 2020.**

The Mayor put the Motion.

Motion Carried

10.2 Kingsbridge Subdivision Phase 8B-1 - Acceptance of Infrastructure

Resolution # 20201214-459

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

- 1. The recommendations in the letter regarding Kingsbridge Development Phase 8B-1 (Welsh Avenue from Lavers Crescent to Knobb Hill Drive) dated November 26, 2020 from the consulting engineer, Baird AE BE ACCEPTED; and,**
- 2. The sidewalk and surface asphalt along Welsh Avenue from Lavers Crescent to Knobb Hill Drive for Kingsbridge Subdivision Phase 8B-1 BE ACCEPTED and ASSUMED as outlined in the report.**

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Zoning By-law Amendment for W/S Victoria Street S

Resolution #20201214-460

Moved By Councillor McArthur
Seconded By Councillor Simone

That By-law 2020-064 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as W/S Victoria Street S., be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 Review and Status of Council Adopted Policies and Amendments to the Policy Framework

Resolution # 20201214-461

Moved By Councillor Courtney
Seconded By Councillor Renaud

That:

- 1. The Policy Framework BE AMENDED in accordance with the November 25, 2020 report; and,**
- 2. The following policies BE RESCINDED in accordance with the November 25, 2020 report, Review and Status of Council Adopted Policies and Amendments to the Policy Framework:**
 - a. Buy Canadian**
 - b. Kiosk Safety**
 - c. Christmas Decorations**
 - d. Dressing Room Key Exchange**
 - e. Municipal Freedom of Information and Protection of Privacy Act**

The Mayor put the Motion.

Motion Carried

12.2 Adoption of Flag Protocol for the Town of Amherstburg

Resolution # 20201214-462

Moved By Councillor Prue
Seconded By Councillor Courtney

That the Flag Protocol Policy BE REFERRED back to Administration for further review.

The Mayor put the Motion.

Motion Carried

12.3 Adoption of the Driveway Alteration or Installation Policy

Resolution # 20201214-463

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the Driveway Alteration or Installation Policy BE ADOPTED in accordance with the report dated November 13, 2020.

The Mayor put the Motion.

Motion Carried

12.4 Amendments to the Accessible Customer Service Standards Policy

Council requested amendments to the proposed policy. The Clerk advised that all verbiage used in the policy reflects Accessibility for Ontarians with Disabilities Act (AODA) but Council can opt to change the wording of its policies.

Resolution # 20201214-464

Moved By Councillor Prue
Seconded By Councillor Renaud

The Accessible Customer Service Standards Policy BE ADOPTED in accordance with the report dated November 13, 2020, as amended.

The Mayor put the Motion.

Motion Carried

12.5 Amendments to the Use of Town Vehicle Policy

Councillor Prue offered a friendly amendment in section # 6.4.2.1 to state that the GPS be started in the parking lot and be updated as needed providing the vehicle is stationary.

Resolution # 20201214-465

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

1. **The Use of Town Vehicle policy BE AMENDED in accordance with the November 30, 2020 report; and,**
2. **The Countering Distracted Driving policy BE RESCINDED in accordance with the November 30, 2020 report Amendments to the Use of Town Vehicle policy, as amended.**

The Mayor put the Motion.

Motion Carried

12.6 Municipal Lay Member Appointment – Essex Power Corporation, Board of Directors

Resolution # 20201214-466

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That William Wark BE APPOINTED as the Town's Municipal Lay Member on the Essex Power Corporation, Board of Directors, as required in the Shareholder Agreement between the Town of Amherstburg and the Essex Power Corporation.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20201214-467

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the following information reports BE RECEIVED:

- 13.1 Facility Accessibility Design Standards**
- 13.2 Amherstburg Integrity Report - July 2017 to Dec 2019**

As dealt with above

- 13.3 Cheque Listing for the Month of November 2020**

- 13.4 Council Resolution 20200824-252 Update**

The Mayor put the Motion.

Motion Carried

Resolution # 20201214-468

Moved By Councillor McArthur
Seconded By Councillor Courtney

Item # 13.4 - That Administration BE DIRECTED to pursue opportunities to build a track on the school board's land including, but not limited to, securing corporate sponsorship and community fundraising.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20201214-469

Moved By Councillor Courtney
Seconded By Deputy Mayor Meloche

That the following consent correspondence BE RECEIVED:

- 14.1 Windsor Police Service, Amherstburg Detachment - 4th Quarter Stats, 2020
- 14.2 Removal of Windsor International Airport from NAV Canada Closure List - County of Essex Resolution
- 14.3 NAV Canada Study, Inclusion of Windsor International Airport - Chris Lewis, MP, Essex
- 14.4 Opposition to Further Amalgamation - Town of Essex Resolution
- 14.5 Cannabis Production Facilities - Municipality of Leamington Resolution
- 14.6 Military Service Recognition Book - The Royal Canadian Legion, Ontario Command
- 14.7 Illicit Cannabis Operations - Municipality of Norfolk Resolution
- 14.8 Temporary Cap of Food Delivery Services Charges - City of Hamilton Resolution
- 14.9 Drainage Matters, CN Rail - Municipality of Southwest Middlesex Resolution
- 14.10 Request for Amendment to Bill 124, Municipal Insurance Policy - Township of Huron-Kinloss Resolution
- 14.11 Property Tax Exemptions for Veteran Clubs - Region of Peel Resolution
- 14.12 Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution - City of Hamilton Resolution
- 14.13 Conservation Authorities Act, Schedule 6 of Bill 229, Protect, Support and Recover from COVID-19 Act - Township of Essa Resolution

The Mayor put the Motion.

Motion Carried

Resolution # 20201214-470

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

Item # 14.2 and # 14.3 -That Administration BE DIRECTED to send correspondence in support of the County of Essex requesting that

Navigation Canada (NAV Canada) remove Windsor International Airport from their list of airports currently being studied for possible removal of air traffic controllers, and noting the economic impact that loss of air traffic would have on the region.

The Mayor put the Motion.

Motion Carried

Resolution # 20201214-471

Moved By Councillor Prue
Seconded By Councillor Simone

Item # 14.4 - That Administration BE DIRECTED to send correspondence in support of the Town of Essex's opposition to any further amalgamation and to further restructuring at this time.

The Mayor put the Motion.

Motion Carried

Resolution # 20201214-472

Moved By Councillor Prue
Seconded By Councillor Simone

Item # 14.6 - That a 1/4 page, black and white advertisement BE PLACED in the Military Service Recognition Book in the amount of \$470.00.

The Mayor put the Motion.

Motion Carried

Resolution # 20201214-473

Moved By Councillor Prue
Seconded By Councillor Courtney

Item # 14.13 - That Administration BE DIRECTED to send correspondence in support of the Township of ESSA requesting that the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229).

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

15.1 Request for Formal Endorsement of Bill C-213, the Canada Pharmacare Act - Peter Julian, MP, New Westminster-Burnaby

Resolution # 20201214-474

Moved By Councillor Prue

Seconded By Councillor Courtney

That:

- 1. The correspondence dated November 26, 2020 regarding Request for Formal Endorsement of Bill C-213, the Canada Pharmacare Act, BE RECEIVED; and,**
- 2. The Town of Amherstburg SUPPORT the request.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20201214-475

Moved By Councillor Renaud

Seconded By Councillor McArthur

That the following minutes BE RECEIVED:

- 16.1 Amherstburg Accessibility Advisory Committee Minutes - September 24, 2020**
- 16.2 Heritage Committee Minutes - October 15, 2020**

- 16.3 Amherstburg Environmental Advisory Committee Minutes - October 27, 2020
- 16.4 Audit and Finance Advisory Committee Minutes - November 5, 2020
- 16.5 Audit and Finance Advisory Committee Minutes - November 10, 2020
- 16.6 Committee of Adjustment Minutes - November 24, 2020
- 16.7 Drainage Board Meeting Minutes - December 2, 2020

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

- 17.1 Amherstburg Accessibility Advisory Committee Minutes - October 22, 2020

Resolution # 20201214-476

Moved By Councillor Renaud
Seconded By Councillor Prue

That:

1. Administration EXPLORE opportunities for a cost-sharing agreement to provide an accessible route into the Gibson Gallery using funds transferred from the AODA Compliance Reserve Fund not exceeding \$20,000, with the Fort Malden Guild of Arts and Crafts;
2. \$20,000 BE TRANSFERRED from the AODA Compliance Reserve Fund to replace existing inaccessible play surfaces with more accessible materials at a Town Park; and,
3. The Facility Accessibility Design Standards BE ADAPTED for use by the Town of Amherstburg from the City of Windsor.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council recess for a break at 11:14 am.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That Council resume Regular session at 11:27 am.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That Item # 8.2 and # 8.3 BE TAKEN from the table.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

Deputy Mayor Meloche amended his previous motion from December 14, 2020.

8.2 2021 Capital Demands

Councillor Prue offered a friendly amendment to Item # 8.2 that the additional \$125,000 from the OCIF funding be used to lower that tax rate rather than be placed in reserves.

Items # 8.2 and # 8.3 were moved together.

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

Resolution # 20201214-477

That:

1. **The 2021 Mill and Pave Road Works in the recommended 2021 Budget be approved contingent on OCIF grant funding at a total estimated cost of \$400,000 funded from OCIF, \$345,420 and from Reserve Fund General (current taxation) \$55,420;**
2. **The Bridge 3008 capital project in the recommended 2021 Budget be increased to \$297,000 to be funded from OCIF, contingent on approval of OCIF grant funding;**
3. **The \$125,000 from OCIF funding, contingent on approval of OCIF grant funding, BE USED toward an eligible capital project identified as Fryer Street reconstruction to lower the tax levy;**
4. **The estimated provincial grant funding in the general government budget centre be increased by \$240,000 from safe restart grant funding in the 2021 budget to be applied to COVID-19 operating costs in 2021;**
5. **The 2021 Budget BE ADOPTED, amended and the 2021 total own purposes tax levy of \$25,362,156 including \$24,059,492 general levy and \$1,302,664 special capital levy, BE APPROVED; and,**
6. **Administration REPORT BACK with a Final Levy By-law for adoption of the 2021 tax rates, based on the approved 2021 own purposes tax levy, following receipt of the returned assessment roll for 2021.**

The Mayor put the Motion.

Motion Carried

8.3 2021 Final Approved Budget

Resolution # 20201214-478

That:

1. **The 2021 Budget BE ADOPTED and the 2021 total own purposes tax levy of \$26,072,576 including \$24,769,912 general levy and \$1,302,664 special capital levy, BE APPROVED; and,**
2. **Administration REPORT BACK with a Final Levy By-law for adoption of the 2021 tax rates, based on the approved 2021 own purposes tax levy, following receipt of the returned assessment roll for 2021.**

The Mayor put the Motion.

Motion Carried

Moved By Councillor Renaud
Seconded By Councillor Prue

That Council recess for a lunch at 12:27 pm.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council resume Regular session at 1:09 pm.

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Resolution # 20201214-479

Moved By Councillor Courtney
Seconded By Councillor Prue

That the following motion BE RECONSIDERED to add another location for public consultation for the location of the skate park (Resolution # 20190928-308):

That:

- 1. Administration BE DIRECTED to come back to the 2021 Budget with all costs associated with a new skate park;**
- 2. The Libro Centre, 320 Richmond (former St. Bernard's School), and Jack Purdie Park BE CONSIDERED as the locations for the new skate park; and,**

3. The public BE CONSULTED on the 3 locations being considered.

The Mayor put the Motion.

Motion Carried

2. Resolution # 20201214-480

Councillor Courtney included the north end of Centennial Park to be included for public consultation for the location of the skate park.

Moved By Councillor Courtney

Seconded By Councillor McArthur

That:

1. **Administration BE DIRECTED to come back to the 2021 Budget with all costs associated with a new skate park;**
2. **The Libro Centre, 320 Richmond (former St. Bernard's School), Jack Purdie Park, and the north end of Centennial Park BE CONSIDERED as the locations for the new skate park; and,**
3. **The public BE CONSULTED on the 4 locations being considered.**

The Mayor put the Motion.

Motion Carried

NEW BUSINESS

1. Councillor Courtney asked if the River Lights and Town Hall lights could be turned off at midnight.

The Director of Parks, Facilities, Recreation and Culture advised that staff would have to be deployed to turn the lights on & off and that actually running the lights is a very low cost (\$0.57/hr) as the lights are LED.

2. Resolution # 20221214-481

Moved By Councillor Prue

Seconded By Councillor Simone

That an over-expenditure of \$7000 for the fence replacement at Town Hall capital project to be funded from current taxation, for a total cost not to exceed \$12,000 BR APPROVED in 2020.

The Mayor put the Motion.

Motion Carried

3. Councillor Prue advised that recycling pick up has been switched to Windsor Recycling and he asked for an explanation regarding the change.

The Mayor advised that it was advertised extensively that recycling services were changing to Windsor Recycling for the County of Essex, and further, that there were cost savings associated with the switch as the current provider rates were increasing in 2021.

4. Councillor Prue advised of a resident who received a \$300 fine for not properly displaying her accessible parking permit while parked in the designated space. Councillor Prue thanked the Chief Administrative Officer and the Manager of Licencing and Enforcement for using their discretion and authority to quash the fine.
5. Councillor Simone asked what the next steps were with respect to the discovery of the WWI field gun that was found during construction of the new high school.

The Chief Administrative Officer advised that the intention is to restore and display the field gun and that a report will be brought to Council with respect to next steps in the near future.

6. Resolution # 2021214-482

Moved By Councillor Simone
Seconded By Councillor McArthur

That correspondence BE SENT to the Premier of Ontario requesting that small businesses be allowed to remain open for in-store customers during these unprecedented times; and further, to give small businesses the same rules as the big box stores.

The Mayor put the Motion.

Motion Carried

7. Resolution # 2021214-483

Moved By Councillor McArthur
Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to look into ways to designate some downtown parking spaces as high turn over or 15 minute spaces for those who are picking up take out food in support of the downtown Amherstburg restaurants.

The Mayor put the Motion.

Motion Carried

8. Resolution # 2021214-484

Moved By Councillor McArthur
Seconded By Councillor Courtney

That Administration BE DIRECTED to amend the Traffic By-law to include Pacific Avenue to Fryer Street in the Community Safety Zone.

The Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

Councillor Simone introduced the following Notice of Motion for discussion and voting at the January 11, 2021, Regular Council Meeting.

Whereas it is estimated that at least 40 million men, women and children around the world are victims of modern slavery, a term that is not explicitly defined by international law but encompasses a whole series of practices, including sex and other trafficking and forced marriage, in which a person is exploited or forced to work through violence, threats, coercion, abuse of power or fraud;

And Whereas, of these, 16 million human beings, both adults and children, are trafficked for forced labour in the private sector, according to International Labour Organization estimates;

And Whereas Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff, is a tool for transparency to fight against modern slavery and will help Canada to more strictly adhere to the letter of its international commitments;

And Whereas Town of Amherstburg Council understands the severity of modern slavery and wishes to assist in motivating businesses to eliminate the use of any form of child labour in their global supply chains, and empower consumers and investors to engage meaningfully on this important issue;

Now therefore let it be resolved that Town of Amherstburg Council supports Bill S-216, an Act to enact the Modern Slavery Act and a letter indicating Council's support be sent to the Honourable Julie Miville-Dechene, local MP's and MPP's and all regional Town Councils.

BY-LAWS

Councillor Prue moved Item # 21.1, # 21.2, and # 21.3 together.

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

21.1 By-law 2020-043 - Repair and Improvement of the Lemay-Cookson Pumpworks & Lemay-Cookson Branch Drain - 3rd & Final Reading

Resolution # 20201214-485

That By-law 2020-043 being a by-law to Provide for the Repair and Improvement of the Lemay-Cookson Pumpworks & Lemay-Cookson Branch Drain be taken as having been read a 3rd & Final time and the Mayor and Clerk BE AUTHORIZED to sign same.

21.2 By-law 2019-094 - Repair and Improvement of Part of the Ouellette Drain West - 3rd & Final Reading

Resolution # 20201214-486

That By-law 2019-094 being a by-law to provide for the Repair and Improvement of Part of the Ouellette Drain West be taken as having been read a 3rd & Final time, as amended, and the Mayor and Clerk BE AUTHORIZED to sign same.

21.3 By-law 2020-072 - Confirmatory By-law

Resolution # 20201214-487

That By-law 2020-072 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on November 17th, December 11th and 14th, 2020, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20201214-488

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That Council move into an In-Camera Meeting of Council at 2:13 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

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

The Mayor put the Motion.

Motion Carried

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

There were no disclosures of pecuniary interest noted.

ADJOURNMENT @ 2:26 P.M.

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING – PLANNING

Monday, January 11, 2021
5:30 PM

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

Frank Garardo, Manager of Planning Services

All members of Council participated in the meeting through video conferencing technology from remote locations. Public participation was conducted via livestream.

CALL TO ORDER

The Mayor called the meeting to order at 5:35 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

SPECIAL PLANNING REPORTS

4.1 Zoning By-law Amendment for 4431 County Road 20

The Manager of Planning Services provided an overview of the proposed Zoning By-law Amendment for 4431 County Road 20.

The applicant was not present.

There were no comments submitted by the public.

Resolution # 20210111-001

Moved By Councillor Prue

Seconded By Councillor Renaud

That comments from the public with respect to Zoning By-law Amendment for lands at 4431 County Road 20 (File ZBA-01-21), owned by George and Ruth VandenBrink, BE RECEIVED and SUMMARIZED in a future report to Council.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 5:46 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, January 11, 2021
6:00 PM**

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

All members of Council participated in the meeting through video conferencing technology from remote locations. Public participation was conducted via livestream.

CALL TO ORDER

The Mayor called the meeting to order at 6:11 p.m.

ROLL CALL

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

Item # 11.1 - Councillor Prue advised that he may have a pecuniary interest with respect to the Town of Carleton Place's resolution regarding COVID-19 Childcare Funding. He advised that he will declare a pecuniary interest if Council opts to discuss the item when it is before them.

REPORT OUT FROM IN-CAMERA SESSION - December 18, 2020

Council met on December 18th, 2020, for a Special In-Camera Meeting at 2:13 p.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

Item A was heard under Section 239(2)(b) of the Act. There is nothing further to report.

MINUTES OF PREVIOUS MEETING

Resolution # 20210111-002

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

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

- 5.1 **Special Council Meeting Minutes - December 11, 2020**
- 5.2 **Special In-Camera Council Meeting Minutes - December 11, 2020**

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There we no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

8.1 Kingsbridge Subdivision Phase 7A/9A - Acceptance and Assumption of Infrastructure

Resolution # 20210111-003

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. **The recommendations in the letter regarding Kingsbridge Development Phase 7A/9A dated December 08, 2020 from the consulting engineer, Baird AE BE ACCEPTED; and,**
2. **The underground infrastructure for Kingsbridge Subdivision – Phase 7A/9A BE ACCEPTED and ASSUMED.**

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Kingsbridge Subdivision Phase 10- Subdivision Agreement File No. 37-T-20003

Resolution # 2021011-004

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. **The Corporation of the Town of Amherstburg ENTER INTO a Subdivision Agreement with 1027579 Ontario Limited and 1078217 Ontario Limited for Kingsbridge Subdivision Phase 10; and,**

2. **By-law 2021-001 being a By-law to authorize the signing of a Subdivision Agreement for Kingsbridge Subdivision Phase 10 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

There were no reports.

CONSENT CORRESPONDENCE

Resolution # 20210111-005

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the following consent correspondence BE RECEIVED:

- 11.1 **COVID-19 Childcare Funding - Town of Carleton Place**
- 11.2 **Requesting Longer Grant Application Timelines - Township of Matachewan**

The Mayor put the Motion.

Motion Carried

Councillor Prue declared a conflict of pecuniary interest with respect to Item # 11.1 and removed himself from discussion and voting. He advised that he is the Director of Ska'Na Family Services which would benefit from increased funding.

Resolution # 20210111-006

Moved By Councillor Simone
Seconded By Councillor Courtney

(Item # 11.1) - That Administration BE DIRECTED to send a letter in support of the Town of Carleton Place's request to the Provincial Government regarding COVID-19 Childcare Funding.

The Mayor put the Motion.

Motion Carried

Resolution # 20210111-007

Moved By Councillor Simone
Seconded By Councillor Courtney

(Item # 11.2) - **That Administration BE DIRECTED to send a letter in support of the Township of Matachewan's request that the application deadline on any further grants have a longer turn around time.**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

12.1 Heritage Committee Minutes - November 12, 2020

Resolution # 20210111-008

Moved By Councillor Simone
Seconded By Councillor Prue

That Administration BE DIRECTED to engage the owners of 247 Brock Street in a discussion about designating the property.

The Mayor put the Motion.

Motion Carried

12.2 Drainage Board Meeting Minutes - January 5, 2021

Resolution # 20210111-009

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

- 1. The Drainage Board Meeting Minutes of January 5, 2021 BE RECEIVED;**
- 2. Bylaw 2021-002 being a by-law to provide for the Bridges Over the Cook Drain based on the Drainage Report by N.J. Peralta Engineering**

Ltd. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.;

- 3. The request from Matt and Shelley Kelly for improvements to the McBride Road Branch of the Willow Beach per Section 78 of the Drainage Act BE ACCEPTED; as recommended by the Drainage Board;**
- 4. The appointment of the firm of N.J. Peralta Engineering Ltd. to complete the necessary report for the repair and improvement to the McBride Road Branch of the Willow Beach BE APPROVED, as recommended by the Drainage Board;**
- 5. The report from the Drainage Superintendent and Engineering Coordinator dated December 10, 2020, regarding the Subsequent Disconnection – Ouellette Drain West (Section 65(4)) BE RECEIVED; as recommended by the Drainage Board;**
- 6. The engineer’s report, prepared by RC Spencer Associates Inc. on December 1, 2020, for the Subsequent Disconnection – Ouellette Drain West (Section 65(4)) BE RECEIVED; as recommended by the Drainage Board;**
- 7. The assessment adjustments as listed in the engineering report prepared by RC Spencer Associates Inc. BE APPROVED, as recommended by the Drainage Board;**
- 8. The report from the Drainage Superintendent and Engineering Coordinator dated December 10, 2020, regarding Various Drainage Apportionments BE RECEIVED; as recommended by the Drainage Board; and,**
- 9. The drainage apportionments BE APPROVED as listed, as recommended by the Drainage Board:**
 - Consent B/34/19 - Drainage Apportionments for the Ong Drain & Sunset Beach Pumping Scheme – 5671 County Road 18.**
 - Consent B/4/20 – Drainage Apportionments for the Mickle Drain & Sunset Beach Pumping Scheme – 1514 Goodview Ave.**
 - Consent B/5-6-7/20 – Drainage Apportionments for the Ouellette Drain East and Long Marsh Drain – 754 Concession 2N**

- **Consent B/16/20 – Drainage Apportionments for the 8th Concession Drain South and Long Marsh Drain – 8471 Howard Ave.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Prue asked for an update with respect to the report regarding the development of the north end of Boblo Island (Resolution # 20191015-497).

The Manager of Planning Services advised that the background research has been completed and Administration is currently working with solicitors for final opinions and the report will be before Council shortly.

2. Councillor Prue asked for an update with respect to the report regarding the Agent of Change by-law (Resolution # 20200309-096).

The Manager of Planning Services advised that it will be before Council in the 1st quarter of 2021.

3. Councillor Prue asked for an update with respect to accessible on-demand taxi service in the Town (Resolution # 20200309-094).

The Clerk advised that Manager of Licensing and Enforcement and the Policy and Committee Coordinator are actively working on a report for Council and it is expected in the 2nd quarter.

4. Councillor Prue asked for an update with respect to the Ward vs. At-large system election (Resolution # 20200622-082).

The Clerk advised that it will be before Council within the next couple of meetings.

5. Councillor Prue asked for an update with respect to an idling by-law (Resolution # 20200914-293).

The Director of Engineering and Public works advised that she anticipates this item before Council in this quarter and she will confirm with the Manager of Licensing and Enforcement as to the status of that item.

6. Councillor Courtney asked for an update with respect to the former Honeywell site (Resolution # 20200224-078).

The Chief Administrative Officer advised that discussions are on-going and the Development Commission is looking to make a presentation to the Economic Development Advisory Committee once committee meetings start back up.

7. Councillor Courtney asked for an update with respect to the report regarding the regulation of Air B&B's.

The Chief Administrative Officer advised that the Manager of Licensing and Enforcement has been researching by-laws from other municipalities and is actively working on this item.

NEW BUSINESS

1. Deputy Mayor Meloche asked for an update with respect to the 2nd Concession North bridge.

The Manager of Engineering advised that he cannot provide a completion date as it is dependant on the outcome of testing that is currently being conducted. He advised the goal is to have the sheet piling removed by March 15th and if successful, the project will move along quickly from there. If not successful by March 15th, the project will have to be put on hold until July 15th due to the In Water works that ERCA is required to complete. He further advised that the bridge will be complete in 2021.

2. Councillor Courtney asked if Council can receive the job description for the approved in-house lawyer position and what type of law experience is the lawyer required to have.

The Chief Administrative Officer advised the in-house municipal lawyer will be required to provide legal advice and risk avoidance on municipal matters such as labour and employment law, real estate law, development law, and land use planning.

3. Councillor Courtney asked if there was going to be a greenhouse by-law coming forward for Council's consideration.

The Chief Administrative Officer advised that protective measures to avoid nuisance odour and/or light pollution are addressed in site plan control; and further, that a by-law is in the Manager of Licencing and Enforcement's work plan for 2021.

4. Councillor Prue thanked the staff at Richmond Terrace for maintaining and adhering to the strict measures set out by the Windsor-Essex County Health Unit to keep Amherstburg long term care residents safe.

NOTICE OF MOTION

15.1 Councillor Simone - Support of Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff

(As brought forward at the December 14, 2020, Regular Council Meeting)

Resolution # 20210111-010

Moved By Councillor Simone
Seconded By Councillor Prue

Whereas it is estimated that at least 40 million men, women and children around the world are victims of modern slavery, a term that is not explicitly defined by international law but encompasses a whole series of practices, including sex and other trafficking and forced marriage, in which a person is exploited or forced to work through violence, threats, coercion, abuse of power or fraud;

And Whereas, of these, 16 million human beings, both adults and children, are trafficked for forced labour in the private sector, according to International Labour Organization estimates;

And Whereas Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff, is a tool for transparency to fight against modern slavery and will help Canada to more strictly adhere to the letter of its international commitments;

And Whereas Town of Amherstburg Council understands the severity of modern slavery and wishes to assist in motivating businesses to eliminate the use of any form of child labour in their global supply chains, and

empower consumers and investors to engage meaningfully on this important issue;

Now therefore let it be resolved that Town of Amherstburg Council supports Bill S-216, an Act to enact the Modern Slavery Act and a letter indicating Council's support be sent to the Honourable Julie Miville-Dechene, local MP's and MPP's for their information, the Senate, the House of Commons, and all regional Town Councils.

The Mayor put the Motion.

Motion Carried

BY-LAWS

16.1 By-law 2021-005 - Confirmatory By-law

Resolution # 20210111-011

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That By-law 2021-005 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on January 11, 2021, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20210111-012

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 7:07 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

Item A - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

The Mayor put the Motion.

Motion Carried

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

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 7:12 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone

Seconded By Councillor Courtney

That Council RESUME Regular session at 7:15 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM SPECIAL IN-CAMERA SESSION – January 11, 2021

Council met on January 11th, 2021, for a Special In-Camera Meeting at 7:07 p.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

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

Resolution # 20210111-013

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That:

1. **The sale of the vacant lot on County Road 41 identified as an approximate 80 foot by 139 foot vacant lot located on the west side of County Road 41 described legally as Lots 13 & 14 Registered Plan 1292 Malden to Mr. Joshua Konopasky in the amount of \$85,000 (including costs) plus applicable taxes BE APPROVED; and,**
2. **The Mayor and Clerk BE AUTHORIZED to sign the required documents to complete the transaction prepared in form and content satisfactory to the Town's solicitor and financial content satisfactory the to the Director of Corporate Services.**

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 7:17 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, January 25, 2021
6:00 PM**

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

All members of Council participated in the meeting through video conferencing technology from remote locations. Public participation was conducted via livestream.

CALL TO ORDER

The Mayor called the meeting to order at 6:01 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

DELEGATIONS

4.1 Libro Centre Expansion Master Plan - Peter McIntyre, Amherstburg Indoor Sports Association

Resolution # 20210125-014

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

4.2 Cat Spay and Neuter Voucher Program - Lynn Sinasac, Amherstburg Cat Support Crew

There was some difficulty with the delegates zoom access and this item was dealt with once Ms. Sinasac was able to connect. *See below.*

REPORTS – CORPORATE SERVICES

5.1 Policy Amendment – Mandatory Face Covering During a Pandemic

Resolution # 20210125-015

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That the Mandatory Face Covering During a Pandemic Policy BE AMENDED as recommended in the report from the Manager of Human Resources dated January 7, 2021.

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

6.1 Libro Centre Expansion Master Plan

Resolution # 20210125-016

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That:

1. Administration **BE DIRECTED** to place the ball diamonds next to the Miracle League ball diamond at the Libro Centre;
2. Administration **PROCEED** with the trail system as outlined in the Libro Centre Expansion Master Plan map; and,
3. The balance of the Libro Centre Expansion Master Plan **BE DEFERRED** until it is known what is intended for other locations.

The Mayor put the Motion.

Motion Carried

Item # 4.2 and # 10.3 were heard at this time.

4.2 Cat Spay and Neuter Voucher Program - Lynn Sinasac, Amherstburg Cat Support Crew

Ms. Sinasac's zoom connection was established and she was able to address Council at this time.

Resolution # 20210125-017

Moved By Councillor McArthur

Seconded By Councillor Simone

That 20, no ear-tipping vouchers BE RELEASED to the Amherstburg Cat Support Crew as a pilot project subject to the cat organization meeting the conditions set by Administration.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

10.3 Cat Spay and Neuter Voucher Program Review

Resolution # 20210125-018

Moved By Councillor Renaud

Seconded By Councillor Prue

That the information report BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

7.1 Amending Agreement with Ontario Clean Water Agency

Resolution # 20210125-019

Moved By Deputy Mayor Meloche

Seconded By Councillor Courtney

That:

1. **An Amending Agreement to the Service Agreement between the Town and the Ontario Clean Water Agency to extend the Agreement to December 31, 2021 and to apply a two-percent (2%) inflationary increase to the 2020 Annual Price for the 2021 Term BE APPROVED;**
2. **An over-expenditure not to exceed \$4,600 for the Service Agreement BE APPROVED and that Administration report any surplus/deficit resulting from operations and related recommendations in the year end (Q4) variance report;**
3. **The Mayor and Clerk BE AUTHORIZED to execute the agreement with Ontario Clean Water Agency for Amherstburg Water and Wastewater Treatment Services; and,**
4. **By-law 2021-006 being a by-law to extend the service agreement with Ontario Clean Water Agency for the operation, maintenance and management of services for the Amherstburg Water and Wastewater systems for an additional twelve (12) months, be taken as having been read three times, and finally passed, and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

8.1 Zoning By-law Amendment for N/S County Road 20

Resolution # 20210125-020

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That By-law 2021-004 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as N/S County Road 20, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

9.1 Adoption of Flag Protocol

Resolution # 20210125-021

Moved By Councillor Prue

Seconded By Councillor Renaud

That the Flag Protocol BE ADOPTED as a policy in accordance with the January 5, 2021 report, Adoption of Flag Protocol.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20210125-022

Councillor Simone moved the motion with the exclusion of Item # 10.3 which was dealt with above.

Moved By Councillor Simone
Seconded By Councillor McArthur

That the following information reports BE RECEIVED:

- 10.1 Monthly Fire Department Activity Report- November and December 2020**
- 10.2 MMAH Financial Indicator Review (based on 2019 Financial Information Return)**
- ~~**10.3 Cat Spay and Neuter Voucher Program Review**~~

As dealt with above

- 10.4 Cheque Listing for the Month of December 2020**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20210125-023

Moved By Councillor McArthur
Seconded By Councillor Simone

That the following consent correspondence BE RECEIVED:

- 11.1 Windsor Police Service, Amherstburg Detachment - 4th Quarter Statistics**
- 11.2 Municipal Insurance Cost Increase - Municipality of Charlton and Dack Resolution**
- 11.3 Bill 229, Schedule 8, Protect, Support and Recover from COVID-19 Act - Municipality of West Grey Resolution**
- 11.4 Request to Immediately Reopen Small Businesses - United Counties of Stormont, Dundas, & Glengarry Resolution**
- 11.5 Photo Radar - Township of South-West Oxford Resolution**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

1. Councillor Simone advised of multiple requests for a 3-way stop on Richmond Street between Fryer Street and Richmond Street and asked if this concern has been looked at in the past.

The Director of Engineering advised that she isn't aware of that stretch being looked at in the past. She advised that the Traffic By-law is currently being looked at, as well as establishing a Traffic Calming policy to assist with these types of concerns when they arise. Lastly, she advised that a speed monitor set up will be added to the list for Richmond Street as a first step in gathering data in that location.

2. Councillor Simone asked for clarification with respect to which department Fire Services will reside in once the new Director of Community and Protective Services is hired.

The Chief Administrative Officer advised that the position was created as a result of the Service Delivery Review and that oversight of Fire Services will eventually reside with the Director of Community and Protective Services. The CAO confirmed that Chief Montone will continue to report to the CAO's Office and the transition of Fire Services will begin after Chief Montone retires and a new Fire Chief is in place.

3. Councillor Courtney advised of a resident's concerns with respect to speed and site lines for residential driveways as a result of increased truck traffic on Concession 3 North for the greenhouse development.

The Director of Engineering and Public Works advised that with respect to the topography, the site lines, and the resident's concerns, it may be more appropriate to engage in an engineering study specifically for that area. She advised that there are funds in the 2021 budget for engineering studies as it pertains to traffic concerns and in the interim, the speed monitor can be set up to gather data in that location.

4. Councillor Prue asked why there were so many trees taken down at Sandwich Street and Lowes Side Road.

The Director of Parks, Facilities, Recreation and Culture advised that the issue for that area, and many other areas within the Town, was that fast growing monocultures were planted and over the course of 30-50 years they became comprised relatively all at the same time. He advised that the Town's current Tree By-law no longer allows for monocultures to be planted.

The Director of Engineering and Public Works advised that the Town consults with an arborist who reviews tree conditions and removes trees where necessary.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

15.1 By-law 2021-007 - Confirmatory By-law

Resolution # 20210125-024

Moved By Councillor McArthur

Seconded By Councillor Renaud

That By-law 2021-007 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on January 25, 2021, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 9: 09 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



Delegation Request Form

I wish to appear before *

Council

Advisory Committee of Council

Date of Meeting *

2/8/2021



Name of Delegate(s) *

Robert Iannucci

Address *

[REDACTED]

Phone *

[REDACTED]

Email *

[REDACTED]

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? *

Katrina DiGiovanni

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 # *

Change the parking in front of the Queen Charlotte building to 1 or 2 hour parking

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	
 Parking QCB.docx 31.6 KB	Attachment below

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.



As a new tenant of the Queen Charlette building I found that every parking spot here is filled all day long with vendors that work elsewhere down the street. This leaves us at an incredible disadvantage. A lot of my business is pick ups and my customers will never have the opportunity to park nearby.

I did talk to Bryce at Happier Camper and he is also feeling the pain and the tremendous disadvantage.

I am asking to limit the parking in front of the Queen Chartlette building to 1 hour or 2 hour parking or make the rest of the downtown parking unlimited to make it fair to all.

Thank you for your prompt attention to this matter and looking forward to hearing from you very soon.

Robert Iannucci





Delegation Request Form

I wish to appear before *

Council

Advisory Committee of Council

Date of Meeting *

2/8/2021



Name of Delegate(s) *

Bryce May

Address *

[REDACTED]

Phone *

[REDACTED]

Email *

Bryce@happiercamper.com

Capacity in which you will be attending *

Attending as an Individual

Representing a Group / Organization

Name of Group / Organization / Business *

Happier Camper

Have you contacted Administration regarding this matter? *

Yes

No

Who from Town Administration have you contacted? *

Parking enforcement bi-law

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 # *

Parking on Dalhousie st to be fair for all.

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	
 AB07AF4B-71139-46F4-B1C8-995277206853.png 362.9 KB	Attachment below

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.

February 3, 2021 at 12:45 PM

As a tenant of the Queen Charlette building I found that every parking spot here is filled all day long with vendors that work elsewhere down the street. This leaves us at an incredible disadvantage. A lot of my business is pick ups and my customers will never have the opportunity to park nearby.

I am asking to limit the parking in front of the Queen Chartlette building to 1 hour or 2 hour parking or make the rest of the downtown parking unlimited to make it fair to all.

Thank you for your prompt attention to this matter

Bryce

Happier Camper Canada





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING AND PUBLIC WORKS

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: Todd Hewitt	Report Date: January 19, 2021
Author's Phone: 519 736-3664 ext. 2313	Date to Council: February 8, 2021
Author's E-mail: thewitt@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Meadow View Estates Subdivision - Phase 1 - Accept and Assume Underground Infrastructure

1. **RECOMMENDATION:**

It is recommended that:

1. The recommendations in the letter from the consulting engineer, Stantec Consulting Ltd dated December 21, 2020 regarding Meadow View Estates Subdivision - Phase 1 **BE ACCEPTED**; and
2. The underground infrastructure for Meadow View Estates Subdivision - Phase 1 **BE ACCEPTED and ASSUMED.**

2. **BACKGROUND:**

Meadow View Estates Subdivision is located on the northwest corner of Meloche Road and Simcoe Street. Phase 1 includes two separate sections of Meadowview Drive, one section is accessed from Meloche Road and includes 42 semi-detached lots, and the second section is accessed from Richmond Street and includes 12 single family lots.

3. **DISCUSSION:**

In the fall of 2017, the Meadow View Estates Subdivision Phase 1 sanitary sewers, storm sewers and watermain were installed along with the placement of curbs and base asphalt along Meadowview Drive. The stormwater management pond was constructed in early 2018. At the March 19, 2018 Council meeting all infrastructure that was installed was placed on maintenance.

The Town attended a walkthrough with the consulting engineer Stantec Consulting Ltd. and the Developer on October 26, 2020, where the work was inspected. Minor deficiencies were identified which have since been addressed. Administration concurs with the recommendation of Stantec Consulting, in the attached correspondence dated December 21, 2020, to accept and assume the underground infrastructure for Meadow View Estates Subdivision – Phase 1.

4. RISK ANALYSIS:

The Town assumes a financial risk by assuming these assets. The assets will now be included in the Asset Management Plan (AMP) where the financial implications of future lifecycle maintenance and replacement must be considered.

5. FINANCIAL MATTERS:

The Town currently has a self-renewing letter of credit in the amount of \$459,352.25 for Meadow View Estates Subdivision Phase 1. This is equivalent to 25% of the value of the work on maintenance for this phase. This provides the Town with financial security to ensure future maintenance is performed or the Town can exercise its letter of credit. It should be noted that the stormwater pond was unintentionally omitted from the original security calculation for Phase 1.

Once the underground infrastructure is assumed by the Town the developer will be eligible to reduce the letter of credit from 459,352.25 to \$157,276. This new value includes 25% of the value of the work on maintenance (base asphalt, curbs and stormwater pond) as well as 100% of the work remaining (surface asphalt) including net HST.

The 2017 cost to the developer to place the infrastructure being accepted was \$549,555 (storm sewer), \$271,531 (sanitary sewer) and \$183,075 (watermain). On assumption of these assets, the Town will capitalize the cost of the underground infrastructure into the tangible capital asset (TCA) inventory and add it into the AMP for future infrastructure replacement. The value of the stormwater management pond and the road assets will be included in the asset inventory and AMP in future, when those assets are accepted and assumed.

6. CONSULTATIONS:

N/A

7. **CONCLUSION:**

It is recommended that the underground infrastructure for Meadow View Estates Subdivision – Phase 1 be accepted and assumed by the municipality.



Todd Hewitt

Manager of Engineering

Report Approval Details

Document Title:	2021 02 08 Meadowview Subdivision Phase 1 - Accept and Assume Underground Infrastructure.docx
Attachments:	- Stantec - Letter of Conformance 2020-12-21 Meadowview Phase 1.pdf
Final Approval Date:	Jan 29, 2021

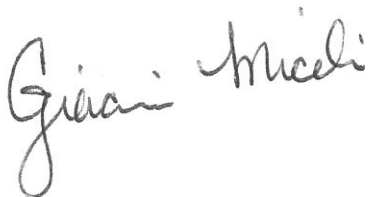
This report and all of its attachments were approved and signed as outlined below:



Antonietta Giofu



Cheryl Horrobin



John Miceli



Paula Parker



December 21, 2020
File: 165601289-1

Attention: Mr. Todd Hewitt
Manager of Engineering and Operations
Town of Amherstburg
512 Sandwich St. South,
Amherstburg, ON
N9V 3R2

Dear Sir,

**Reference: Acceptance of Underground Infrastructure
Meadow View Estates Subdivision – Phase 1
Town of Amherstburg**

Stantec attended the site for a walkthrough with the Town and developer for the above noted project on October 26, 2020 to review completed deficiency repairs, ascertain any outstanding work and deficiencies, and determine the project's suitability to proceed with placement of surface asphalt.

After the walkthrough, Stantec and the Town completed a review of the submitted maintenance period CCTV inspection videos/reports of Phase 1 sanitary and storm sewer systems. Based on Stantec's observations during the walkthrough and the completed review of the maintenance period sewer video inspection, all previous deficiency items or incomplete work identified for underground infrastructure have been completed or addressed at this time.

The value of the remaining work to be completed amounts to approximately \$51,360 made up as follows:

- Excavate/grade swale from walkway corridor to pond (\$4,780)
- Asphalt milling (\$5,000)
- Surface asphalt for road (\$41,580)

The Town noted that until the surface asphalt is placed, the base asphalt and concrete curbs would remain on maintenance. The value of the base asphalt and concrete curbs that were constructed amounts to \$90,515.88.

Taking into consideration that all the other infrastructure is complete for Phase 1 and is in good working order, Stantec recommends that the infrastructure for Phase 1 (excluding the above noted remaining work, base asphalt and concrete curbs) be removed from maintenance and assumed by the Town of Amherstburg. We further recommend that appropriate security deposits/holdbacks for the development be released to the developer. The value of all completed infrastructure for Phase 1 (excluding the above noted remaining work, base asphalt and concrete curbs) amounts to \$1,317,243.25.

December 21, 2020

Mr. Todd Hewitt

Page 2 of 2

**Reference: Acceptance of Underground Infrastructure
Meadow View Estates Subdivision – Phase 1
Town of Amherstburg**

If you have any questions, please contact the undersigned.

Sincerely,

Stantec Consulting Ltd.

Clarence Jubenville

Clarence Jubenville P. Eng.
Sr. Project Manager
Phone: 519-966-2250 ext 241
Fax: 519-966-5523
clarence.jubenville@stantec.com

c. Norbert Bolger – President of Nor-Built Construction

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THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING AND PUBLIC WORKS

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: Meadow View Estates Subdivision Phase 2 - Accept and Assume Underground Infrastructure

1. RECOMMENDATION:

It is recommended that:

- 1. The recommendations in the letter from the consulting engineer, Stantec Consulting Ltd dated December 21, 2020 regarding Meadow View Estates Subdivision - Phase 2 BE ACCEPTED; and
2. The underground infrastructure for Meadow View Estates Subdivision – Phase 2 BE ACCEPTED AND ASSUMED.

2. BACKGROUND:

Meadow View Estates Subdivision is located on the northwest corner of Meloche Road and Simcoe Street. Phase 1 was installed in late 2017 and Phase 2, which was installed in late 2018, completed the subdivision. Streets within Phase 2 are Meadowview Drive as well as Pearson Street, Caldwell Court and Ironside Street. There are 26 single family lots and 62 semi-detached units included in this phase.

3. DISCUSSION:

In the fall of 2018 the sanitary sewers, storm sewers and watermain for Meadow View Estates Subdivision Phase 2 were installed along with the placement of curbs and base asphalt. At the April 8, 2019 Council meeting the infrastructure was placed on maintenance.

The Town attended a walkthrough with the consulting engineer Stantec Consulting Ltd. and the Developer on October 26, 2020, where the work was inspected. Minor deficiencies were identified which were addressed along with one major deficiency that remains unresolved. The Town will hold additional monies on the security to ensure this repair is completed in the spring. Administration concurs with the recommendation of Stantec Consulting to accept and assume the underground infrastructure.

4. RISK ANALYSIS:

The Town assumes a financial risk by assuming these assets. The assets will now be included in the Asset Management Plan (AMP) where the financial implications of future lifecycle maintenance and replacement must be considered.

5. FINANCIAL MATTERS:

The Town currently has a self-renewing letter of credit in the amount of \$1,019,345.75 for Phase 2. This is equivalent to 50% of the value of the work on maintenance for this phase. This provides the Town with financial security to ensure future maintenance is performed or the Town can exercise its letter of credit. This letter of credit was not reduced by the developer when the infrastructure was initially accepted.

Once the underground infrastructure is assumed by the Town the developer will be eligible to reduce the letter of credit from 1,019,345.75 to \$255,448. This new value includes 25% of the value of the work on maintenance (base asphalt and curbs), the one major deficiency as well as 100% of the work remaining (sidewalks and surface asphalt), including net HST.

The 2018 cost to the developer to place the infrastructure being accepted was \$530,265 (storm sewer), \$347,795 (sanitary sewer) and \$321,965 (watermain). On assumption of these assets, the Town will capitalize the cost of the underground infrastructure into the tangible capital asset (TCA) inventory and add it into the AMP for future infrastructure replacement. The value of the road assets will be included in the asset inventory and AMP in future, when those assets are accepted and assumed.

6. CONSULTATIONS:

None

7. CONCLUSION:

It is recommended that the underground infrastructure for Meadow View Estates Subdivision Phase 2 be accepted and assumed.



Todd Hewitt
Manager of Engineering

Report Approval Details

Document Title:	2021 02 08 Meadowview Subdivision Phase 2 - Accept and Assume Underground Infrastructure.docx
Attachments:	- Stantec Letter of Conformance 2020-12-21 Meadowview Phase 2.pdf
Final Approval Date:	Jan 29, 2021

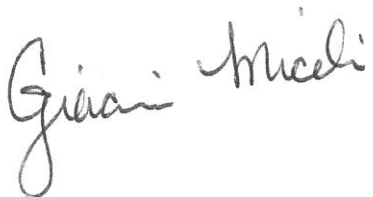
This report and all of its attachments were approved and signed as outlined below:



Antonietta Giofu



Cheryl Horrobin



John Miceli



Paula Parker



December 21, 2020
File: 165601289-2

Attention: Mr. Todd Hewitt
Manager of Engineering and Operations
Town of Amherstburg
512 Sandwich St. South,
Amherstburg, ON
N9V 3R2

Dear Sir,

**Reference: Acceptance of Underground Infrastructure
Meadow View Estates Subdivision – Phase 2
Town of Amherstburg**

Stantec attended the site for a walkthrough on October 26, 2020 to review completed deficiency repairs, ascertain any outstanding work and deficiencies, and determine the project's suitability to proceed with placement of surface asphalt.

After the walkthrough, Stantec and the Town completed a review of the submitted maintenance period CCTV inspection videos/reports of Phase 2 sanitary and storm sewer systems.

With regards to the deficiency list for underground infrastructure, Stantec offers the following:

1. A section of 750 mm dia. HDPE storm pipe between MH 8 and MH 4 is damaged and requires repair. The section of pipe is located in the boulevard approx. 3 m upstream of MH 8 at the northeast intersection of Ironside Street and Meadowview Avenue.
 - a. It is our understanding that the Owner, in coordination with Stantec, will address this issue prior to the placement of surface asphalt scheduled for Spring 2021.
 - i. In Stantec's opinion, this work represents a value of approximately \$4,000.00 to address and/or complete.

The value of the remaining work to be completed amounts to approximately \$199,860 made up as follows:

- Clean, regrade and compact granular pathway through walkway corridor (\$2,000)
- Place, grade, compact supplemental Granular 'A' for walkway (\$3,250)
- Walkway surface asphalt (\$18,400)
- Asphalt milling (\$2,000)
- Surface asphalt (\$81,900)
- Concrete Sidewalk (\$92,310)

December 21, 2020
Mr. Todd Hewitt
Page 2 of 2

**Reference: Acceptance of Underground Infrastructure
Meadow View Estates Subdivision – Phase 2
Town of Amherstburg**

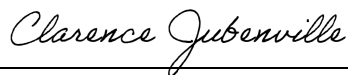
The Town noted that until the surface asphalt is placed, the base asphalt and concrete curbs would remain on maintenance. The value of the base asphalt and concrete curbs that were constructed amounts to \$191,933.96.

Taking into consideration that all the other infrastructure is complete for Phase 2 and is in good working order, Stantec recommends that the infrastructure for Phase 2 (excluding the above noted remaining work, base asphalt and concrete curbs) be removed from maintenance and assumed by the Town of Amherstburg. We further recommend that appropriate security deposits/holdbacks for the development be released to the developer. The value of all completed infrastructure for Phase 2 (excluding the above noted remaining work, base asphalt and concrete curbs) amounts to \$1,566,932.02.

If you have any questions, please contact the undersigned.

Sincerely,

Stantec Consulting Ltd.



Clarence Jubenville P. Eng.
Sr. Project Manager
Phone: 519-966-2250 ext 241
Fax: 519-966-5523
clarence.jubenville@stantec.com

c. Norbert Bolger – President of Nor-Built Construction
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THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING, DEVELOPMENT & LEGISLATIVE 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: Removal of Part Lot Control – Kingsbridge Phase 5

1. RECOMMENDATION:

It is recommended that:

- 1. The application for Removal of Part Lot Control for Part of Lots 11 and 12, Concession 1, being Blocks 17, 18, 20, 22, 24, 26 through 32 inclusive, 34, 35, 36 and 37 on Plan 12M-669, known locally as Kingsbridge Subdivision, BE APPROVED; and,
2. By-law 2021-003 being a by-law to remove certain lands from Part Lot Control be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

2. BACKGROUND:

The Town is in receipt of an application for part lot control exemption under Section 50 of the Planning Act, R.S.O. 1990 c.P. 13, for Part of Lots 11 and 12, Concession 1, being Blocks 17, 18, 20, 22, 24, 26 through 32 inclusive, 34, 35, 36 and 37 on Plan 12M-669, known locally as Kingsbridge 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 Exemption applications are alternative forms of land division to Plans of Subdivision and Consents. The Part Lot Control Exemption By-law will usually be in place for a fixed period of time, after which the By-law will expire and the Part Lot Control provisions of the Planning Act come force and effect. Part Lot Control is most commonly used for townhouse developments after construction has started to accurately set the boundary lines between the townhouse units, create the parcels for sale and transfer the ownership.

3. DISCUSSION:

The Town is in receipt of a request from Jeffrey A. Baker, Solicitor for 1078217 Ontario Limited and 1027579 Ontario Limited, for a portion of the Kingsbridge Subdivision development requesting that Council pass a By-law under Section 50 of the *Planning Act*, exempting Part Lot Control for Part of Lots 11 and 12, Concession 1, being Blocks 17, 18, 20, 22, 24, 26 through 32 inclusive, 34, 35, 36 and 37 on Plan 12M-669, in the above, more particularly described as;

- Block 17, Plan 12M-669, designated as Parts 133-144 inclusive on Reference Plan 12R- 28480;
- Block 18, Plan 12M-669, designated as Parts 109-120 inclusive on Reference Plan 12R- 28480;
- Block 20, Plan 12M-669, designated as Parts 85-96 inclusive on Reference Plan 12R- 28480;
- Block 22, Plan 12M-669, designated as Parts 37-48 inclusive on Reference Plan 12R- 28480;
- Block 24, Plan 12M-669, designated as Parts 1-12 inclusive on Reference Plan 12R- 28480;
- Block 26, Plan 12M-669, designated as Parts 25-36 inclusive on Reference Plan 12R- 28480;
- Block 27, Plan 12M-669, designated as Parts 49-60 inclusive on Reference Plan 12R- 28480;
- Block 28, Plan 12M-669, designated as Parts 73-84 inclusive on Reference Plan 12R- 28480
- Block 29, Plan 12M-669, designated as Parts 97-108 inclusive on Reference Plan 12R- 28480;
- Block 30, Plan 12M-669, designated as Parts 61-72 inclusive on Reference Plan 12R- 28480;
- Block 31, Plan 12M-669, designated as Parts 121-132 inclusive on Reference Plan 12R- 28480;
- Block 32, Plan 12M-669, designated as Parts 145-156 inclusive on Reference Plan 12R- 28480;
- Block 34, Plan 12M-669, designated as Parts 157-168 inclusive on Reference Plan 12R- 28480;
- Block 35, Plan 12M-669, designated as Parts 169-180 inclusive on Reference

Plan 12R- 28480;

- Block 36, Plan 12M-669, designated as Parts 181-192 inclusive on Reference Plan 12R- 28480; and
- Block 37, Plan 12M-669, designated as Parts 13-24 Inclusive on Reference Plan 12R- 28480;

Approval of the Part Lot Control Exemption By-law will allow for the transfer of 87 lots for townhouse units. Subsection 7 of Section 50 of the Planning Act, R.S.O. 1990, c.P. 13, provides Council with this authority subject to approval of the By-law by the County of Essex.

We have therefore prepared By-law 2021-003 for Council consideration providing that Subsection 5 for Section 50 of the *Planning Act*, R.S.O. 1990, c.P. 13, does not apply to the above mentioned lots. Section 50 (7) states:

Designation of lands not subject to part lot control

(7) Despite subsection (5), the council of a local municipality, may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law. 1996, c.4, s27(3).

Subsection 7.3 of Section 50 of the *Planning Act*, R.S.O 1990, c.P.13 provides that the By-law concludes at the expiration of the time period specified in the By-law. Administration has prepared By-law 2021-003 providing for an expiration date of January 25, 2024. Part Lot Control will apply to the lands described upon expiration of the by-law.

In May of 2020, the applicant entered into a subdivision agreement with the Town of Amherstburg that has been registered against the lands. The new construction will be required to adhere to the subdivision agreement.

4. RISK ANALYSIS:

The recommendation presents little to no risk to the municipality. The applicant will be responsible for applying for all necessary permits. When the parcels which are set out on the Plan of Subdivision are conveyed to individual owners, the Part Lot Control Exemption By-law is allowed to lapse. A three year expiration date is a reasonable limit to allow the construction and conveyance of the units. If the construction of the units is not complete within the three year time frame the applicant can request an extension and renew the Part Lot Control Exemption By-Law.

5. FINANCIAL MATTERS:

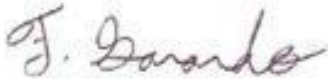
All costs associated with the application are the responsibility of the applicant. There are no other financial implications resulting from the adoption of the Part Lot Control Exemption By-law.

6. **CONSULTATIONS:**

Rebecca Belanger, Manager of Planning for the County of Essex was consulted as the approval authority for Part Lot Control Exemption applications throughout Essex County.

7. **CONCLUSION:**

Administration is recommending the approval of the request for part lot control exemption as the proposal is in compliance with the Town's planning documents and the Planning Act, R.S.O. 1990, c.P. 13. Council has the authority to pass the By-law and direct it to the County for final approval.



Frank Garardo
Manager, Planning Services

JM

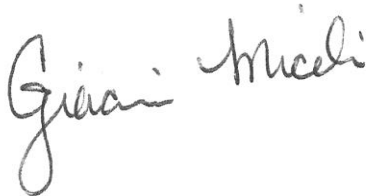
Report Approval Details

Document Title:	Kingsbridge Phase 5 Part Lot Control Exemption.docx
Attachments:	- Report to Council- January 25- Kingsbridge Phase 5 Part Lot Control Exemption- ATTACHMENTS.pdf
Final Approval Date:	Jan 29, 2021

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



Cheryl Horrobin



John Miceli



Paula Parker

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2021-003

**A by-law to remove certain lands from
Part Lot Control
(Registered Plan 12M-669)**

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-669.

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 HEREBY 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 the following;

- Block 17, Plan 12M-669, designated as Parts 133-144 inclusive on Reference Plan 12R- 28480;
- Block 18, Plan 12M-669, designated as Parts 109-120 inclusive on Reference Plan 12R- 28480;
- Block 20, Plan 12M-669, designated as Parts 85-96 inclusive on Reference Plan 12R- 28480;
- Block 22, Plan 12M-669, designated as Parts 37-48 inclusive on Reference Plan 12R- 28480;
- Block 24, Plan 12M-669, designated as Parts 1-12 inclusive on Reference Plan 12R- 28480;
- Block 26, Plan 12M-669, designated as Parts 25-36 inclusive on Reference Plan 12R- 28480;
- Block 27, Plan 12M-669, designated as Parts 49-60 inclusive on Reference Plan 12R- 28480;
- Block 28, Plan 12M-669, designated as Parts 73-84 inclusive on Reference Plan 12R- 28480;
- Block 29, Plan 12M-669, designated as Parts 97-108 inclusive on Reference Plan 12R- 28480;
- Block 30, Plan 12M-669, designated as Parts 61-72 inclusive on Reference Plan 12R- 28480;
- Block 31, Plan 12M-669, designated as Parts 121-132 inclusive on Reference Plan 12R- 28480;
- Block 32, Plan 12M-669, designated as Parts 145-156 inclusive on Reference Plan 12R- 28480;
- Block 34, Plan 12M-669, designated as Parts 157-168 inclusive on Reference Plan 12R- 28480;

- Block 35, Plan 12M-669, designated as Parts 169-180 inclusive on Reference Plan 12R- 28480;
- Block 36, Plan 12M-669, designated as Parts 181-192 inclusive on Reference Plan 12R- 28480; and
- Block 37, Plan 12M-669, designated as Parts 13-24 Inclusive on Reference Plan 12R- 28480;

and locally known as a portion of Kingsbridge 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 8th day of February, 2024.

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

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER

DRAFT

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (SRS) (2011.0). COORDINATE VALUES ARE TO AN URBM ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10.

POINT ID	NORTHING	EASTING
ORP-A	N4656422.88	E325982.98
ORP-B	N4656523.27	E325923.98

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

CURVE SCHEDULE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	16.00	7.63	7.56	N07°31'00"W
C2	16.00	2.56	2.56	N07°25'10"W
C3	16.00	1.53	1.53	N07°45'00"W
C4	16.00	3.54	3.53	N16°50'50"W
C5	15.00	38.99	28.89	N51°09'40"E
C6	15.00	2.84	2.84	N09°06'50"W
C7	15.00	1.57	1.57	N68°44'00"W
C8	15.00	34.42	27.35	N42°32'40"E
C9	15.00	37.00	28.31	N41°12'00"W
C10	16.00	7.05	6.99	N16°46'30"E
C11	15.00	4.51	4.50	N83°06'50"W
C12	16.00	4.10	4.08	N03°10'50"W

LEGEND

ALL MONUMENTS SHOWN THUSLY (A) ARE IRON BARS (B) UNLESS OTHERWISE NOTED.

(A) DENOTES 25mm x 25mm x 1.2m STANDARD IRON BAR
 (B) DENOTES 25mm x 25mm x 0.61m SHORT STANDARD IRON BAR
 (C) DENOTES 25mm x 16mm x 0.61m IRON BAR
 (D) DENOTES 25mm x 16mm x 0.61m ROUND IRON BAR
 (E) DENOTES 25mm x 25mm x 0.61m PLASTIC BARE

(F) DENOTES SURVEY MONUMENT SET AND MARKED 1744
 (G) DENOTES SURVEY MONUMENT SET AND MARKED 1744
 (H) DENOTES SURVEY MONUMENT SET AND MARKED 1744
 (I) DENOTES SURVEY MONUMENT SET AND MARKED 1744
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 (Z) DENOTES SURVEY MONUMENT SET AND MARKED 1744

LINE SUMMARY

LINE	BEARING	DISTANCE
A-B	N04°09'00"E	102.46
C-D	N04°09'00"E	102.46
E-F	N04°09'00"E	102.46

PLAN OF SURVEY
 OF
 BLOCKS 17, 18, 20, 22 and 24,
 BLOCKS 26 to 32, (Incl.)
 BLOCKS 34 to 37, (Incl.)
 PLAN 12M-669
 GEOGRAPHIC TOWNSHIP OF ANDERDON
 IN THE
 TOWN OF AMHERSTBURG
 COUNTY OF ESSEX, ONTARIO
 VERHAEGEN LAND SURVEYORS

NOTES

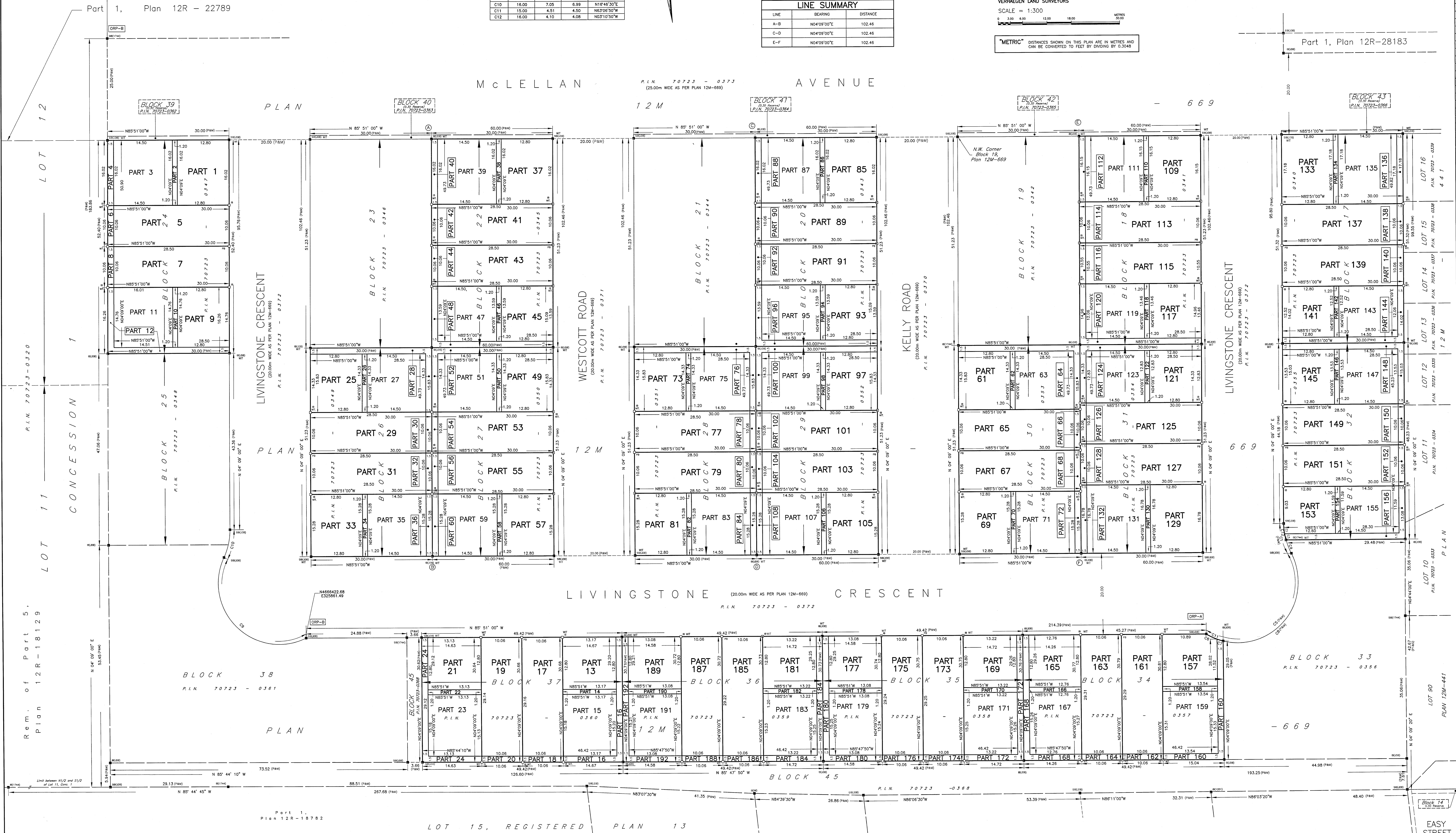
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (SRS) (2011.0).

DISTANCES ON THIS PLAN ARE GRID AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.9999450.

DATE: JANUARY 4, 2021
 DATE: 2021/01/05

ANDREW S. MARTHA
 ONTARIO LAND SURVEYOR

Linda Bussey
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND DIVISION OF ESSEX (12)



PART	PARTS SCHEDULE			PARTS SCHEDULE		
	LOT	CON/PLAN	P.L.N.	LOT	CON/PLAN	P.L.N.
1	ALL OF BLOCK 24		70723-0347	1	ALL OF BLOCK 29	70723-0352
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SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING, DEVELOPMENT & LEGISLATIVE 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: Building Activity Report for Months of October, November & December 2020

1. RECOMMENDATION:

It is recommended that:

- 1. The report from the Chief Building Official dated January 18, 2021 regarding the Building Activity Report for the month of October, November and December 2020 BE RECEIVED for information.

2. BACKGROUND:

At the regular Council meeting of April 11, 2016 Council passed the following resolution (Resolution # 2016411-145)

“The Administration BE DIRECTED to provide monthly activity reports from the Building Department, Fire Department and Police Services.”

3. DISCUSSION:

The building activity for the referenced period is indicated in the tables attached. A total of 116 building permits were issued over the three-month period. This includes 40 single family dwellings, 20 single family townhouse units, 7 detached garages, 11 sewage septic systems, 1 industrial and 1 institutional. A total of 75 permits were issued last year during the same time period. An increase of approximate 55% over last years results.

The last quarter of the year was extremely busy with the increase in lot inventory and continuous new home construction in the Kingsbridge subdivision. The new green house

industrial project and the new secondary school permit have been issued. During the three month a total of 768 inspections were conducted.

Monthly Building Activity for October 2020		
	October	Construction Value
Single Detached Dwelling	16	\$ 5,186,000.00
Semi Detached Dwelling		
Three Unit Townhouse		
Four Unit Townhouse	16	\$ 3,976,000.00
Apartment Building		
Secondary Suites		
Attached Garage	3	\$ 54,000.00
Detached Garage		
Barns & Pole Barns	3	\$ 425,000.00
Renovations		
Addition to Residence	3	\$ 524,000.00
Front Porch		
Shed	2	\$ 32,000.00
Sun Room		
Gazebo	1	\$ 20,000.00
Covered Porch		
Wood Decks		
Signs		
Moved Residences		
Demolition of Residence	1	\$ 12,000.00
Demolition of Other		
Commercial	1	\$ 100,000.00
Industrial		
Institutional		
Back Water Valve-Subsidy		
Plumbing Permit		
Heating Permit		
Pool House	3	\$ 76,000.00
Pool Permit	1	\$ 60,000.00
Septic Sytem	7	\$ 145,000.00
Solar Panels		
Tent		
Others	1	\$ 10,000.00
Totals	58	\$ 10,620,000.00

Monthly Building Activity for November 2020

	November	Construction Value
Single Detached Dwelling	15	\$ 5,041,000.00
Two Detached Dwelling		
Three Unit Townhouse		
Four Unit Townhouse	4	\$ 987,000.00
Apartment Building		
Secondary Suites	1	\$ 50,000.00
Attached Garage		
Detached Garage		
Barns & Pole Barns		
Renovations		
Addition to Residence	2	\$ 143,000.00
Front Porch		
Shed		
Sun Room		
Gazebo	1	\$ 19,000.00
Covered Porch	1	\$ 12,000.00
Wood Decks		
Signs		
Moved Residences		
Demolition of Residence		
Demolition of Other	1	\$ 5,000.00
Commercial		
Industrial	4	\$ 27,100,000.00
Institutional	1	\$ 21,000,000.00
Back Water Valve-Subsidy	1	\$ 5,000.00
Plumbing Permit		
Heating Permit		
Pool House		
Pool Permit	1	\$ 40,000.00
Septic System	3	\$ 63,000.00
Solar Panels		
Tent	1	\$ 1,000.00
Others		
Totals	36	\$ 54,466,000.00

Monthly Building Activity for December 2020

	December	Construction Value
Single Detached Dwelling	9	\$ 3,480,000.00
Semi Detached Dwelling		
Three Unit Townhouse		
Apartment Building		
Secondary Suites		
Attached Garage		
Detached Garage	4	\$ 217,000.00
Barns & Pole Barns	1	\$ 144,000.00
Renovations		
Addition to Residence		
Front Porch		
Shed	2	\$ 11,000.00
Sun Room		
Gazebo		
Covered Porch		
Wood Decks	1	\$ 5,000.00
Signs	1	\$ 1,000.00
Moved Residences		
Demolition of Residence		
Demolition of Other		
Commercial		
Industrial		
Institutional		
Back Water Valve-Subsidy		
Plumbing Permit	1	\$ 2,000.00
Heating Permit		
Pool House		
Pool Permit	1	\$ 34,000.00
Septic System	1	\$ 25,000.00
Solar Panels		
Tent		
Others	1	\$ 20,000.00
Totals	22	\$ 3,939,000.00

4. RISK ANALYSIS:

There is no identified risk related to this report.

5. FINANCIAL MATTERS:

The construction value for the three months (October to December 2020) was over \$69 million. The same time last year the construction value was at \$13.5 million. An increase of approximately \$55.5 million. The permit activity for the reporting period resulted in a corresponding permit revenue of \$471,631. In 2019 the revenue for the same time was \$117,319.

6. CONSULTATIONS:

Justin Rousseau, Treasurer

7. CONCLUSION:

This report is provided for information.



Angelo Avolio
Chief Building Official

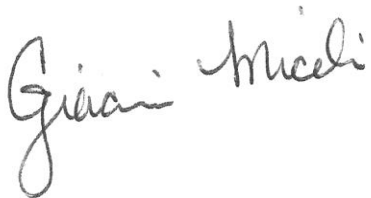
Report Approval Details

Document Title:	Building Activity Report for Months of October, November and December 2020.docx
Attachments:	
Final Approval Date:	Jan 29, 2021

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



Cheryl Horrobin



John Miceli



Paula Parker



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES, RECREATION & CULTURE

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: Pending Playground Equipment Removal from Wigle and Briar Ridge Parks

1. RECOMMENDATION:

It is recommended that:

- 1. The report from the Director of Parks, Facilities, Recreation and Culture dated January 11 2021, regarding the Recommendations – Playground Equipment Removal BE RECEIVED for information.

2. BACKGROUND:

A third party inspection was recently undertaken by Playchek Services Inc. on all Town playgrounds. These inspections are structured and performed as a positive risk-management tool to promote well designed, constructed, and maintained play equipment, protective surfaces, and playgrounds. Along with ongoing inspections undertaken by qualified Parks staff the third party inspection tracks the condition of park play structure equipment with recommendations for disposition. The third party inspection is undertaken on a 3 year cycle.

3. DISCUSSION:

Playchek Services Inc. is recommending that consideration should be given to the complete removal and/or replacement in a timely manner of five (5) playgrounds in Town.

This was reported to Council at the November 9th, 2020 meeting (Council report attached Appendix A) to which Council requested advanced notice for each of the units due to be removed prior to being undertaken.

Administration is reluctant to remove equipment until completely necessary as the surrounding neighbourhood could potentially be without playstructures for an unknown period of time.

Over the years, Parks staff have made repairs to keep the playstructures safe for use based on recommendations of the third party inspector. There comes a point however that repairs or alteration cannot be undertaken due to elements like parts availability, metal fatigue, making repairs over previous repairs and attrition of components which compromise the structure. Removal of sections where repairs could not be made are done on an as needed bases considering potential degree of hazards. This information report identifies to the removal of two (2) play units considered in the previous and most recent inspection reports.

Two sites prioritised for complete removal as soon as possible are:

- Wigle Park – 50 North Street
- Briar Ridge Park – 461 Briar Ridge

The Wigle Park unit at 50 North Street is adjacent to the large accessible playground and splashpad (Toddy Jones) essentially on the same site. This removal is specifically for the older play unit independent of the adjacent accessible unit. While this removal will cause a loss of play opportunity for the park and neighbourhood it is unlikely to have a significant impact due to the availability of equipment in close proximity.

The Briar Ridge Park unit is a stand alone equipment and its removal will impact play opportunity for that community. The nearest playstructure to Briar Ridge Park is Toddy Jones or Jack Purdie Parks.

4. RISK ANALYSIS:

Failure to remove equipment past its useful life expectancy and outside the margins of safety places the public, particularly a vulnerable demographic of the public, at risk of injury.

While numerous efforts have been undertaken over the years to extend the useful life expectancy the third party evaluation has consistently recommended removal. Failure to do so may result in action being taken against the Town for inaction.

5. FINANCIAL MATTERS:

Removal of the equipment is typically done with Parks staff and resources. These costs are budgeted for under the Parks budget centre.

Due to projected liability there is no resale of these units other than potential scrap metal value.

Replacement of units can cost upwards of \$200,000, considering size, theme and rubberized protective surfaces. The equipment being removed from Wigle Park is not

planned for replacement as there is already a viable play structure that will remain at that location. Upgrades to Briar Ridge Park are projected to be over five years away per the 2021 Capital 5 Year Outlook, based on limited funding and competing priorities.

6. CONSULTATIONS:

Town of Amherstburg – Certified Playground Inspector – Parks Department
Mr. Jim Sanders - Playchek Services Inc. – Inspector

7. CONCLUSION:

This report is to advise Council and the public that the play structures from the two sites listed will be removed, to ensure public safety and to limit risk to the Town..



Phil Roberts,
Director of Parks, Facilities,
Recreation and Culture

Report Approval Details

Document Title:	Information Report - Pending removal of Briar Ridge and Wigle Playstructures.docx
Attachments:	- 2020 11 09 - Playground Unit Removals.docx
Final Approval Date:	Jan 29, 2021

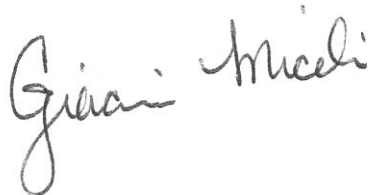
This report and all of its attachments were approved and signed as outlined below:



Phil Roberts



Cheryl Horrobin



John Miceli



Paula Parker



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES, RECREATION & CULTURE

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: 2020 11 09 - Playground Unit Removals.docx

1. RECOMMENDATION:

It is recommended that:

- 1. The report from the Manager of Parks and Naturalized Areas dated November 2, 2020, regarding the Recommendations – Playground Equipment Removal BE RECEIVED for information.

2. BACKGROUND:

Play units are an inherent source of risk and liability from unintentional injury for municipalities which has led to significant industry standard, oversight, regulation and inspection. While qualified Parks staff provide weekly and monthly inspection, a third party is contracted on a three year cycle to make formal recommendations on all the units within the Town's parks system.

A third party inspection was recently done by Playchek Services Inc (See attached Play Unit Reports). The inspections and subsequent reports are designed and intended as a positive risk-management tool to promote well designed, constructed, and maintained play equipment, protective surfaces, and playgrounds.

Playchek Services Inc. is a fully independent corporation that is not affiliated with any manufacturer, distributor, or service company involved in the supply, retrofit or repair, design, or servicing of playground equipment and/or protective surfacing.

Playchek Services Inc. provides a comprehensive playground inspection with regards to the published version of the CSA/Z614 Standard at the date of inspection.

3. DISCUSSION:

As a general summary, Playchek Services Inc. is recommending that consideration should be given to the complete removal and/or replacement in a timely manner of play units within five (5) parks. Also noted in the general summary, that removal of any playstructure, regardless of condition, should be considered as a last resort. All options for reconditioning, repairs, upgrade, and maintenance must be included within this decision.

Administration is reluctant to remove equipment until completely necessary as the surrounding neighbourhood could potentially be without a playstructure for several years.

Over the years, Parks staff have made repairs or reconditioned components to keep the playstructures certified for use, but there is only so much that can be done, as parts are hard to come by if at all on some of the older pieces. Removal of sections where repairs could not be made are done on an as needed bases considering potential degree of hazards.

Five sites recommended for complete removal of playstructures are as follows:

- Warren Mickle Park – 164 McLeod
- Malden Centre – 5460 County Road 20
- Briar Ridge Park - 461 Briar Ridge
- Wigle Park – 50 North Street
- Jack Purdie Park - 609 Richmond Street

Parks Master Plan Recommendation #41, identified as a HIGH priority, adopted by Council in 2018 states “Continue to replace traditional equipment with creative and challenging play structures. Short-term playground renewal efforts should focus on: Anderdon Park, Beaudoin Park, Briar Ridge Park, Golfview Park, Jack Purdie Park, Scodeller Park, and Warren Mickle Park.”

4. RISK ANALYSIS:

Strong consideration should be given to the removal of identified structures mentioned at the five parks listed above as part of risk-management due diligence. Failure to do so could result in injury, potentially severe, to a vulnerable portion of our population.

5. FINANCIAL MATTERS:

Removal of the play unit equipment can be done in-house using Town staff and equipment within the approved budget for park maintenance. There is no resale market for the removed equipment, though there may be a minor scape value.

The 2020 Budget includes a \$75,000 allowance for park improvements, which Council has authorized for use at Malden Park. The use of those funds will include removal of the

current play unit due to its position in the line of play which has presented a constant and real hazard and to being past its useful life expectancy without an opportunity to recondition. There are three separate play pieces remaining which are in relatively good condition which will be relocated and consolidated within the park but outside the area influence by ball play. There is no additional budget requirement. This concept has been communicated and accepted by stakeholders and user groups consulted.

Within the draft 2021 Budget there is a capital request of \$75,000 for improvements to Warren Mickle Park. If approved, Administration will be outlining during the public consultation sessions a concept to make this park a consolidated swing set park with the removal of the current play unit. The park could host a collection of swing sets, including an accessible swing.

This Warren Mickle Park play equipment unit is not a candidate for reconditioning and the Bar Point Park play unit is in the same residential area, relatively new and in close proximity.

The remaining parks will require future budget consideration for associated build out and asset replacement, though given funding constraints and competing demands some or all of the remaining three projects may not be recommended for funding within the next five years.

The estimated timeframe for replacement of play units and other park amenities will be identified and made available to the residential areas affected by removals. It is unlikely that reconditioning is an option for these units.

Jack Purdie Park will require public consultation further to Council's direction to review that Park as a potential relocation site for the skateboard park. During that consultation, residents would be made aware of the play unit condition, reconditioning potential and estimated timeframe for replacement, along with general Park improvement concepts.

Replacement of play equipment units and associated rubberized bases at each site can currently cost upwards of \$200,000, depending on park classification and public expectation after public consultation.

Play unit repairs, if possible, are funded within the Parks budget centre.

6. CONSULTATIONS:

Annette Zahaluk - Manager, Parks and Natural Areas
Amherstburg Parks Division staff that are certified playground inspectors
Jim Sanders - Playchek Services Inc.

7. **CONCLUSION:**

Administration will first address reconditioning or remove components of units that affect overall certification for the playstructures from the five sites listed. If reconditioning of components cannot be effectively undertaken then the unit will be removed in a timely manner.



Phil Roberts
Director of Parks, Facilities, Recreation and Culture

az

COPY

Report Approval Details

Document Title:	Playground Unit Removals.docx
Attachments:	- img-201030123657-0001.pdf - img-201030134117-0001.pdf - img-201030134326-0001.pdf - img-201030134424-0001.pdf - img-201030134520-0001.pdf - img-201030134644-0001.pdf
Final Approval Date:	Nov 4, 2020

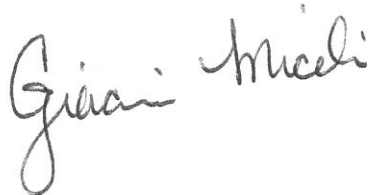
This report and all of its attachments were approved and signed as outlined below:



Phil Roberts



Cheryl Horrobin



John Miceli



Paula Parker

Dear Municipal Leaders:

We are writing to you regarding the province's announcement on January 13, 2021, of the impending closure of the Gravenhurst campus of the Ontario Fire College on March 31, 2021.

We know that at least two of the three associations quoted in the Ontario Government's press release were not informed that the government would close the Ontario Fire College in Gravenhurst!

The Ontario Government says its plan to modernize and regionalize fire service training will be more cost-effective and accessible to municipalities. Yet, the government has not shared a plan showing how these changes will provide training of equal value in a more cost-effective and accessible manner for municipalities across Ontario.

The province's regionalization model currently has Memorandums of Understanding (MOUs) with a mixed bag of 20 "Regional Training Centres" (RTCs) located in various parts of Ontario. The municipalities' cost to send one firefighter to an RTC range between \$300 and \$1,200 for the course alone. This cost does not include accommodations or meals.

The Gravenhurst campus of the Ontario Fire College has modern facilities and equipment where subject matter experts provide training in all fire service disciplines. The cost is \$65 for a municipality to send one firefighter to the college. That cost includes onsite accommodations and three meals a day. In shifting firefighter training to RTCs, the price for training our firefighters will shift to your municipality's taxpayers. If the government revives [O. Reg 379/18](#) (firefighter certification) while shuttering the college, the growth in training demand and cost will be significant.

The Fire Protection and Prevention Act, 1997, as amended, requires the fire marshal to "develop training programs and evaluation systems for persons involved in the provision of fire protection services." It also stipulates the fire marshal must "provide programs to improve practices relating to fire protection services" and "maintain and operate a central fire college."

As municipal leaders, would you prefer an affordable, cost-effective training model that keeps students in one location with up-to-date, technically accurate training facilities led by subject matter experts? Or a more expensive training model in multiple facilities that cannot match what the Ontario Fire College provides?

Please stand with us against this ill-conceived closure of the Ontario Fire College and the government's undefined plan. Let's keep your firefighters and community safe by keeping the ONLY provincial fire training facility in Ontario open. As municipal councils, we ask that you send a strong letter of rejection of this plan to your local Member of Provincial Parliament and lobby the Doug Ford government to reverse its decision.

Thank you for your consideration. If you have any questions or a need for further information please let us know.

Regards,

Chris McConnell
President, OPSEU Local 317

(Representing the workers of the Ontario Fire College)

705-801-5774
savetheofc@gmail.com

February 3, 2021

Via email: asimonian@augusta.ca

Township of Augusta
Attention: Annette Simonian, Clerk
3560 County Road 26
Prescott, ON
K0E 1T0

Dear Ms. Simonian:

RE: Correspondence – Ontario Fire College

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following was passed.

“Resolution #8(f)/02/02/21

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Township of Augusta regarding their request for support for the Province of Ontario to reverse their decision to close the Ontario Fire College, dated January 25, 2021;

AND FURTHER THAT this resolution be forwarded to the Township of Augusta, the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all Ontario Municipalities.

Carried.”

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

...2



**LAKE
OF BAYS**
• MUSKOKA •

T 705-635-2272
TF 1-877-566-0005
F 705-635-2132

TOWNSHIP OF LAKE OF BAYS
1012 Dwight Beach Rd
Dwight, ON P0A 1H0

Page 2

Sincerely,

Carrie Sykes, *Dipl. M.A., CMO, AOMC,*
Director of Corporate Services/Clerk.
CS/cw

Encl.

Copy to: Hon. Doug Ford, Premier of Ontario
Hon. Sylvia Jones, Ontario Solicitor General
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Jon Pegg, Ontario Fire Marshal
All Ontario Municipalities

TOWNSHIP OF AUGUSTA

Moved By: TANYA HEURCY

Date: January 25, 2021

Seconded By: JEFF SHAWEN

Resolution No: 4

WHEREAS the Ontario Fire College has been in existence since 1949; and

WHEREAS the Ontario Fire College is one of the primary sources of certified training for Ontario Firefighters; and

WHEREAS the Ontario Fire College has built a reputation of integrity, credibility, and reliability in providing some of the best training to our Fire Services within the Province of Ontario; and

WHEREAS the Ontario Fire College has been used to train and certify both Volunteer, Part-Time and Career firefighters throughout Ontario; and

WHEREAS the Ontario Fire College gives Ontario Firefighters another option other than Regional Training Centers to obtain National Fire Protection Association (NFPA) certifications; and

WHEREAS the Ontario Fire College is the most cost-effective method to certify Firefighters to NFPA Standards in Ontario; and

WHEREAS the Ontario Government enacted and revoked O. Reg. 379/18: Firefighter Certification in 2018; and

WHEREAS when the Ontario Government revoked O. Reg. 379/18: Firefighter Certification, it was made known by the Office of the Solicitor General that the act would be amended and brought back in the future; and

THEREFORE, BE IT RESOLVED THAT the Township of Augusta requests that the Province of Ontario reverse their decision to close the Ontario Fire College as the OFC is one of the best and most cost-effective methods for municipalities to train their firefighters which assists us in protecting our residents; and

BE IT FURTHER RESOLVED THAT this Resolution is forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all municipalities within the Province of Ontario.

RECORDED VOTE:

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: Donald
MAYOR

DEFEATED: _____
MAYOR

Declaration of pecuniary interest by: _____

Nature of interest: _____

- Disclosed His/Her/Their Interest
- Vacated His/Her/Their Seat
- Abstained from discussion and did not vote on the question

RECORDED VOTE:

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: Don Malanka
MAYOR

DEFEATED: _____
MAYOR

Declaration of pecuniary interest by: _____

Nature of interest: _____

- Disclosed His/Her/Their Interest
- Vacated His/Her/Their Seat
- Abstained from discussion and did not vote on the question

February 1, 2021

Sent by E-mail
sylvia.jones@pc.ola.org

Honourable Sylvia Jones
Solicitor General
18th Floor - 25 Grosvenor St.
Toronto, ON M7A 1Y6

Re: Community Safety & Well-Being Plan - Extension Request

Dear Solicitor General Jones,

The Township of Asphodel-Norwood is participating in a regional Community Safety & Well-Being Plan (CSWB) plan with the City of Peterborough and the eight (8) lower-tier municipalities located within the County of Peterborough. The decision to develop a joint plan was derived after consulting with our municipal neighbours. Our vision for a long-term tool that addresses the unique needs of our area while supporting safe, healthy, and sustainable communities by moving away from reactionary, incident-driven responses and re-focusing on proactive, collaborative initiatives to take the strain off the emergency response system is shared by all of our municipal partners; as the success of our community is dependent upon each and every individual's well-being.

Preparations are underway, but the response efforts needed to manage the COVID-19 outbreak have taken priority and an unprecedented amount of time, energy, and resources. A meaningful CSWB Plan requires extensive public consultation and engagement in order to prepare a document that is both comprehensive and in alignment with the legislative intent. Given the current political climate and the ongoing effects of the pandemic, a deadline extension for the completion and adoption of a CSWB Plan would be the most appropriate course of action. The Township appreciates the extension previously granted from January 1, 2021 to July 1, 2021, but humbly asks the Solicitor General consult with municipalities before prescribing a new deadline.

With that in mind, I put forward the following resolution for your consideration:

WHEREAS the Police Services Act, 1990, was amended on January 1, 2019 to mandate every municipality in Ontario to prepare and adopt a Community Safety and Well-Being (CSWB) Plan; and

WHEREAS the Ministry of Municipal Affairs and Housing introduced the Municipal Emergency Act, 2020 to assist municipal governments and local boards during the COVID-19 emergency; and

WHEREAS the protective measures municipalities have put in place to protect their communities, Councillors, and staff members include eliminating face-to-face meetings, closing municipal offices, and directing staff to work from home; and

WHEREAS Bill 189, Coronavirus (COVID-19) Support and Protection Act, 2020 was passed to amend various acts to support municipal, policing, and community partners during the pandemic;

NOW THEREFORE, BE IT RESOLVED that while these measures are imperative and necessary, they impose undue hardship on municipalities to meet provincial deadlines such as the completion and adoption of a Community Safety & Well-Being (CSWB) Plan prior to July 1, 2021. The Council of the Township of Asphodel-Norwood calls upon the Solicitor General to review the imposed deadline for municipalities to complete and adopt a Community Safety & Well-Being (CSWB) Plan in consultation with local governments to address the unique challenges facing individual regions.

Thank you in advance for your time and consideration of our request. Please do not hesitate to reach out should you require any further information..

Sincerely,



Candice White, CAO/Clerk/Treasurer
Township of Asphodel-Norwood

Cc: Ministry of Community Safety and Correctional Services
All Ontario Municipalities in Ontario

February 3, 2021

Via email: jrussell@mississippimills.ca

Municipality of Mississippi Mills
Attention: Jennifer Russell, Deputy Clerk
3131 Old Perth Road
PO Box 400
Almonte, ON K0A 1A0

Dear Ms. Russell:

RE: Correspondence – Request for Revisions to the Municipal Elections Act

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following resolution was passed.

“Resolution #8(a)/02/02/21

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Municipality of Mississippi Mills regarding support to amend the Municipal Elections Act to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list and to ensure that there is a clear and accessible way to report election fraud, dated January 18, 2021;

AND FURTHER THAT this resolution be forwarded to the Municipality of Mississippi Mills, Premier Doug Ford, Norm Miller, M.P.P. for Parry Sound-Muskoka, all Ontario Municipalities and the Association of Municipalities of Ontario.

Carried.”

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,
Director of Corporate Services/Clerk.
CS/cw
Encl.

Copy to: Hon. Doug Ford, Premier of Ontario
Hon. Norm Miller, M.P.P. for Parry Sound-Muskoka
All Ontario Municipalities

Hon. Steve Clark, Minister of Municipal Affairs and Housing
Association of Municipalities of Ontario



CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

3131 OLD PERTH ROAD · PO BOX 400 · RR 2 · ALMONTE ON · K0A 1A0

PHONE: 613-256-2064
FAX: 613-256-4887
WEBSITE: www.mississippimills.ca

January 18, 2021

Ministry of Municipal Affairs and Housing

17th Floor, 777 Bay Street
TORONTO, ON
M7A 2J3

Attention: The Honourable Steve Clark

Re: Request for Revisions to Municipal Elections

Dear Minister Clark,

On October 20, 2020 the Council of the Municipality of Mississippi Mills passed a resolution in support of Wollaston Township to request the Ministry of Municipal Affairs and Housing to review the *Municipal Elections Act* and provide amendments to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list and to ensure that there is a clear and accessible way to report election fraud and that the rules described in the *Municipal Elections Act* are actually enforceable even if there is not a current case law.

A copy of the resolution is attached for your reference.

Sincerely,

Jennifer Russell
Deputy Clerk
jrussell@mississippimills.ca
613-256-2064 x 225
3131 Old Perth Rd, PO Box 400
Almonte, ON K0A 1A0

cc. Premier Doug Ford, Daryl Kramp, AMO and all Ontario Municipalities

Attachment: Resolution No. 421-20



COUNCIL RESOLUTION

October 20, 2020

Resolution No 421-20

Moved by Deputy Mayor Minnille

Seconded by Councillor Dalgity

CW148-20 Info List Item #6 - Request for Revisions to Municipal Elections

BE IT RESOLVED, that the Council of the Municipality of Mississippi Mills ask Minister of Municipal Affairs and Housing, the Hon, Steve Clark, to review the Municipal Elections Act and provide amendments to ensure that loopholes are closed on any pay to play schemes in rural communities where non-resident electors are permitted to participate in elections so that \$100.00 leases do not tum into ballots for garden sheds;

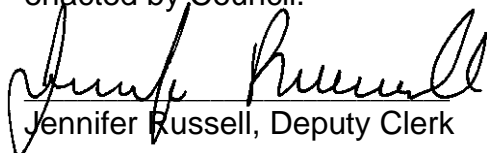
AND BE IT FURTHER RESOLVED, that the Council of the Municipality of Mississippi Mills ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to review the Municipal Elections Act and provide amendments to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list;

AND BE IT FURTHER RESOLVED, that the Council of the Municipality of Mississippi Mills ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that there is a clear and accessible way to report election fraud;

AND BE IT FURTHER RESOLVED, that the Council of the Municipality of Mississippi Mills ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that the rules described In the Municipal Elections Act are actually enforceable even if there is not current case law;

AND BE IT FURTHER RESOLVED, that support for this resolution be sent to Premier Doug Ford, Daryl Kramp, M.P.P. for Hastings-Lennox and Addington, all Ontario Municipalities and the Association of Municipalities of Ontario.

I, Jennifer Russell, Deputy Clerk for the Corporation of the Municipality of Mississippi Mills, do hereby certify that the above is a true copy of a resolution enacted by Council.


Jennifer Russell, Deputy Clerk



February 3, 2021

Via email: TArbuckle@bracebridge.ca

Town of Bracebridge
Attention: Mayor Graydon Smith
1000 Taylor Court
Bracebridge, ON
P1L 1R6

Dear Mayor Smith:

**RE: Correspondence – Request for Municipal Infrastructure Funding
Opportunities**

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following was passed.

“Resolution #8(d)/02/02/21

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Town of Bracebridge requesting the Federal and Provincial Governments provide immediate broad and substantial municipal Infrastructure Funding opportunities for well-planned, shovel-ready projects already prioritized under municipal asset management plans to provide immediate stimulus to the local, provincial and the federal economies in order to rebound from the impact of the COVID-19 pandemic, dated January 22, 2021.

AND FURTHER THAT this resolution be forwarded to the Town of Bracebridge, the Right Honourable Prime Minister of Canada, the Federal Minister of Infrastructure and Communities, the Honourable Premier of Ontario, the Ontario Minister of Finance, the Ontario Minister of Infrastructure, the Ontario Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, the Local Member of Parliament, the Local Member of Provincial Parliament, and all Ontario Municipalities.

Carried.”

...2

Page 2

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,
Director of Corporate Services/Clerk.

CS/cw

Encl.

Copy to: Right Honourable Prime Minister of Canada
Federal Minister of Infrastructure and Communities
Hon. Doug Ford, Premier of Ontario
Hon. Peter Bethlenfalvy, Minister of Finance
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Hon. Scott Aitchison, M.P. Parry Sound-Muskoka
Hon. Norm Miller, M.P.P. Parry Sound-Muskoka
Federation of Canadian Municipalities
Association of Municipalities of Ontario
All Ontario Municipalities

January 22, 2021

RE: Item for Discussion – Infrastructure Funding

At its meeting of January 20, 2021, the Council of the Corporation of the Town of Bracebridge ratified motion 21-GC-024, regarding Infrastructure Funding, as follows:

“WHEREAS the Association of Municipalities of Ontario (AMO) has reported that municipal governments own more of Ontario’s infrastructure than any other order of government, and most of it is essential to economic prosperity and quality of life;

AND WHEREAS municipalities deliver many of the services that are critical to residents in every community, and these services rely on well-planned, well-built and well-maintained infrastructure;

AND WHEREAS the Ontario Provincial Government has stated that universal asset management will be the foundation of its municipal infrastructure strategy because effective asset management planning helps ensure that investments are made at the right time to minimize future repair and rehabilitation costs and maintain assets;

AND WHEREAS Federal and Provincial infrastructure funding models now contain requirements for recipients to demonstrate that comprehensive asset management planning principles are applied when making decisions regarding infrastructure investment;

AND WHEREAS infrastructure funding limits need to be large enough to support significant projects that have a lasting community impact over multiple generations;

AND WHEREAS targeted funding for critical infrastructure is inconsistent with the principle foundation of an asset management strategy which prioritizes needs over wants and has resulted in underfunding of the wide range of infrastructure that municipalities are responsible for maintaining, such as arenas and libraries;

AND WHEREAS the Community, Culture and Recreation Stream of the Investing in Canada Infrastructure Program received demand of almost \$10 billion for a \$1 billion funding envelope;

AND WHEREAS broad eligibility for funding is more appropriate as municipalities best understand their infrastructure needs together with the needs of their community;

AND WHEREAS no and/or insufficient funding programs currently exist to fund the demonstrated need for the building, restoration and enhancement of community, culture and recreation assets;

AND WHEREAS funding the replacement of these needed capital assets is beyond the financial capacity of most communities;

AND WHEREAS the age of the Town of Bracebridge arena is greater than 70 years old, and the Library greater than 110 years old, requiring immediate replacement;

AND WHEREAS the Town of Bracebridge was recently denied any funding under the Community, Culture and Recreation stream of the Investing in Canada Infrastructure Program, despite clearly meeting the tests of proper asset management and identifying needs over wants;

AND WHEREAS the economy of Ontario has been negatively impacted by the ongoing measures implemented to reduce the spread of COVID-19;

NOW THEREFORE the Council of The Corporation of the Town of Bracebridge resolves as follows:

1. THAT the Federal and Provincial Governments provide immediate broad and substantial municipal funding opportunities for well-planned, shovel-ready projects already prioritized under municipal asset management plans to provide immediate stimulus to the local, provincial and the federal economies in order to rebound from the impact of the COVID-19 pandemic.
2. AND THAT this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Federal Minister of Infrastructure and Communities; the Honourable Premier of Ontario; the Ontario Minister of the Finance; the Ontario Minister of Infrastructure; the Ontario Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); the Local Member of Parliament (MP); the Local Member of Provincial Parliament (MPP); and all Municipalities in Ontario.

In accordance with Council's direction I am forwarding you a copy of the resolution for your attention.

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,



Graydon Smith
Mayor

25 January, 2021

Sent to all Clerks of Member Municipalities

Re: Essex Region Source Protection Committee – Municipal Representation

As required by the Clean Water Act, 2006, the Essex Region Source Protection Authority (ERSPA) has an established Source Protection Committee (SPC), which follows the guidance of Ontario Regulation 288/07 (O.Reg 288/07). The SPC is composed of 15 members, including five (5) representatives from the municipal sector. The remaining two-thirds of the SPC are representatives of key industries (e.g. agriculture, greenhouse operations, and fuel suppliers) and members of the public at large.

In 2007, the ERSPA striking committee proposed the following composition of municipal representation on the SPC.

- City of Windsor – 2 members
- Union Water Supply System – 1 member
- Town of Lakeshore – 1 member
- Town of Amherstburg – 1 member

The striking committee felt that those municipalities responsible for the Water Treatment Plants that provide the largest water supplies should have the opportunity to have representation on the SPC. A letter was sent to all Clerks of Member Municipalities on July 30, 2007 to this effect, and this distribution of representation was subsequently endorsed by all municipalities in 2007. At this time, the term of appointment is expiring for one municipal member, one municipal member is retiring and one municipal member has taken a new position and can no longer sit on the SPC in this role.

Ian Wilson, a member of the SPC since 2014 first in the Economic Sector and then filling an interim position for the City of Windsor since September 2020, will be stepping down from his position. Mr. Wilson was a valued member of the SPC, and will be missed. The City of Windsor has nominated Kevin Webb as their representative to the SPC. Mr. Webb is the City's Manager of Environmental Quality, which was previously held by Paul Drca. Mr. Webb brings a background of human health, laboratory analysis, and a passion for safe drinking water. We are pleased to have Mr. Webb join the SPC.

Municipal Councils are asked to endorse Mr. Webb prior to his formal appointment by the Essex Region Source Protection Authority as a regular SPC member. In keeping with our previous practices, at this time we are asking that all member Municipalities endorse the following individuals' appointment to the Essex Region Source Protection Committee:

- **Kevin Webb, City of Windsor**, appointment date: April 14, 2021; expiration of appointment: April 14, 2026

Responses in the form of Council Resolutions are kindly requested by **1 March, 2021**. The Essex Region Source Protection Authority is scheduled to address this matter at their meeting on April 14, 2021

This letter is sent under separate cover to municipal staff who have been appointed by their municipality to assist with Source Water Protection. Please contact me if you require any further information.

Sincerely,



Katie Stammer, PhD
Water Quality Scientist and Source Water Project Manager
Essex Region Conservation Authority

To: Aldo DiCarlo <adicalro@amherstburg.ca>

Subject: 2021 Census of Population / Recensement de la population de 2021

Dear Mayor,

I am pleased to inform you that the next census will take place in May 2021. I am writing today to seek your support to increase awareness of the census among residents of your community.

For over a century, Canadians have relied on census data to tell them about how their country is changing and what matters to them. We all depend on key socioeconomic trends and census analysis to make important decisions that have a direct impact on our families, neighbourhoods and businesses. In response to the COVID-19 pandemic, Statistics Canada has adapted to ensure that the 2021 Census is conducted throughout the country in the best possible way, using a safe and secure approach.

Statistics Canada will be [hiring approximately 32,000 people](#) across the country to assist with census collection. We would like to work with you and your municipality to ensure that your residents are aware and informed of these job opportunities.

Furthermore, your support in encouraging your residents to complete the census will have a direct impact on gathering the data needed to plan, develop and evaluate programs and services such as schools, daycare, family services, housing, emergency services, roads, public transportation and skills training for employment.

If you would like to express your municipality's support for the census, please share the municipal council resolution text below with your residents:

Be it resolved that:

The Council of the Corporation of (NAME OF CITY/TOWN/MUNICIPALITY) supports the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca. Accurate and complete census data support programs and services that benefit our community.

In the coming weeks, a member of our communications team may contact you to discuss ways in which we can work together. Should you have any questions, please contact us at statcan.censusoutreach.ontario-rayonnementdurec.ontario.statcan@canada.ca.

Thank you in advance for supporting the 2021 Census.

Yours sincerely,

Geoff Bowlby
Director General, Census Management Office
Statistics Canada / Government of Canada



**TOWN OF AMHERSTBURG
DRAINAGE BOARD
Tuesday, February 2, 2021
6:00 PM
ELECTRONIC PARTICIPATION
MINUTES**

PRESENT

Bob Bezaire, Chair
Allan Major, Vice-Chair
Brad Laramie
Bob Pillon
Anthony Campigotto
Shane McVitty, Drainage Superintendent &
Engineering Coordinator
Nicole Humber, Recording Secretary
Kevin Fox, Policy and Committee Coordinator

ABSENT

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were none.

4. MINUTES OF PREVIOUS MEETING

Anthony Campigotto moved, Allan Major seconded;

That:

The minutes of the previous meeting BE ADOPTED:

1. Drainage Board Meeting Minutes – January 5, 2021

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

5. OPEN COURT OF REVISION

The Chair opened the Court at 6:02 p.m.

5.1 Appeals – Bridges Over the Cook Drain

Board Chair Bob Bezaire provided the Board Members with a brief overview of the procedures of the Court of Revision. Board Chair Bob Bezaire added that the Town had not received any written appeals, and there were no online delegations from landowners.

Board Chair Bob Bezaire asked if the Court Members had any questions.

There were none.

Anthony Campigotto moved, Brad Laramie seconded;

That:

- 1. The appeals submitted written or verbally to the Court of Revision for the Bridges Over the Cook Drain BE RECEIVED; and,**
- 2. The schedule of assessment as presented by N.J. Peralta Engineering Ltd. for the Bridges Over the Cook Drain BE APPROVED.**

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

6. CLOSE COURT OF REVISION

Allan Major moved, Bob Pillon seconded;

That:

1. The Court of Revision be ADJOURNED.

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

The Court of Revision was closed at 6:05 p.m.

7. CONSIDERATION OF FINAL DRAINAGE REPORT

7.1 Bridges Over the Owen Bondy Drain

Tony Peralta of N.J. Peralta Engineering Ltd. explained that his report addressed a request that the Town received under Section 78 of the Drainage Act to provide access bridges for a greenhouse development.

Mr. Peralta added the following:

- The subject property is currently going through approvals for site plan and storm water management to provide for a new greenhouse facility.
- The subject development lands currently comprise two properties that will be consolidated into one property.

- Both of the properties have existing access culverts. The report includes provisions for the installation of two new access culverts and the removal of one of the existing access culverts. This will leave a total of three access culverts for the development.
- Bridge Number 4 will be the primary access to the development, with the remaining access culverts deemed as secondary.
- There are no grants available for this project.

Mr. Peralta acknowledged receipt of questions from Board Member Anthony Campigotto prior to the Drainage Board Meeting. Board Member Campigotto indicated that Mr. Peralta had addressed his questions and added that he was satisfied with the response that he received.

Board Chair Bob Bezaire asked if the Board Members had any questions.

There were none.

Bob Pillon moved, Allan Major seconded;

That:

1. **The engineer's report, prepared by N.J. Peralta Engineering Ltd. on December 22, 2020 for the Bridges Over the Owen Bondy Drain BE RECEIVED;**
2. **The engineer's report for the Bridges Over the Owen Bondy Drain, BE CONSIDERED;**
3. **The PROVISIONAL ADOPTION of By-law 2021-009 of the engineer's report for the Bridges Over the Owen Bondy Drain BE BROUGHT to the next Regular Council meeting for Council's consideration; and,**
4. **Administration BE DIRECTED to schedule the Court of Revision for the Bridges Over the Owen Bondy Drain.**

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

8. NEXT MEETING DATE

Tuesday, March 2, 2021 @ 6:00 p.m.

9. ADJOURNMENT

Anthony Campigotto moved, Bob Pillon seconded;

That the meeting of the Drainage Board BE ADJOURNED at 6:12 p.m.

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

Chair – Bob Bezaire

Staff Liaison – Shane McVitty

FOR DISTRIBUTION

This copy of the Drainage Report complies
with the Municipal Freedom of Information
and Protection of Privacy Act (MFIPPA)

DRAINAGE REPORT

BRIDGES OVER THE OWEN BONDY DRAIN

**(for 1454410 Ontario Inc. (Parcel 1),
Part of Lots 2 & 3, Concession 3)**

(Geographic Township of Anderdon)

TOWN OF AMHERSTBURG

N. J. Peralta Engineering Ltd.

Consulting Engineers

45 Division St. N., Kingsville, Ontario N9Y 1E1

Tel. (519) 733-6587

Project No. D-20-103

December 22nd, 2020

N. J. Peralta Engineering Ltd.

Consulting Engineers

BRIDGES OVER OWEN BONDY DRAIN (for 1454410 Ontario Inc. (Parcel 1), Part of Lots 2 & 3, Concession 3)

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APPENDICES

APPENDIX "A" - E.R.C.A Correspondence

APPENDIX "B" - Standard Specifications for Access Bridge
Construction

APPENDIX "C" - Design Drawing

N. J. Peralta Engineering Ltd.

Consulting Engineers

December 22nd, 2020

Mayor and Municipal Council
Corporation of the Town of Amherstburg
512 Sandwich Street South
Amherstburg, Ontario
N9V 3R2

Mayor DiCarlo and Members of Council:

PROJECT: **BRIDGES OVER THE OWEN BONDY DRAIN**
(Geographic Township of Anderdon)
Town of Amherstburg, County of Essex
Project No. D-20-103

I. INTRODUCTION

In accordance with the instructions received by letter on October 27th, 2020, from the Drainage Superintendent and Engineering Coordinator, Mr. Shane McVitty, P.Eng., we have completed the necessary survey, examinations, and investigations, etc. and have prepared the following report to provide for the installation of two (2) new access bridges, the removal of one (1) existing access bridge, along with establishing future maintenance provisions for all the access bridges within the Owen Bondy Drain and serving the lands currently owned by 1454410 Ontario Inc., identified within this report as Parcel 1. These investigations were initiated by a resolution passed by Council for our firm to undertake the preparation of an Engineer's Report for the works within this Municipal Drain, and in accordance with provisions of the Drainage Act. The Owen Bondy Drain is generally an open drain with a number of access bridges, which were constructed under the auspices of the Drainage Act. A plan showing the alignment of the Owen Bondy Drain, the general location of the existing and proposed structures and adjacent to the identified parcel, and the details for the general improvements under this project are included herein as part of this report.

The initial request to provide an Engineer's Report to address improvements to the Owen Bondy Drain was submitted by Charles Stockwell on behalf of 1454410 Ontario Inc. (Parcel 1).

Prior to the formal submission for the request for drainage improvements, the Owner of 1454410 Ontario Inc. had purchased the subject property and the adjacent property formerly known as Parcel 360-01700. A formal application to consolidate these two (2) parcels have been filed with the Land Registry Office. However, the consolidated property has yet to receive new parcel details. Therefore, for all intents and purposes, this consolidated property is identified within this report as Parcel 1, currently owned by 1454410 Ontario Inc.

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The request for drainage improvements was initiated for the installation of two (2) new access bridges for the subject lands to facilitate the proposed greenhouse development. Through the progression of this project and subsequent to reviewing the details of the approved Site Plan and governing reports, it was determined that it would be prudent to review the status of all of the current access bridges which serve the lands currently owned by 1454410 Ontario Inc. (Parcel 1), within the Owen Bondy Drain. Therefore, as part of this review, the report shall provide our recommendations, together with providing future maintenance provisions for each structure adjacent to the subject property.

Our appointment and the works relative to the Owen Bondy Drain proposed under this report, are being conducted in accordance with Section 78 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended in 2020". We have performed all of the necessary survey, investigations, etc., for the existing and proposed bridges, as well as the Owen Bondy Drain, and we report thereon as follows.

II. BACKGROUND AND DRAINAGE HISTORY

At present, 1454410 Ontario Inc. is in the process of developing its lands to accommodate the development of its greenhouse facilities within Parcel 1, Part of Lots 2 & 3, Concession 3. Heide Mikkelsen, P.Eng., of our firm, was retained and instructed by Mr. Charles Stockwell, Owner of 1454410 Ontario Inc., to provide a Site Plan, Stormwater Management (S.W.M.) design, and a site grading plan to accommodate the proposed greenhouse development.

A review of the Town of Amherstburg's drainage records indicate that the Owen Bondy Drain is an existing Municipal Drain that has been repaired and improved on a number of previous occasions through the auspicious of the Drainage Act. The Owen Bondy Drain is generally an open drain located on the east side of Concession 3 North with the watershed divided into two (2) separate outlets. The southern reach of the Owen Bondy Drain extends from the midpoint of Lot 2, Concession 3, southerly and downstream for approximately 580.00 metres to its outlet into the Darrah Drain. The northern reach of the Owen Bondy Drain extends from the midpoint of Lot 2, Concession 3, northerly and downstream for approximately 758.00 metres and terminates at its outlet into the Whalen Drain.

From our review of the Town's files, we have found various Engineer's Reports prepared through the provisions of the Drainage Act for the Owen Bondy Drain. However, we have outlined the following relevant Engineer's Reports that we utilized as a reference for carrying out this project:

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- a) **February 10th, 1961** Engineer's Report for the "Owen Bondy Drain", prepared by C.G.R. Armstrong, P.Eng., was carried out under Anderdon Drainage By-law. The works conducted under this report generally provided for the relocation of the drain easterly onto private lands along the east side of Concession 3 North. This Engineer's Report also provided for the installation of new access bridges along the entire course of the drain as a result of the drain relocation. The structures identified within this report include **Bridge ②** and **Bridge ④**.
- b) **December 16th, 1969** Engineer's Report for the "Owen Bondy Drain", prepared by C.G.R. Armstrong, P.Eng., was carried out under Anderdon Drainage By-law No. 1946 which provided for the latest major works of repair and improvements carried out in the Owen Bondy Drain. The works conducted under this report generally provided for the deepening and widening of the entire length of the Municipal Drain. This Engineer's Report also provided for repairs and improvements to existing access bridges within the Owen Bondy Drain. The structures identified within this report include **Bridge ②** and **Bridge ④**.

From our detailed research of the above-noted Engineer's Reports, we have found that the 1969 report serves as the governing By-Law for the entire length of the Owen Bondy Drain. Based on our review, the subject property is adjacent to the northern reach of the Owen Bondy Drain and utilizes the Whalen Drain as its outlet. Based on our review, existing **Bridge ②** and **Bridge ④** were constructed and/or identified within the above-mentioned By-laws. As a result, these identified structures would be considered legal entities with respect to the Owen Bondy Drain. At the time of these reports, **Bridge ②** and **Bridge ④** served as primary accesses to their respective properties. With the proposed consolidation of the subject properties, the status of these access bridges will be re-evaluated to suit the development's needs.

Furthermore, we have used the above-mentioned reports to establish the size parameters for the drain and details to be utilized in establishing the proposed access culvert installations. We have specifically utilized the 1969 Engineer's Report to establish the drain profile grades and to assist in establishing the design grade for the subject bridge installations.

III. PRELIMINARY INVESTIGATIONS AND ON-SITE MEETING

After reviewing all of the drainage information provided by the Town of Amherstburg, we arranged for a virtual meeting conducted through videoconference technology and scheduled on November 16th, 2020. The following people were in attendance at this meeting:

Charles Stockwell (Landowner - 265 Concession 3 North)
 Shane McVitty, P.Eng. (Drainage Superintendent)
 Kory Snelgrove E.I.T. (N.J. Peralta Engineering Ltd.)
 William LeBel, P.Eng. (N.J. Peralta Engineering Ltd.)
 Tony Peralta, P.Eng. (N.J. Peralta Engineering Ltd.)

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At the onset of this meeting, Mr. McVitty made introductions to the project. It was generally discussed that written notice has been submitted by Mr. Charles Stockwell for the subject property identified as 1454410 Ontario Inc. (Parcel 1) to provide new access bridges over the Owen Bondy Drain. These new access bridges are being provided to facilitate the proposed greenhouse development on the subject property, in accordance with the Site Plan, approved by the Town of Amherstburg.

Upon review of the governing drainage By-Laws, each of the original properties, now being consolidated as one (1) parcel, currently have existing accesses within the Owen Bondy Drain. It was discussed that the site layout will require the reconfiguration of the accesses adjacent to the site, to best facilitate the greenhouse operations. The approved Site Plan identified that a total of three (3) accesses are required to facilitate the development. As a result, the existing access bridge at the north end of the site, identified herein as **Bridge ②**, will be removed and abandoned. The existing access bridge at the south end of the site, identified as **Bridge ④**, will remain with the development. Therefore, two (2) new access bridges will be required and further identified as **Bridge ①** and **Bridge ③**. These accesses shall be installed and/or improved (if required) to provide safe access to the property to satisfy the Ontario Ministry of Transportation (M.T.O.) Commercial Site Access Policy and Standard Designs for an Entrance to Small Business (C.S.A.S.-31).

With the consolidation of the subject property, the status of the existing access bridges will need to be re-evaluated as they are no longer serving the lands as originally intended. As such, it was discussed that the status of each access bridge to be utilized for the subject property will need to be re-established and future maintenance provisions be provided for each.

Mr. McVitty questioned the condition of existing **Bridge ④** and whether it shall be extended or replaced to achieve the required driveway top width (if required). Mr. McVitty expressed his concerns with extending the existing culvert if it is found to be in unsatisfactory condition. He identified that if this culvert was found to be in less than fair condition, then there should be consideration of replacement of this structure in its entirety. Based on our preliminary investigations of the governing reports, the existing bridge appears to have been installed before the 1980s, which would suggest the need for replacement. Mr. Peralta explained that this existing structure will be inspected to confirm its condition, grade and capacity. Based on this evaluation, it will be determined whether the existing bridge will be extended or fully replaced.

There were discussions regarding the options of sloped quarried limestone end treatments versus a vertical headwall. It was further established that due to the overall length required to facilitate large truck traffic, the final design length of culverts may govern the style of end treatments, based on general recommendations of the Department of Fisheries and Oceans (D.F.O.). We further discussed the various options for end

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treatments and established that once a preliminary design has been completed, we can review the various end treatment options. Mr. Stockwell confirmed that he had no preference on end treatment options.

Mr. McVitty confirmed that the Town will require an asphalt apron for all driveways used for commercial use in accordance with the approved Site Plan agreement. He further confirmed that that minimum protection, such as standard granular materials used for backfilling and driveway surfaces, shall be sufficient under this report. Any asphalt works being completed afterwards will be in accordance with the Site Plan agreement.

Mr. Stockwell was reminded that the costs associated to the installations and improvements of these access bridges, will be assessed entirely to the subject property for the construction, together with all associated engineering and incidental fees. Mr. Stockwell indicated that he was aware of these conditions and understood that 100% of the costs are to be borne by the property.

Mr. Stockwell was advised that the new access bridge installations would be subject to further approvals and mitigation measures of the D.F.O, Essex Region Conservation Authority (E.R.C.A), and the Ministry of the Environment, Conservation and Parks (M.E.C.P.).

The overall Drainage Report, future maintenance processes and general grant eligibility were reviewed. We also discussed general timelines for construction. The Owner had advised that they would like to have the new access bridges installed as soon as practical, following the passing of the By-Law for the report.

At the conclusion of our discussions, we advised Mr. Stockwell that we would contact him prior to the preparation of our Engineer's Report, to review the end treatment alternatives, along with details of the new access bridge installations. In addition to the requested access bridges, general discussions regarding drain maintenance on the north reach were held between Mr. Stockwell and Mr. McVitty.

On this note, the On-Site Meeting had concluded.

IV. FIELD SURVEY AND INVESTIGATIONS

Following our On-Site Meeting, we arranged for our survey crew to attend the site to perform a topographic survey, including taking all necessary levels and details, of the northern reach of the Owen Bondy Drain to establish the design parameters for the installation of the two (2) new access bridge structures, removal of one (1) existing access bridge, and any necessary repairs or improvements to an existing access bridge.

Benchmarks were looped from previous work carried out on the drain and were utilized in establishing a relative site Benchmark near the locations of the access bridge sites. We also surveyed the

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drain for a considerable distance both upstream and downstream of the existing and proposed access bridge sites in order to establish a design grade profile for the installation of same. We also took cross-sections of the Owen Bondy Drain at the general location of the access bridge sites, as necessary, for us to complete our design calculations, estimates and specifications.

The Ministry of Environment, Conservation and Parks (M.E.C.P.) currently regulates the Endangered Species Act, 2007. New regulation provisions under Ontario Regulation 242/08, Section 23.9 allows the Township to conduct repairs, maintenance, and improvements, within existing Municipal Drains, under the Drainage Act and these works are exempt from Section 9 and 10 of the Endangered Species Act, so long as the rules in the regulation are followed. If eligible, the regulatory provision allows Townships to give notice to the Ministry by registering their drainage activities through an online registry system.

For the purposes of establishing the watershed area upstream of the proposed access bridges, and determining the pipe sizes required for same, we investigated and reviewed the past Engineer's Reports on the Owen Bondy Drain. We also carried out a review of the watershed limits utilizing the most recent Stormwater Management Report and Plans for the greenhouse development and conducted a review of the adjacent lands to verify the contributing watershed area into the Owen Bondy Drain.

Prior to our appointment to this project, the Town of Amherstburg provided the Essex Region Conservation Authority (E.R.C.A.) with a notice advising of the proposed drainage works, as required under Section 78(2) of the Drainage Act. Based on their comments, we engaged in further correspondence with the E.R.C.A., regarding specific requirements for the approval of the proposed bridge designs.

V. FINDINGS AND RECOMMENDATIONS

E.R.C.A., D.F.O. and M.E.C.P. Considerations

During the course of our investigations, this drainage project was discussed and reviewed in detail with Ms. Ashley Gyori, of the E.R.C.A., to deal with any E.R.C.A. issues and comments related to this Municipal Drain. The Owen Bondy Drain is located within the regulated area and is under the jurisdiction of E.R.C.A., and therefore an E.R.C.A. Permit is required for the construction and/or improvements of the existing and proposed access bridge structures. Further to the above, E.R.C.A. provided us with their comments and concerns through email correspondence, and said correspondence is included herein as **Appendix "A"**.

As outlined in our discussions with the E.R.C.A., and with respect to the Department of Fisheries and Oceans (D.F.O.) concerns and comments, the proposed works within this Municipal Drain was "self-assessed" by the Engineer, through the D.F.O. website and the utilization of the "Guidance for Maintaining and Repairing Municipal

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Drain in Ontario" to determine whether this project shall be reviewed by the D.F.O. The section of the Owen Bondy Drain where the access bridges will be installed has been established as Class 'F' by the D.F.O. Based on the D.F.O. Self-Assessment website and the guidance document, we have determined that the project activities would not require a D.F.O. review for the works proposed under this project, so long as standard measures for fish habitat and migration are implemented.

The Ministry of Natural Resources and Forestry (M.N.R.F.) have transitioned responsibilities of the Species at Risk Provincial Legislation to the Ministry of Environment, Conservation and Parks (M.E.C.P.). Section 23.9 of the Endangered Species Act, 2007 allows the Town to conduct eligible repair, maintenance, and improvement work under the Drainage Act that exempts these works from Sections 9 and 10 of this Act, so long as they follow the rules within Ontario Regulation 242/08.

In recognition of the impacts that these species may experience as a result of the subject works, the Town of Amherstburg shall provide comprehensive mitigation measures as well as species identification guides for reference. These references shall be provided to the successful Tenderer and shall be available for viewing at the Municipal Office for those interested.

Through correspondence with Ashley Gyori, of the E.R.C.A., the self-assessment through D.F.O., and the mitigation measures through the Endangered Species Act, we have provided for all of the E.R.C.A., D.F.O., and M.E.C.P. concerns and issues in our design and recommend that these drainage works be constructed in total compliance with all of the above.

ACCESS BRIDGE STRUCTURES

Further to our discussions and instructions established at the On-Site Meeting, we have reviewed all of the structures within the Owen Bondy Drain which pertain to the subject property currently owned by 1454410 Ontario Inc. (Parcel 1). Prior to the completion of our Engineer's Report for this project, we had discussions with the Owner, Mr. Charles Stockwell, to discuss and review the particulars of each structure, in detail. They are as follows:

Bridge ① - 1454410 Ontario Inc. (Parcel 1)

Based on our investigations and the information provided, a new access bridge has been requested to serve as a secondary access to the subject agricultural lands of 1454410 Ontario Inc., (Parcel 1) within Lot 3, Concession 3, and has been identified within this report as **Bridge ①**.

Mr. Stockwell confirmed that the new access bridge shall be positioned as shown within the approved Site Plan and that this new access will be utilized as an access to the proposed bunkhouses, in addition to being used for daily farming operations for this property. As such, he confirmed that this access bridge shall be installed to facilitate a standard 6.10 metre (20.00 ft.) driveway

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top width having a 9.00 metre turning radii to allow for safe access for standard vehicles.

Based on our preliminary design, we find that the proposed access bridge shall require approximately 13.00 metres of 600mm diameter 320kPa Smoothwall High Density Polyethylene (H.D.P.E.) pipe together with sloped quarried limestone end treatments resulting in a driveway top width of approximately 6.56 metres (21.52 ft.). Mr. Stockwell was reminded that all of the construction and incidental costs associated with this new access bridge will be assessed 100% to their property. He was reminded that, as a secondary access to the property, he would be responsible for any future maintenance costs associated to the repair or improvements to this access bridge through the Town of Amherstburg. Furthermore, as a secondary access to the property, Mr. Stockwell was reminded that this new access bridge installation would not be eligible for a grant through the Ontario Ministry of Agricultural Food and Rural Affairs (O.M.A.F.R.A.). Mr. Stockwell confirmed his understanding of the above information and he accepted our recommendations with respect to this access bridge installation. The details of this new access bridge installation and the works proposed herein has been prepared on that basis.

Based on our detailed survey, investigations, examinations, and discussions with the affected property Owner, we recommend that the new access bridge be constructed between Station 1+095.1 and Station 1+108.1 within the Owen Bondy Drain, and at the location and to the general parameters as established in our design drawings attached herein. This new access bridge shall serve as the secondary access to the subject property and shall be installed as part of this report and identified herein as **Bridge ①**.

Bridge ② - 1454410 Ontario Inc. (Parcel 1)

The existing access bridge extending from Station 1+042.7 to Station 1+049.4, previously served as the primary access to the original agricultural parcel to the north, prior to its recent consolidation (formerly known as Parcel 360-01700 at 349 Concession 3 North) within Lot 3, Concession 3. This access bridge was reconstructed and improved as part of the Engineer's Report dated December 16th, 1969, prepared by C.G.R. Armstrong, P.Eng., and is currently a legal entity with respect to the Owen Bondy Drain. The existing access bridge consists of 6.70 metres of 750mm corrugated steel pipe with stacked concrete rubble headwalls. We find the existing access structure to be in poor physical condition and has reached the end of its service life. This structure has further been labelled herein as **Bridge ②**.

As outlined within the approved Site Plan, this access bridge will no longer be required as it will become redundant with the addition of the proposed accesses to best serve the development layout. As such, the existing **Bridge ②** within the Owen Bondy Drain shall be removed and abandoned. The details of this bridge removal and the works proposed herein has been prepared on that basis.

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Based on the above information, we recommend that the existing access bridge between Station 1+042.7 to Station 1+049.4, which currently serves the agricultural lands of 1454410 Ontario Inc. (Parcel 1), be completely removed and abandoned as outlined and details within this report and pursuant to Section 19 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended in 2020".

Bridge ③ - 1454410 Ontario Inc. (Parcel 1)

Based on our investigations and the information provided, a new access bridge has been requested to serve as a secondary access to the subject agricultural lands of 1454410 Ontario Inc. (Parcel 1) within Lot 3, Concession 3, and has been identified within this report as **Bridge ③**.

Mr. Stockwell confirmed that the new access shall be positioned as shown within the approved Site Plan and further confirmed that its use is intended to be utilized for larger truck traffic.

Based on our preliminary design, we find that the proposed access bridge shall require approximately 20.00 metres of 600mm diameter 320kPa Smoothwall H.D.P.E. pipe together with sloped quarried limestone end treatments. With the new bridge structure required to facilitate large truck traffic, this structure shall be designed per the M.T.O. Commercial Site Access Policy and Standard Design for an Entrance to Small Business (C.S.A.S.-31). The resulting travelled portion of driveway top width shall be 14.20 metres (46.59 ft.), to accommodate for the intended truck traffic. Mr. Stockwell was reminded that all of the construction and incidental costs associated with this new access bridge shall be assessed 100% to the subject property. He was reminded that, as a secondary access to the property, he would be responsible for any future maintenance costs associated to the repair or improvements to this access bridge through the Town of Amherstburg. Furthermore, as a second access to the property, Mr. Stockwell was reminded that this new access bridge installation would not be eligible for a grant through the Ontario Ministry of Agricultural Food and Rural Affairs (O.M.A.F.R.A.). Mr. Stockwell confirmed his understanding of the above information and he accepted our recommendations with respect to this access bridge installation. The details of this new access bridge installation and the works proposed herein has been prepared on that basis.

Based on our detailed survey, investigations, examinations, and discussions with the affected property Owner, we recommend that the new access bridge be constructed between Station 0+958.8 and Station 0+978.8 within the Owen Bondy Drain, and at the location and to the general parameters as established in our design drawings attached herein. This new access bridge shall serve as the secondary access to the subject property and shall be installed as part of this report and identified herein as **Bridge ③**.

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Bridge ④ - 1454410 Ontario Inc. (Parcel 1)

The existing access bridge extending from Station 0+687.1 to Station 0+709.6 previously served as the primary access to the original agricultural parcel to the south, prior to its recent consolidation (formerly known as Parcel 360-01800 at 265 Concession 3 North) within Lot 2, Concession 3. This access bridge was installed as part of the Engineer's Report dated February 10th, 1961, prepared by C.G.R. Armstrong, P.Eng., and new end treatments were installed as part of the December 16th, 1969 report prepared by C.G.R. Armstrong, P.Eng. As a result, this access bridge is currently a legal entity with respect to the Owen Bondy Drain. At the time of the original report, this access bridge was constructed utilizing 6.10 metres (20.00 ft.) of 600mm (24") corrugated steel pipe with rubble stone headwalls. The existing access bridge appears to have been replaced since it was last installed and currently consists of approximately 22.3 metres of 600mm High Density Polyethylene plastic pipe (H.D.P.E.) with sloped quarried limestone end treatments, which provides approximately 17.20 metres (56.43 ft.) of travelled top width. We find the existing access structure to be adequately sized with respect to the minimum 1:5-year storm event and is in good physical condition with years of service life remaining. Furthermore, the access bridge meets the requirements of the M.T.O. Commercial Site Access Policy and Standard Design for an Entrance to Small Business (C.S.A.S.-31) standards, to accommodate for the intended truck traffic. Based on our evaluation, we recommend that no improvements are required to this structure as part of this report. This structure has further been labelled herein as **Bridge ④**.

Although the existing access bridge is in good physical condition, the existing structure differs from the governing By-law. With this structure being installed with appropriate materials, to the current construction standards, and with no improvements required to this structure at this time, the current structure details shall supersede those outlined within the governing Engineer's Report. As a result, when future maintenance is required to this structure, we recommend that it be replaced in its entirety utilizing the same pipe grade, together with equivalent materials, length, culvert size and end treatments. We would further recommend that the future maintenance costs associated with the standard 6.10 metres (20.00 ft.) top width of this structure shall be shared with the abutting property, together with all affected upstream lands and roads within the drain's watershed. The additional costs for providing a top width wider than the standard 6.10 metres (20.00 ft.), shall be assessed 100% to the abutting property. All provisions for future maintenance have been included as part of this report.

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VI. ALLOWANCES AND COMPENSATION

All of the work under this project shall be carried out along the east limit of Concession 3 North. All areas disturbed by this work are specified for full restoration; therefore, these works shall not result in any loss of production of agricultural property, or any indirect damages to the non-agricultural areas. Therefore, no allowances or compensation has been provided under this report.

VII. ESTIMATE OF COST

Our estimate of the total cost of this work, including all incidental expenses, is the sum of **FIFTY-SIX THOUSAND FIFTY-SIX DOLLARS (\$56,056.00)** made up as follows:

CONSTRUCTION

- Item 1) **Bridge ① (Station 1+095.1 to Station 1+108.1)**; Provide all labour, equipment and materials to construct a new access bridge consisting of 13.00 metres (42.65 ft.) of 600mm diameter, 320kPa smoothwall H.D.P.E. plastic pipe, including sloped quarried limestone end treatments, installation of floatation anchors, granular bedding and backfill, granular driveway approach and transition, excavation, compaction, topsoil, seeding and mulch, cleanup and restoration, complete. Lump-Sum \$ 13,800.00
- Item 2) **Bridge ② (Station 1+031.7 to Station 1+051.6)**; Provide all labour, equipment and materials to completely remove and dispose of the existing culvert pipe, end treatments, and existing steel gate with concrete blocks; restore the drain banks to its original drain configuration; Provide topsoil, seeding and mulch, cleanup and restoration, complete. Lump-Sum \$ 2,300.00
- Item 3) **Bridge ③ (Station 0+958.8 to Station 0+978.8)**; Provide all labour, equipment and materials to construct a new access bridge consisting of 20.00 metres (65.62 ft.) of 600mm diameter, 320kPa smoothwall H.D.P.E. plastic pipe, including sloped quarried limestone end treatments, installation of floatation anchors, granular bedding and backfill, granular driveway approach and transition, excavation, compaction, topsoil, seeding and mulch, cleanup and restoration, complete. Lump-Sum \$ 21,800.00

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Item 4) Net H.S.T. on above item. (1.76%) \$ 667.00

TOTAL FOR CONSTRUCTION **\$ 38,567.00**

INCIDENTALS

1) Report, Estimate, and Specifications \$ 6,400.00

2) Survey, Assistants, Expenses, and Drawings \$ 5,200.00

3) Duplication Costs of Drawings and Report \$ 600.00

4) Estimated Cost of preparing Tender Documents for use by the Town for Letting of the Contract on an invitation basis \$ 1,200.00

5) Estimated Cost of providing Supervision and Full-Time Inspection during Construction (based on a 3-day duration) \$ 3,000.0

6) Net H.S.T. on above items (1.76%) \$ 289.00

7) Estimated Cost for E.R.C.A. Permit \$ 800.00

TOTAL FOR INCIDENTALS **\$ 17,489.00**

TOTAL FOR CONSTRUCTION (brought forward) **\$ 38,567.00**

TOTAL ESTIMATE **\$ 56,056.00**

VIII. DRAWINGS AND SPECIFICATIONS

As part of this report, we have attached the design drawing for the construction of these access bridges over the Owen Bondy Drain. The design drawings show the alignment of the Owen Bondy Drain, and the approximate locations of the subject access bridges within this Municipal Drain. The drawings also illustrate the affected landowners and the details associated to the proposed new access bridge installations. The design drawing is attached to the back of this report and is labelled herein as **Appendix "C"**. These drawings have been reduced in size and the scale therefore varies. However, full-scale drawings can be viewed at the Town of Amherstburg Municipal Office, if required.

We have prepared Specifications which set out the required construction details for the various aspects of the works to be conducted under this report. We have also included Standard Specifications related to the construction of access bridge structures, labelled herein as **Appendix "B"**.

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IX. COST DISTRIBUTION & CONSTRUCTION ASSESSMENT RATIONALE

We would recommend that all of the costs associated with the construction of the new access bridges, as identified and detailed herein as **Bridge ①**, **Bridge ③**, and the removal of **Bridge ②** be totally assessed against the adjoining agricultural lands currently owned by 1454410 Ontario Inc. (Parcel 1), and in accordance with the attached **Construction Schedule of Assessment**.

The Ontario Ministry of Agriculture, Food, and Rural Affairs (O.M.A.F.R.A.) have issued administrative policies for Agricultural Drainage Infrastructure Program (A.D.I.P.) to provide financial assistance for assessments to agricultural lands pursuant to the Drainage Act. We understand that the subject agricultural lands may be eligible to be classified with the "Farm Tax Classification".

Since the proposed **Bridge ①** and **Bridge ③** are considered secondary accesses to the subject lands, it is anticipated that all costs associated with these secondary access bridges will **not** be eligible for such grant due to the following provision within the A.D.I.P. policies through O.M.A.F.R.A.:

1. **Policy 2.3.i(i)** - For every drain, every agricultural property is entitled to one drain crossing. Any additional crossing on this property will not be eligible for grant.

Therefore, the assessments related to the construction of the secondary access bridges to this property, shall be shown in the attached Construction Schedule of Assessment under the subheading **"5. Privately Owned - Agricultural Lands (non-grantable)"**.

During construction it may become necessary to temporarily or permanently relocate existing utilities that may conflict with the works outlined within this report. Under these circumstances, the relocation of these utilities shall be assessed any relocation costs against the public utility having jurisdiction in accordance with Section 26 of the Drainage Act. In accordance with Section 69 of the Drainage Act, the utility company is allowed the option to carry out this work utilizing their own forces and at their own cost. However, should they not exercise this option within a reasonable time, the Municipality may arrange to have this work completed and the costs for same shall be charged to the appropriate public utility. Furthermore, any unforeseen construction costs directly related to the Section 26 works shall be assessed entirely, as an extra, to the applicable Road Authority or Utility.

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X. FUTURE MAINTENANCE

It should be noted that a mechanism should be provided herein so that the Town of Amherstburg can undertake future maintenance works on the access bridges identified within this report, so that the future maintenance costs for same can be properly assessed to the affected landowners. We would therefore recommend that these structures within the Owen Bondy Drain, for which future maintenance costs are to be shared with upstream lands and roads within the watershed, be maintained by the Town.

Should any works of maintenance be required in the future to the structures identified within this report, the following provisions with respect to cost-sharing for each of same, shall be shared by the abutting landowner and upstream affected lands and roads in accordance with the following table:

Bridge No.	Parcel Number	Owners	Standard Bridge Benefit Share (Primary)	BLENDED COST-SHARING	
				% to Abutting Owner	% to Upstream Lands & Roads
1.	Parcel 1	1455510 Ontario Inc.	--	100.0%	0.0%
3.	Parcel 1	1455510 Ontario Inc.	--	100.0%	0.0%
4.	Parcel 1	1455510 Ontario Inc.	87.8%	92.5%	7.5%

The sharing percentages between the abutting Owner and the upstream lands and roads affected by said structures have been established on the basis of where it is located relative to the entire reach of the drain. The percentages to the abutting Owner shall be assessed as a Benefit Assessment.

The percentage to the upstream lands and roads as established above shall be assessed as an Outlet Liability towards the lands and roads within the Owen Bondy Drain watershed lying upstream of said structures. These Outlet Assessments shall be shared in the same proportions as the outlet assessment established within the December 16th, 1969, Engineer's Report prepared by C.G.R. Armstrong, or per subsequent amendments made thereto under the Drainage Act. The percentages above account for the bridge user share of the increased pipe length beyond the standard length available to provide the standard 6.10 metres (20.0 ft.) minimum driveway top width.

The future maintenance costs for each affected structure within the drain shall be levied pro-rata on only the affected lands and roads that are situated upstream of the particular structure for which future maintenance works has been carried out.

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Said maintenance work would include works to the structure, bedding and backfill, end treatment and other ancillary work. Should concrete or asphalt driveway surfaces over these access bridge driveways require removal as part of the maintenance work, these surfaces should be repaired or replaced as part of the work. Likewise, if any fencing, gate, decorative walls, guard rails or other special features exist that will be impacted by the maintenance work, they are also to be removed and restored or replaced as part of the structure maintenance work. However, the cost of the supply and installation of any surface material other than Granular "A" material, and the cost of removal and restoration or replacement, of any special features, if necessary, shall be totally assessed to the benefiting adjoining Owner served by said access bridge.

All of the above provisions for future maintenance of the above listed bridge structures under this report shall remain as aforesaid until otherwise determined under the provisions of the "Drainage Act, R.S.O. 1990, Chapter, D.17, as amended 2020".

All of which is respectfully submitted.

N. J. PERALTA ENGINEERING LTD.



 Antonio B. Peralta, P.Eng.

ABP/amm



N.J. PERALTA ENGINEERING LTD.

Consulting Engineers
 45 Division Street North
 Kingsville, Ontario
 N9Y1E1

CONSTRUCTION SCHEDULE OF ASSESSMENT**BRIDGES OVER THE OWEN BONDY DRAIN****(for 1454410 Ontario Inc. (Parcel 1), Part of Lots 2 & 3, Concession 3)****(Former Township of Anderdon)****TOWN OF AMHERSTBURG****5. PRIVATELY OWNED - AGRICULTURAL LANDS (non-grantable):**

<u>Parcel Number</u>	<u>Con. or Plan Number</u>	<u>Lot or Part of Lot</u>	<u>Acres Affected</u>	<u>Hectares Affected</u>	<u>Owner's Name</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>Value of Special Benefit</u>	<u>TOTAL VALUE</u>
1	3	2 & 3	106.76	43.205	1454410 Ontario Inc.	\$ 56,056.00	\$ -	\$ -	\$ 56,056.00
Total on Privately Owned - Agricultural Lands (non-grantable).....						\$ 56,056.00	\$ -	\$ -	\$ 56,056.00
TOTAL ASSESSMENT			106.76	43.205		\$ 56,056.00	\$ -	\$ -	\$ 56,056.00

1 Hectare = 2.471 Acres
 Project No. D-20-103
 December 22nd, 2020

FOR DISTRIBUTION

This copy of the Drainage Report complies with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

SPECIFICATIONS

N. J. Peralta Engineering Ltd.

Consulting Engineers

BRIDGES OVER THE OWEN BONDY DRAIN
(for 1454410 Ontario Inc. (Parcel 1)
Part Of Lots 2 & 3 Concession 3)

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N. J. Peralta Engineering Ltd.

Consulting Engineers

SPECIFICATIONS

BRIDGES OVER THE OWEN BONDY DRAIN

**(for 1454410 Ontario Inc. (Parcel 1),
Part of Lots 2 & 3, Concession 3)**

TOWN OF AMHERSTBURG

I. GENERAL SCOPE OF WORK

The Contractor is advised that the work proposed under this project consists of the removal of one (1) existing access bridge and the installation of two (2) new access bridges within the Owen Bondy Drain, serving the lands of 1454410 Ontario Inc. (Parcel 1).

For **Bridge ① and Bridge ③**, the Contractor shall provide all material, labour, and equipment to construct two (2) new access bridges consisting of smoothwall H.D.P.E. plastic pipe, granular bedding and backfill, sloped quarried limestone end protection, and all other ancillary work. All works under this project shall provide us with a complete and satisfactory job.

Furthermore, for **Bridge ②**, the Contractor shall provide all material, labour, and equipment to remove the existing access bridge and end treatments and restore the drain to its original open drain configuration.

The location of the new access bridges shall be the exact designated location as shown on the plan unless otherwise directed by the Property Owner in conjunction with the Town Drainage Superintendent, prior to the construction of same. Any changes to the location of the new access bridges must be approved in writing by the Consulting Engineer.

All work shall be carried out in accordance with these specifications and shall comply in all regards with **Appendix "A"**, as well as the Standard Specifications included in **Appendix "B"**. The works shall be carried out in accordance with the plan labelled herein as **Appendix "C"**. The structure shall be of the size, type, depth, etc., as is shown in the accompanying drawings, as determined from the **Benchmark**, and as may be further laid out at the site at the time of construction. All work carried out under this project shall be completed to the full satisfaction of the Town Drainage Superintendent and/or the Consulting Engineer.

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II. E.R.C.A. AND D.F.O. CONSIDERATIONS

The Contractor shall be required to implement stringent erosion and sedimentation controls during the course of the work to minimize the amount of silt and sediment being carried downstream into the Whelan Drain. It is intended that work on this project be carried out during relatively dry weather to ensure proper site and drain conditions and to avoid conflicts with sediment being deposited into the outlet drainage systems. All disturbed areas shall be restored as quickly as possible with grass seeding and mulching installed to ensure a protective cover and to minimize any erosion from the work site subsequent to construction. The Contractor may be required to provide temporary silt fencing and straw bales as outlined further in these specifications.

All of the work shall be carried out in accordance with any permits or authorizations issued by the Essex Region Conservation Authority (E.R.C.A.) or the Department of Fisheries and Oceans (D.F.O.), copies of which shall be provided, if available. The Contractor is advised that no work shall be carried out in the existing drain from March 15th to June 30th, of any given year.

As part of its work, the Contractor shall implement the following measures that shall ensure that any potential adverse effects on fish and fish habitat shall be mitigated:

- a) As per standard requirements, work shall not be conducted at times when flows in the drain are elevated due to local rain events, storms, or seasonal floods. Work shall be done in the dry.
- b) All disturbed soils on the drain banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be hauled away and disposed of at a suitable site, or spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
- c) To prevent sediment entry into the Drain, in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with related Ontario Provincial Standards. It is incumbent on the proponent and its contractors to ensure that sediment and erosion control measures are functioning properly and are maintained/upgraded as required.
- d) Silt or sand accumulated in the barrier traps must be removed and stabilized on land once the site is stabilized.

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- e) All activities including maintenance procedures should be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicular refuelling and maintenance should be conducted away from the water.

Not only shall the Contractor comply with all of the above, it shall also be required to further comply with any mitigation measures included within the email correspondence with the E.R.C.A. All of which are included within these specifications and labelled herein as Appendix "A".

III. M.E.C.P. CONSIDERATIONS

Under the Species at Risk Provincial Legislation, set in place with the Ministry of Environment, Conservation and Parks (M.E.C.P.), Section 23.9 of the Endangered Species Act, 2007, allows the Town to conduct eligible repair, maintenance, and improvement work under the Drainage Act that exempts these works from Sections 9 and 10 of this Act, so long as they follow the rules within Ontario Regulation 242/08.

Prior to commencing work, the Town of Amherstburg will complete an "Endangered Species Act Review" for the Owen Bondy Drain and will provide the Contractor with the results of said review, including Town documents for the purpose of identification of known species at risk within the project area and mitigation measures for species and habitat protection. It is the responsibility of the Contractor to make certain that necessary provisions are undertaken to ensure the protection of all species at risk and their habitats throughout the course of construction.

The Contractor will be responsible for providing the necessary equipment and materials required by the mitigation plans and shall contact the Town of Amherstburg Drainage Superintendent immediately if any endangered species are encountered during construction.

IV. ACCESS TO WORK AND TRAFFIC CONTROL

The Contractor is advised that all the work to be carried out on this project extends along the east side of Concession 3 North. The Contractor shall have access for the full width of the roadway abutting the proposed drainage works. The Contractor may use the entire width of Concession 3 North right-of-way necessary to permit the completion of all the work required to be completed for this project.

The Contractor shall ensure that the travelling public is always protected while utilizing the roadway for its access. The Contractor shall be required to carry out all the necessary steps to direct traffic and provide temporary diversion of traffic around work sites, including provision of all lights, signs, flag persons, and barricades required to protect the safety of the travelling

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public. The Contractor shall be required to submit a Traffic Control Plan to the Consulting Engineer for approval from the governing Road Authorities. The Traffic Control Plan shall be carried out in accordance with the requirements of the Ontario Traffic Manual's Book 7 for Temporary Conditions. Should the Contractor have to close Concession 3 North for the proposed works, it shall arrange to obtain the necessary authorizations from the Town of Amherstburg and the County of Essex Roads Departments and distribute notification of detours around the site. The Contractor shall also ensure that all emergency services, school bus companies, etc. are contacted about the disruption to access at least 48 hours in advance of same. All detour routes shall be established in consultation with the Town and County Roads Department.

Throughout the course of the work, it is imperative that the Contractor protect as much landscaping and vegetation as possible when accessing along the drain. Due to the extent of the work and the area for carrying out the work, the Contractor shall be required to carry out all of the necessary steps to direct traffic and provide temporary diversion of traffic around work sites, including provision of all lights, signs, flag persons, and barricades required to protect the safety of the travelling public. Any accesses or areas used in carrying out the works are to be fully restored to their original conditions by the Contractor, including topsoil placement and lawn restoration as directed by the Town Drainage Superintendent and/or the Consulting Engineer. Restoration shall include but not be limited to all necessary levelling, grading, shaping, topsoil, seeding and mulching, and granular placement required to make good any damage caused.

The Contractor shall note that any deviation from the above-mentioned access for the construction of the access bridges without the explicit approval of the adjacent landowners and the Town Drainage Superintendent could result in the Contractor being liable for damages sustained. The value for such damage shall be determined by the Town Drainage Superintendent and the Consulting Engineer, and be subsequently deducted from the Contract Price.

V. REMOVAL OF BRUSH, TREES AND RUBBISH

Where there is any brush, trees or rubbish along the course of the drainage works, including the full width of the access, all such brush, trees or rubbish shall be close cut and grubbed out, and the whole shall be burned or otherwise satisfactorily disposed of by the Contractor. The brush and trees removed along the course of the work are to be put into piles by the Contractor in locations where they can be safely burned by it, or hauled away and disposed of, by the Contractor to a site to be obtained by it at its expense. Prior to and during the course of the burning operations, the Contractor shall comply with the guidelines prepared by the Air Quality Branch of the Ontario Ministry of the Environment and shall ensure that the Environmental Protection Act is not violated. The Contractor will be required to notify the local fire authorities and cooperate with them in the carrying out of any work. The

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removal of brush and trees shall be carried out in close consultation with the Town Drainage Superintendent or Consulting Engineer to ensure that no decorative trees or shrubs are disturbed by the operations of the Contractor that can be saved. It is the intent of this project to save as many trees and bushes as practical within the roadway allowances and on private lands.

The Contractor shall protect all other trees, bushes, and shrubs located along the length of the drainage works except for those trees that are established, in consultation with the Town Drainage Superintendent, the Consulting Engineer, and the Owners, to be removed as part of the works. The Contractor shall note that protecting and saving the trees may require the Contractor to carry out handwork around the trees, bushes, and shrubs to complete the necessary final site grading and restoration.

Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.

The Contractor shall remove all deleterious materials and rubbish along the course of the open drain and any such materials located in the bridge culverts while carrying out its cleaning of same. All such deleterious materials and rubbish shall be loaded up and hauled away by the Contractor to a site to be obtained by it at its cost.

VI. FENCING

Where it is necessary to take down any fence to proceed with the work, the same shall be done by the Contractor across or along that portion of the work where such fence is located. The Contractor shall be required to exercise extreme care in the removal of any fencing so as to cause a minimum of damage to same. The Contractor shall be required to replace any fence that is taken down in order to proceed with the work, and the fence shall be replaced in a neat and workmanlike manner. The Contractor shall not be required to procure any new materials for rebuilding the fence provided that it has used reasonable care in the removal and replacing of same. When any fence is removed by the Contractor, and the Owner thereof deems it advisable and procures new material for replacing the fence so removed, the Contractor shall replace the fence using the new materials and the materials from the present fence shall remain the property of the Owner.

VII. DETAILS OF BRIDGE WORK

The Contractor shall provide all material, labour and equipment for the installation of two (2) new access bridges, together with the removal of one (1) existing access bridge for 1454410 Ontario Inc. (Parcel 1), in the Owen Bondy Drain as follows:

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Bridge ① - 1454410 Ontario Inc. (Parcel 1)

The Contractor shall supply and install a new access bridge as set out in the chart forming part of the details for **Bridge ①** on the plans. The Contractor shall provide sloped quarried limestone on filter cloth end protection at each end of the new culvert installation. All work shall be carried out in accordance with these specifications and the requirements in **Appendix "C"**.

When complete, the access bridge along the centreline of the new culvert shall have total top width, including the top width of the sloped quarried limestone end treatments, of approximately 7.51 metres (24.64 ft.) and a travelled driveway width of 6.41 metres (21.03 ft.). The quarried limestone end treatments shall be installed on a slope no steeper than 1.50 horizontal to 1.00 vertical and shall extend from the end of the new smoothwall H.D.P.E. pipe to the top elevation of the driveway.

The culvert installation on this project shall be set to the grades as shown on the plans or as otherwise established herein and the Town Drainage Superintendent or the Consulting Engineer may make minor changes to the bridge alignment as they deem necessary to suit the site conditions. All work shall be carried out in general accordance with the "**Standard Specifications For Access Bridge Construction Including Endwall Treatment, Backfilling And Installation Procedures**" attached to the Specifications and labelled **Appendix "B"**.

Bridge ② - 1454410 Ontario Inc. (Parcel 1)

The Contractor shall completely remove the existing corrugated steel pipe and all end protection, together with the existing steel gate and concrete blocks and dispose of same as outlined in these specifications. The Contractor shall then restore the drain to its original configuration and provide topsoil, seed, and mulch. All work shall be carried out in accordance with these specifications and the requirements in **Appendix "C"**.

Bridge ③ - 1454410 Ontario Inc. (Parcel 1)

The Contractor shall supply and install a new access bridge as set out in the chart forming part of the details for **Bridge ③** on the plans. The Contractor shall provide sloped quarried limestone on filter cloth end protection at each end of the new culvert installation. All work shall be carried out in accordance with these specifications and the requirements in **Appendix "C"**.

When complete, the access bridge along the centreline of the new culvert shall have total top width, including the top width of the sloped quarried limestone end treatments, of approximately 15.25 metres (50.03 ft.) and a travelled driveway width of 14.15 metres (46.42 ft.). The quarried limestone end treatments shall be installed on a slope no steeper than 1.50 horizontal to 1.00 vertical and shall extend from the end of the new smoothwall H.D.P.E. pipe to the top elevation of the driveway.

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The culvert installation on this project shall be set to the grades as shown on the plans or as otherwise established herein and the Town Drainage Superintendent or the Consulting Engineer may make minor changes to the bridge alignment as they deem necessary to suit the site conditions. All work shall be carried out in general accordance with the "**Standard Specifications For Access Bridge Construction Including Endwall Treatment, Backfilling And Installation Procedures**" attached to the Specifications and labelled Appendix "B".

VIII. H.D.P.E. PIPE INSTALLATION

All new 320kPa smoothwall H.D.P.E. culvert pipe(s) shall be set in the general alignment and to the grade elevations established in the accompanying drawings.

The new H.D.P.E. plastic pipe for this project shall be supplied as no more than three (3) lengths of pipe for **Bridge ①** and four (4) lengths for **Bridge ③** all of which are to be joined together with the use of a water-tight bell and gasket joining system, secured in accordance with the Manufacturer's recommendations. The minimum length of a continuous pipe section shall be no less than 3.00 metres (9.87 ft.). The H.D.P.E. plastic pipe for this installation must be of the length, size, and thickness identified in the Plans and approved by the Drainage Superintendent and the Consulting Engineer, prior to its placement in the drain.

For new smoothwall H.D.P.E. culvert pipes that are shown on the plans to have sloped quarried limestone erosion protection at their ends, both ends of the pipe shall be securely anchored against floatation utilizing two (2) steel T-bar fence posts having a minimum length of 1.30 metres (4.00 ft.) or approved equal, on each side of the pipe, together with heavy steel galvanized wire secured between them across the top of the pipe. The top of each post shall be set no higher than the top of the proposed culvert. Pipe anchors shall be installed in accordance with the "**Floatation Anchor Details**" outlined within the accompanying drawings.

The Contractor shall also note that the placement of the new access bridge culvert is to be performed totally in the dry, and it shall be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent and/or Consulting Engineer. The installation of the complete length of the new culvert pipe, including all appurtenances, shall be completely inspected by the Town Drainage Superintendent and/or the Consulting Engineer's Inspector prior to backfilling any portions of same. Under no circumstance shall the Contractor commence the construction or backfill of the replacement culvert pipe without the site presence of the Town Drainage Superintendent and/or the Consulting Engineer's Inspector to inspect and approve said installation. The Contractor shall provide a minimum of forty-eight (48) hours notice to the Town Drainage Superintendent and/or the Consulting Engineer prior to commencement of the work. The installation of the replacement culvert structure is to be performed during normal working hours of the Town Drainage

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Superintendent and/or the Consulting Engineer from Monday to Friday unless written authorization is provided by them to amend said working hours.

The bottom of the trenches must be carefully excavated and trimmed to the elevation and shape of the bottom of the pipe. The bottom of the trenches shall be recessed to receive the pipe in order to allow the pipe to be uniformly supported for its' entire length. Corrections in depth of excavation caused by the Contractor excavating to an extent greater than that required for the elevation of the pipe shall be made by bedding the pipe with 20mm (3/4") clear stone granular material placed at the time that the pipes are being installed, at the Contractors expense.

The Contractor should note that, because the culvert is being installed with an excavator, it is expected that they will provide approximately 150mm (6") of either compacted M.T.O. Granular "A", Granular "B" (Type II) or 20mm (3/4") clear stone bedding material, as outlined within O.P.S.S. Form 1010, to the spring line of the proposed pipe, at a minimum, and throughout the entire length of the culvert. The Contractor shall ensure that a good firm base is provided under the drain pipe, and they shall provide for this item as part of their tender price.

The Contractor shall also note that the placing of the new access bridge culvert shall be completed so that it totally complies with the parameters established and noted in the bridge plan. The placement of the culvert shall be on an even grade and performed totally in the dry, and the Contractor should be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent and/or Consulting Engineer.

IX. BRIDGE CONSTRUCTION

Once the new H.D.P.E smoothwall pipe has been satisfactorily set in place, the Contractor shall completely backfill same with granular material M.T.O. Type "B" O.P.S.S. Form 1010 with the following exception. The top 305mm (12") of the backfill material for the full top width of the access, the full top width of the drain, and the approach to the west and transitions to the east shall be M.T.O. Type "A" O.P.S.S. Form 1010, or local approved equivalent. The backfilling of the H.D.P.E. pipe shall be provided in total compliance with the Standard Specifications included in **Appendix "B"**.

All granular backfill for the bridge installations shall be satisfactorily compacted in place to a minimum Standard Proctor Density of 98% by means of mechanical compaction equipment. All of the backfill material, equipment used, and method of compacting the backfill material shall be provided and performed to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer.

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The new H.D.P.E. smoothwall pipes for these installations are to be provided with a minimum depth of cover measured from the top of the pipe of 305mm (12"). If the bridge culvert pipes are placed at their proper elevations, same should be achieved. If the Contractor finds that the minimum cover is not being met, they shall notify the Drainage Superintendent and the Consulting Engineer immediately so that steps can be taken to rectify the condition prior to the placement of any backfill. The minimum cover requirement is **critical** and must be attained. In order for these new access bridge culverts and enclosures to properly fit the channel parameters, **all of the design grade elevations must be strictly adhered to.**

As a check, all of the above access bridge culvert design grade elevations should be confirmed before commencing to the next stage of the access bridge installation. The Contractor is also to check that the pipe invert grades are correct by referencing the Benchmark.

Although it is anticipated that the culvert installation at each site shall be undertaken in the dry, the Contractor shall supply and install a temporary straw bale check dam in the drain bottom immediately downstream of each culvert site during the time of construction. The straw bale check dam shall be to the satisfaction of the Town Drainage Superintendent or Consulting Engineer and must be removed upon completion of the construction. The straw bales may be reused at each site subject to their condition. All costs associated with the supply and installation of this straw bale check dam shall be included within the construction items for this project.

X. EXCAVATION, REMOVALS AND DISPOSAL

For **Bridge ②**, the Contractor shall be required to excavate and completely remove the existing culvert and headwalls in their entirety, as well as any other deleterious materials that may be encountered in removing same. The Contractor shall also be required to completely dispose of all of same to a site to be obtained by it at its own expense.

The Contractor shall note that the existing access bridge is to be removed and the drain banks shaped to an open channel configuration. The design parameters of the Owen Bondy Drain at the location for the full width of access **Bridge ②** consists of a 0.91 metre (3.00 ft.) bottom width, and 1.50 horizontal to 1.00 vertical side slopes. Drain side slopes and the bottom width shall be cut to these parameters and all excavated and disturbed areas shall be covered with topsoil, seeded and mulched.

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During the course of its excavation operations, the Contractor will be required to salvage all available topsoil. Where necessary, this material shall be stockpiled by the Contractor in order to avoid contamination and shall be utilized in carrying out the 100mm thick topsoil placement along all specified newly excavated and filled or disturbed areas, in preparation for the seeding and mulching operation to be carried out as part of the restoration works.

All unsuitable or deleterious materials from the excavation and removal of the existing culvert and drain shall be hauled away and disposed of by the Contractor to a site to be obtained by it at its own expense. Likewise, where indicated in the plans, or in the Schedule of Items, or in the Specifications, the Contractor shall remove the existing culvert pipe and dispose of all of same at a site to be obtained by it at its own expense. In all cases, the disposal of any trucked material will be the responsibility of the Contractor and it shall ensure that any permits required for fill disposal are obtained from the appropriate authority. The Contractor will be responsible for keeping all private and public roadways free and clear of mud and debris resulting from its use of same for access and hauling purposes.

As part of the work, the Contractor shall be required to excavate, transition and clean the drain bottom for a distance of 3.05 metres (10.00 ft.) both upstream and downstream of the access bridge pipes at each bridge structure installation site. The sediment material from this excavation shall under no circumstance be utilized for the backfilling of any of the enclosure pipe, and same must be totally trucked away and disposed of at a site to be obtained by it at its own expense.

When carrying out the excavation and backfilling work, the Contractor shall satisfy itself as to the exact location, nature, and extent of any existing structures, utility, or other object which it may encounter during the course of the work. The Contractor is advised that it is to coordinate any work on the utilities with the utility company. The Contractor shall ensure that it protects all of the underground utility works against damage during the course of its operations, and especially those noted on the drawings.

All roadways, driveways and access bridges, or any other means of access onto the job site shall be fully restored to their former condition at the Contractor's expense. Before authorizing Final Payment, the Town Drainage Superintendent or the Consulting Engineering shall inspect the work in order to be sure that the proper restoration has been performed. In the event that the Contractor fails to satisfactorily clean up any portion of these accesses, the Consulting Engineer shall order such cleanup to be carried out by others and the cost of same to be deducted from any monies owing to the Contractor.

The whole of the work shall be satisfactorily cleaned up, and during the course of the construction, no portion shall be left in any untidy or incomplete state before subsequent portions are undertaken.

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XI. SLOPED QUARRIED LIMESTONE EROSION PROTECTION

Once the smoothwall H.D.P.E. pipe has been set in place, the Contractor shall install sloped quarried limestone end protection at both ends of the access on a slope no steeper than 1.50 horizontal to 1.00 vertical and shall extend from the end of the new pipe to the top elevation of the driveway. The top 305mm (12") of backfill material over the ends of the H.D.P.E. pipe, from the invert of said pipe to the top of the driveway elevation of the access bridge, shall be quarried limestone. The quarried limestone shall be provided as shown and detailed on the plan or as indicated in the Standard Specifications in **Appendix "B"** and shall be graded in size from a minimum of 100mm (4") to a maximum of 250mm (10"). The quarried limestone to be placed on the sloped ends of the access bridge shall be underlain with a synthetic **non-woven** geotextile filter fabric. The sloped quarried limestone protection is to be rounded as shown on the plan details and shall also extend along the drain side slopes to a point directly in line with the ends of the culvert pipe. All work shall be completed to the full satisfaction of the Town Drainage Superintendent and/or the Consulting Engineer.

The quarried limestone shall be provided as is shown and detailed and shall vary in size from a minimum of 100mm (4") to a maximum of 250mm (10"). The quarried limestone pieces shall be carefully tamped into place with the use of a shovel bucket so that, when complete, the quarried limestone erosion protection shall be consistent, uniform, and tightly laid in place. Prior to placing the quarried limestone, the Contractor shall place non-woven geotextile filter fabric "GMN160" conforming to O.P.S.S. 1860 Class 1 or approved equal, as an underlay. The Contractor shall take extreme care not to damage the geotextile filter fabric when placing the quarried limestone. The placement of the geotextile filter fabric and the quarried limestone, and the completion of the quarried limestone erosion protection shall be conducted to the full satisfaction of the Town Drainage Superintendent and/or Consulting Engineer.

The installation of the sloped quarried limestone end protection, unless otherwise specified herein, shall be provided in total compliance with Item 2, Item 3, and Item 4 of the "**Standard Specifications For Access Bridge Construction Including Endwall Treatment, Backfilling And Installation Procedures**". These are attached to the back of these specifications and labelled **Appendix "B"**. The Contractor shall comply in all respects with the General Conditions included in Item 4 and the "**Typical Quarried Limestone End Protection**" detail illustrated within the plan.

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XII. BENCHMARKS

For use by the Contractor, we have established a Benchmark near the location of the new access bridge structures.

The plans include details illustrating the work to be completed for the new bridges together with the bridge removal. For the bridge details, Benchmarks have been indicated and the elevations have been shown and may be utilized by the Contractor in carrying out its work. The Contractor shall note that a specific design elevation grade has been provided for the invert at each end of the pipes in the tables accompanying the details. The tables also set out the pipe size, materials, and other requirements relative to the installation of the bridge structures. In all cases, the Contractor is to utilize the specified drain slope to set any new pipe installation. The Contractor shall ensure that it takes note of the direction of flow and sets the pipe to assure that the grade flows from south to north to match the direction of flow within the drain. The Contractor's attention is drawn to the fact that the pipe invert grades established herein provide for same to be set approximately 10% of their diameter below the existing drain bottom or the design grade of the drain, whichever is lower.

XIII. ANCILLARY WORK

During the course of any repair or improvements, the Contractor will be required to protect or extend any existing tile ends or swales to maintain the drainage from the adjacent lands. All existing tiles shall be extended utilizing Boss 1000 or equal plastic pipe of the same diameter as the existing tile and shall be installed in accordance with the "**Standard Lateral Tile Detail**" as shown in the details included in **Appendix "B"** unless otherwise noted. Connections shall be made using a Manufacturer's coupling wherever possible. Openings into new pipes shall be neatly saw cut to the satisfaction of the Town Drainage Superintendent or the Consulting Engineer. For other connections, the Contractor shall utilize a grouted connection. Grouted mortar joints shall be composed of three (3) parts of clean, sharp sand to one (1) part of Portland Cement with just sufficient water added to provide a stiff plastic mix. The mortar joint shall be of a sufficient mass around the full circumference of the joint on the exterior side to ensure a tight, solid seal.

The Contractor shall also be required as part of the bridge installations to excavate and widen the drain bottom where required to fit the new bridge culvert pipes in order to provide a smooth transition between the new bridge culvert installations and the existing drain.

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XIV. TOPSOIL, SEED AND MULCH

The Contractor shall be required to restore all existing grassed areas and drain side slopes damaged by the structure installation, and place topsoil, seed, and mulch over said areas including any specific areas noted on the plans. The Contractor shall be required to use the scavenged topsoil stripped from the drain banks. The balance of the topsoil required shall be obtained by the Contractor at its own expense. The Contractor shall provide all the material to cover the above-mentioned surface areas with approximately 50mm of good, clean, dry topsoil on slopes and 100mm of good, clean, dry topsoil on horizontal surfaces, fine graded and spread in place ready for seeding and mulching. The placing and grading of all topsoil shall be carefully carried out according to Ontario Provincial Standard Specifications, Form 570, dated November 2007, or as subsequently amended or as amended by these Specifications. Once the topsoil has been properly placed and fine graded, the Contractor shall seed and mulch the area. Seeding and mulching operations shall be carried out according to Ontario Provincial Standard Specifications, Form 572, dated November 2003, or as subsequently amended or as amended by these Specifications. The seeding mixture shall be OSECO Seed Mixture Canada No. 1, as available from Morse Growers Supply in Leamington, or approved equal. As part of the seeding and mulching operation, the Contractor shall be required to provide either a hydraulic mulch mix or a spread straw mulch with an adhesive binder in accordance with O.P.S.S. 1103.05.03 dated November 2007, or as subsequently amended, to ensure that the grass seed shall be protected during germination and provide a thick, uniform cover to protect against erosion, where necessary.

All of the work relative to the placement of topsoil and the seeding and mulching operation shall be meticulously done and completed in a good and workmanlike manner all to the full satisfaction of the Town Drainage Superintendent and Consulting Engineer.

XV. GENERAL CONDITIONS

- a) The Town Drainage Superintendent or Consulting Engineer shall have authority to carry out minor changes to the work where such changes do not lessen the efficiency of the work.
- b) The Contractor shall satisfy itself as to the exact location, nature and extent of any existing structure, utility or other object which it may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town of Amherstburg and the Consulting Engineer and its' representatives for any damages which it may cause or sustain during the progress of the work. It shall not hold the Town of Amherstburg or the Consulting Engineer liable for any legal action arising out of any claims brought about by such damage caused by it.

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- c) The Contractor shall provide a sufficient number of layout stakes and grade points so that the Drainage Superintendent and Consulting Engineer can review same and check that the work shall generally conform with the design and project intent.
- d) The Contractor shall be responsible for any damage caused by it to any portion of the Municipal road system, especially to the travelled portion. When excavation work is being carried out and the excavation equipment is placed on the travelled portion of the road, the travelled portion shall be protected by having the excavation equipment placed on satisfactory timber planks or timber pads. If any part of the travelled portion of the road is damaged by the Contractor, the Town shall have the right to have the necessary repair work done by its' employees and the cost of all labour and materials used to carry out the repair work shall be deducted from the Contractor's contract and credited to the Town. The Contractor, upon completing the works, shall clean all debris and junk, etc., from the roadside of the drain, and leave the site in a neat and workmanlike manner. The Contractor shall be responsible for keeping all public roadways utilized for hauling materials free and clear of mud and debris.
- e) The Contractor shall provide all necessary lights, signs, and barricades to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. A Traffic Control Plan is required for this project. The Traffic Control Plan is to comply with the Ontario Traffic Manual's Book 7 for Temporary Conditions. A suitable Traffic Control Plan must be submitted to the Consulting Engineer, the Town and/or the County of Essex for approval, where applicable.
- f) Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.
- g) The whole of the work shall be satisfactorily cleaned up, and during the course of the construction, no work shall be left in any untidy or incomplete state before subsequent portions are undertaken.
- h) All driveways, laneways and access bridges, or any other means of access on to the job site shall be fully restored to their former condition at the Contractor's expense. Before authorizing Final Payment, the Town Drainage Superintendent and the Consulting Engineer shall inspect the work in order to be sure that the proper restoration has been performed. In the event that the Contractor fails to satisfactorily clean up any portion of these accesses, the Consulting Engineer shall order such cleanup to be carried out by others and the cost of same be deducted from any monies owing to the Contractor.

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- i) The Contractor shall be required to submit to the Town, a Certificate of Good Standing from the Workplace Safety and Insurance Board prior to the commencement of the work and the Contractor shall be required to submit to the Town, a Certificate of Clearance for the project from the Workplace Safety and Insurance Board before Final Payment is made to the Contractor.
- j) The Contractor shall furnish a Performance and Maintenance Bond along with a separate Labour and Material Payment Bond within ten (10) days after notification of the execution of the Agreement by the Owner unless otherwise established within the Tender Documents. One copy of said bonds shall be bound into each of the executed sets of the Contract. Each Performance and Maintenance Bond and Labour and Material Payment Bond shall be in the amount of 100% of the total Tender Price. All Bonds shall be executed under corporate seal by the Contractor and a surety company, authorized by law to carry out business in the Province of Ontario. The Bonds shall be acceptable to the Owner in every way and shall guarantee faithful performance of the Contract during the period of the Contract, including the period of guaranteed maintenance which shall be in effect for twelve (12) months after substantial completion of the works.

The Tenderer shall include the cost of bonds in the unit price of the Tender items as no additional payment shall be made in this regard.

- k) The Contractor shall be required, as part of this Contract, to provide Comprehensive Liability Insurance coverage for not less than \$5,000,000.00 on this project unless otherwise established in the Tender Documents, and shall name the Town of Amherstburg and its' officials, and the Consulting Engineer and its staff as additional insured under the policy. The Contractor must submit a copy of this policy to both the Town Clerk and the Consulting Engineer prior to the commencement of work.
- l) Monthly progress orders for payment shall be furnished to the Contractor by the Town Drainage Superintendent. Said orders shall be for not more than 90% of the value of the work done and the materials furnished on the site. The paying of the full 90% does not imply that any portion of the work has been accepted. The remaining 10% shall be paid 60 days after the final acceptance and completion of the work and payment shall not be authorized until the Contractor provides the following:
 - i) a Certificate of Clearance for the project from the Workplace Safety and Insurance Board
 - ii) proof of advertising

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iii) a Statutory Declaration, in a form satisfactory to the Consulting Engineer and the Town, that all liabilities incurred by the Contractor and its Sub-Contractors in carrying out the Contract have been discharged and that all liens in respect of the Contract and Sub-Contracts thereunder have expired or have been satisfied, discharged or provided for by payment into Court.

The Contractor shall satisfy the Consulting Engineer or Town that there are no liens or claims against the work and that all of the requirements as per the Construction Act, 2018 and its' subsequent amendments have been adhered to by the Contractor.

m) In the event that the Specifications, Information to Tenderers, or the Form of Agreement do not apply to a specific condition or circumstance with respect to this project, the applicable section or sections from the Canadian Construction Documents Committee (C.C.D.C.) shall govern and be used to establish the requirements of the work.

APPENDIX "A"

From: Kory Snelgrove
Sent: December 18, 2020 5:11 PM
To: AGyori@erca.org
Cc: tony@peraltaengineering.com; Shane McVitty; nnumber@amherstburg.ca
Subject: RE: Notification of Request for Drainage Works - Owen Bondy Drain
Attachments: 201218 - PRELIMINARY - Bridges over the Owen Bondy Drain.pdf

Good afternoon Ashley,

Further to the correspondence from ERCA and Town of Amherstburg Staff below, our office was appointed under Section 78 of the Drainage Act for the installation of two new access bridges over the Owen Bondy Drain for 1454410 Ontario Inc. ("Parcel 1"), along Concession 3 North. The Owen Bondy Drain watershed is divided into two separate outlets with the top end of the drain located near the south property line of the subject parcel. It shall be noted that all of the drainage works included within our report is located within the north reach of the Owen Bondy Drain.

Following discussions with the owner and Town staff, these new accesses are required as a result of the proposed greenhouse development. It should be noted that the watershed boundaries have been changed due to the greenhouse development discharging into the upstream end of the Whalen Drain.

The initial scope of work was intended to include for the installation of two new access bridges. However, based on the information outlined below, and as discussed at the virtual on-site meeting for this project we have provided for the removal of one additional access bridge.

In accordance with your request for a preliminary design proposal for this project, attached you will find the preliminary design drawings for your review. Based on our preliminary design, we have determined the following details:

- **Bridge No. 1** – The proposed new access bridge shall consist of approximately 13.0m of 600mm diameter 320 kPa smoothwall H.D.P.E. pipe with sloped quarried limestone end treatments, together with 60mm of pipe embedment below the designed drain bottom. This access bridge is intended to provide a top width of 6.41m (21.0') for standard vehicle access.
- **Bridge No. 2** – represents an existing access bridge for 1454410 Ontario Inc, at M.N. 265 (formerly M.N. 349), Concession 3 North. The existing access bridge consists of approximately 6.70m of 750mm diameter corrugated steel pipe with vegetation and broken concrete end treatments. This access bridge is found to be in poor shape and no longer required for this development. Therefore, this access is intended to be removed with full restoration of the drain.
- **Bridge No. 3** – The proposed new access bridge shall consist of approximately 20.0m of 600mm diameter 320 kPa smoothwall H.D.P.E. pipe with sloped quarried limestone end treatments, together with 60mm of pipe embedment below the designed drain bottom. This access bridge is intended to provide a top width of 14.15m (46.4') to provide for a minimum 15.00 metre radius from approximately the edge of the asphalt roadway to the edge of the new driveway in accordance with the Ministry of Transportation Ontario, CSAS – 31 "Entrance to Small Business for Rural Areas" which is intended for larger truck traffic.
- **Bridge No. 4** – represents an existing access bridge for 1454410 Ontario Inc, at M.N. 265 Concession 3 North. The existing bridge consists of approximately 22.3m of 600mm diameter High Density Polyethylene pipe with sloped quarried limestone end treatments. No work is being completed to this access within this report.

All bridges have been design to have the capacity to handle a 1 in 5 year storm event. There are no access bridges upstream of **Bridge No. 4** within the north reach of the Drain. Approximately 130.0 metres downstream of the proposed access **Bridge No. 1** is a 900mm dia. smoothwall H.D.P.E. pipe having a total length of 12.2m in length with sloped quarried limestone end treatments which serves the E.R.C.A. greenway trail.

We have reviewed the DFO website as it relates to the Fisheries Act and have performed a "Self Assessment" for this project. Also, as it relates the Endangered Species Act, we have contacted the Town of Amherstburg to ensure that this project is covered under the new ESA Regulation 242/08.

We trust that this information is satisfactory. However, if you have any concerns or require additional information, please feel free to contact us at your earliest opportunity as we intend on finalizing this report as soon as practical.

Kindest Regards,

Kory Snelgrove

N.J. Peralta Engineering Ltd.
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From: Ashley Gyori <AGyori@erca.org>
Sent: October 6, 2020 12:30 PM
To: Shane McVitty <smcvitty@amherstburg.ca>
Cc: tony@peraltaengineering.com
Subject: RE: Notification of Request for Drainage Works - Owen Bondy Drain

Good afternoon Shane,

This office acknowledges receipt of the Notice of Request for Repairs and Improvements to the Owen Bondy Drain.

A review of our floodplain mapping for the Owen Bondy Drain indicates that it is located within an area that is under the jurisdiction of the Essex Region Conservation Authority (ERCA) (Section 28 of the *Conservation Authorities Act*). Prior to undertaking works, a permit is required from this office.

At this time, we do not expect that there will be any extraneous comments or concerns with respect to this project; however, we cannot be more specific in this regard without an actual proposal to review.

With respect to Department of Fisheries and Oceans (DFO) concerns and comments, the proposed works to the drain will need to be self-assessed by you, the proponent, through the DFO website at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. Through the self-assessment process, you will be able to determine if these works require a formal authorization under the *Fisheries Act*.

If further information or clarification is required, please do not hesitate to contact me.

Kind regards,



ASHLEY GYORI
Regulations Analyst
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 • Essex, Ontario • N8M 1Y6
agyori@erca.org • essexregionconservation.ca

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****NOTE:** As per public health guidelines, our offices are closed to the public, but staff are working remotely to provide responses to inquiries and review applications as efficiently as possible. Your patience and understanding is greatly appreciated at this time. **

From: Shane McVitty <smcvitty@amherstburg.ca>
Sent: Monday, September 21, 2020 8:06 AM
To: Ashley Gyori <AGyori@erca.org>
Cc: Dan Jenner <DJenner@erca.org>; Tim Byrne <TByrne@erca.org>; 'tony@peraltaengineering.com' <tony@peraltaengineering.com>
Subject: Notification of Request for Drainage Works - Owen Bondy Drain

Good Morning Ashley,

Please find attached a letter notifying the Essex Region Conservation Authority of a request that the Town of Amherstburg has received a request for improvement to the Owen Bondy, located along the east side of Concession Road 3N, south of Texas Road, in the former Geographic Township of Anderdon. In general, the property owner will be developing a new greenhouse (Cecelia Acres) and will required two (2) new access bridges across the drain.

If you have any questions or concerns, please do not hesitate to contact myself directly.

Regards,
Shane

Shane McVitty
Drainage Superintendent / Engineering Coordinator
Town of Amherstburg
512 Sandwich St. South, Amherstburg, ON, N9V 3R2
Tel: 519-736-3664 Fax: 519-736-7080 TTY: 519-736-9860



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APPENDIX "B"

STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION INCLUDING ENDWALL TREATMENT, BACKFILLING AND INSTALLATION PROCEDURES

1. CONCRETE FILLED JUTE BAG HEADWALLS

After the Contractor has set in place the new pipe, it shall completely backfill the same and install new concrete jute bag headwalls at the locations and parameters indicated on the drawing. When constructing the concrete jute bag headwalls, the Contractor shall place the bags so that the completed headwall will have a slope inward from the bottom of the pipe to the top of the finished headwall. The slope of the headwall shall be one unit horizontal to five units vertical. The Contractor shall completely backfill behind the new concrete jute bag headwalls with Granular "B" and Granular "A" material as per O.P.S.S. Form 1010 and the granular material shall be compacted in place to a Standard Proctor Density of 100%. The placing of the jute bag headwalls and the backfilling shall be performed in lifts simultaneously. The granular backfill shall be placed and compacted in lifts not to exceed 305mm (12") in thickness.

The concrete jute bag headwalls shall be constructed by filling jute bags with concrete. All concrete used to fill the jute bags shall have a minimum compressive strength of 21 MPa in 28 days and shall be provided and placed only as a wet mix. Under no circumstance shall the concrete to be used for filling the jute bags be placed as a dry mix. The jute bags, before being filled with concrete, shall have a dimension of 460mm (18") x 660mm (26"). The jute bags shall be filled with concrete so that when they are laid flat, they will be approximately 100mm (4") thick, 305mm (12") to 380mm (15") wide and 460mm (18") long.

The concrete jute bag headwall to be provided at the end of the bridge pipe shall be of a single bag wall construction. The concrete filled bags shall be laid so that the 460mm (18") dimension is parallel with the length of the new pipe. The concrete filled jute bags shall be laid on a footing of plain concrete being 460mm (18") wide, extending for the full length of the wall, and from 305mm (12") below the bottom of the culvert pipe to the bottom of the culvert pipe.

All concrete used for the footing, cap and bags shall have a minimum compressive strength of 21 Mpa in 28 days and include 6% ± 1% air entrainment.

Upon completion of the jute bag headwall the Contractor shall cap the top row of concrete filled bags with a layer of plain concrete, minimum 100mm (4") thick, and hand trowelled to obtain a pleasing appearance. If the cap is made more than 100mm thick, the Contractor shall provide two (2) continuous 15M reinforcing bars set at mid-depth and equally spaced in the cap. The Contractor shall fill all voids between the concrete filled jute bags and the corrugated steel pipe with concrete, particular care being taken underneath the pipe haunches to fill all voids.

The completed jute bag headwalls shall be securely embedded a minimum of 500mm (20") measured perpendicular to the sideslopes of the drain.

As an alternate to constructing a concrete filled jute bag headwall, the Contractor may construct a grouted concrete rip rap headwall. The specifications for the installation of a concrete filled jute bag headwall shall be followed with the exception that broken sections of concrete may be substituted for the jute bags. The concrete rip rap shall be approximately 460mm (18") square and 100mm (4") thick and shall have two (2) flat parallel sides. The concrete rip rap shall be fully mortared in place using a mixture composed of three (3) parts of clean sharp sand and one (1) part of Portland Cement.

The complete placement and backfilling of the headwalls shall be performed to the full satisfaction of the Town Drainage Superintendent.

2. QUARRIED LIMESTONE ENDWALLS

The backfill over the ends of the corrugated steel pipe shall be set on a slope of 1-½ metres horizontal to 1 metre vertical from the bottom of the corrugated steel pipe to the top of each sideslope and between drain sideslopes. The top 305mm (12") in thickness of the backfill over the ends of the corrugated steel pipe shall be quarried limestone. The quarried limestone shall also be placed on a slope of 1-½ metres horizontal to 1 metre vertical from the bottom of the corrugated steel pipe to the top of each sideslope of the drain and between both sideslopes. The quarried limestone shall have a minimum dimension of 100mm (4") and a maximum dimension of 250mm (10"). It shall be placed with the quarried limestone pieces carefully tamped into place with the use of a shovel bucket so that, when complete, the end protection shall be consistent, uniform, and tightly laid in place.

Prior to placing the quarried limestone end protection over the granular backfill, the Contractor shall lay non-woven geotextile filter fabric "GMN160" conforming to O.P.S.S. 1860 Class I or approved equal. The geotextile filter fabric shall extend from the bottom of the corrugated steel pipe to the top of each sideslope of the drain and between both sideslopes of the drain.

The Contractor shall take extreme care not to damage the geotextile filter fabric when placing the quarried limestone on top of the filter fabric.

3. BRIDGE BACKFILL

After the corrugated steel pipe has been set in place, the Contractor shall backfill the pipe with Granular "B" material, O.P.S.S. Form 1010 with the exception of the top 305mm (12") of the backfill. The top 305mm (12") of the backfill for the full width of the excavated area (between each sideslope of the drain) and for the top width of the driveway, shall be Granular "A" material, O.P.S.S. Form 1010. The granular backfill shall be compacted in place to a Standard Proctor Density of 100% by means of mechanical compactors. All of the backfill material, equipment used, and method of compacting the backfill material shall be inspected and approved and meet with the full satisfaction of the Town Drainage Superintendent.

4. GENERAL

Prior to the work commencing, the Town Drainage Superintendent must be notified, and under no circumstances shall work begin without the Superintendent being at the site. Furthermore, the grade setting of the pipe must be checked, confirmed, and approved by the Superintendent prior to continuing on with the bridge installation.

The alignment of the new bridge culvert pipe shall be in the centreline of the existing drain, and the placing of same must be performed totally in the dry.

Prior to the installation of the new access bridge culvert, the existing sediment build-up in the drain bottom must be excavated and completely removed. This must be done not only along the drain where the bridge culvert pipe is to be installed, but also for a distance of 3.05 metres (10 ft.) both upstream and downstream of said new access bridge culvert. When setting the new bridge culvert pipe in place it must be founded on a good undisturbed base. If unsound soil is encountered, it must be totally removed and replaced with 20mm (3/4") clear stone, satisfactorily compacted in place.

When doing the excavation work or any other portion of the work relative to the bridge installation, care should be taken not to interfere with, plug up, or damage any existing surface drains, swales, and lateral or main tile ends. Where damage is encountered, repairs to correct same must be performed immediately as part of the work.

The Contractor and/or landowner performing the bridge installation shall satisfy themselves as to the exact location, nature and extent of any existing structure, utility or other object that they may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town, the Town Drainage Superintendent and the Engineer for any damages which it may cause or sustain during the progress of the work. It shall not hold them liable for any legal action arising out of any claims brought about by such damage caused by it.

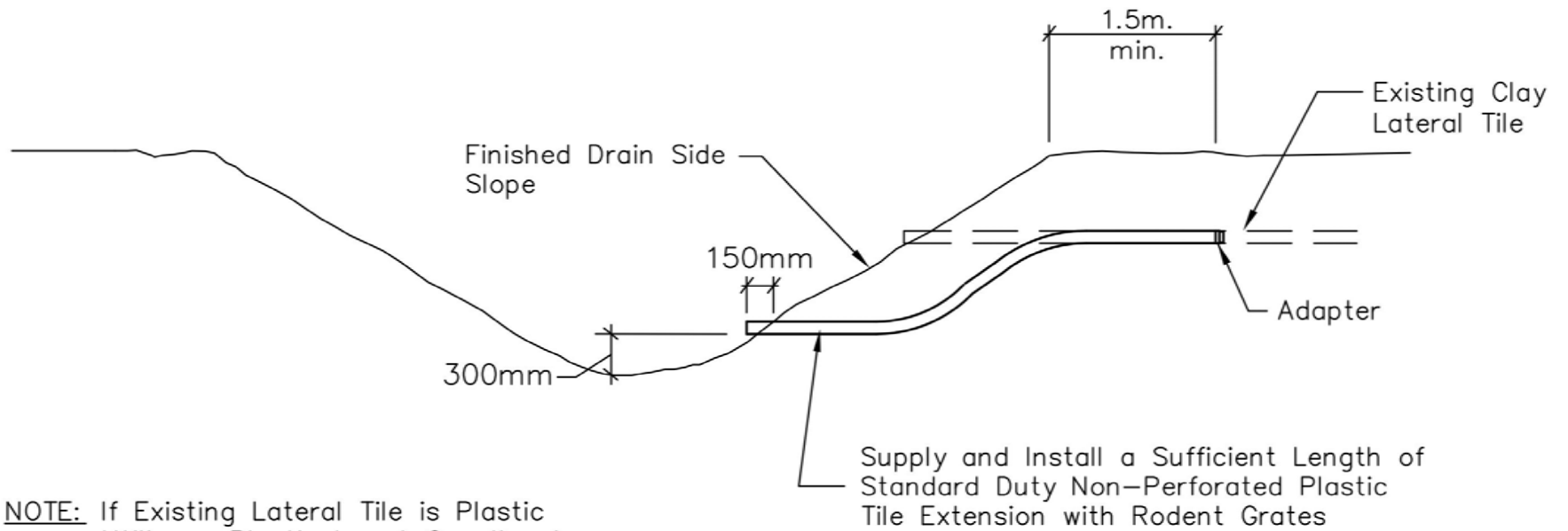
Where applicable, the Contractor and/or landowner constructing the new bridge shall be responsible for any damage caused by them to any portion of the Town road right-of-way. They shall take whatever precautions are necessary to cause a minimum of damage to same and must restore the roadway to its' original condition upon completion of the works.

When working along a municipal roadway, the Contractor shall provide all necessary lights, signs, barricades and flagmen, as required to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, it is to comply with the M.T.O. Traffic Control Manual for Roadway Work Operations.

Once the bridge installation has been completed, the drain sideslopes directly adjacent the new headwalls and/or endwalls are to be completely restored including revegetation, where necessary.

All of the work required towards the installation of the bridge shall be performed in a neat and workmanlike manner. The general site shall be restored to its' original condition, and the general area shall be cleaned of all debris and junk, etc. caused by the work.

All of the excavation, installation procedures, and parameters as above mentioned under this sub-heading, are to be carried out and performed to the full satisfaction of the Town Drainage Superintendent.



NOTE: If Existing Lateral Tile is Plastic Utilize a Plastic Insert Coupling in Place of Adapter.

Page 174
STANDARD LATERAL TILE DETAIL

SCALE = N.T.S.

APPENDIX "C"

PLANS & DETAILS

OF THE

BRIDGES OVER THE OWEN BONDY DRAIN

(For 1454410 Ontario Inc. (Parcel 1), Part of Lots 2 & 3, Concession 3)

IN THE

TOWN OF AMHERSTBURG (Geographic Township of Anderdon)

IN THE

COUNTY OF ESSEX • ONTARIO

A.B.P.
ANTONIO B. PERALTA, P.ENG.



N. J. PERALTA ENGINEERING LTD.

45 DIVISION STREET NORTH
KINGSVILLE, ONTARIO
N9Y 1E1

DATE: DECEMBER 22nd, 2020

TOWN OF AMHERSTBURG

MAYOR: ALDO DICARLO
CLERK: PAULA PARKER
DRAINAGE SUPERINTENDENT: SHANE McVITTY P.Eng.

BENCHMARKS:

1) TOP OF NAIL SET IN EAST FACE OF EXISTING HYDRO POLE LOCATED ON THE WEST SIDE OF CONCESSION 3 NORTH IN FRONT OF M.N. 265 AND APPROXIMATELY 4.5m SOUTH OF PROPOSED BRIDGE ①.

ELEV. 183.652m

2) TOP OF NAIL SET IN THE EAST FACE OF EXISTING HYDRO POLE LOCATED ON THE WEST SIDE OF CONCESSION 3 NORTH IN FRONT OF M.N. 265 AND APPROXIMATELY 167.0m SOUTH OF PROPOSED BRIDGE ③.

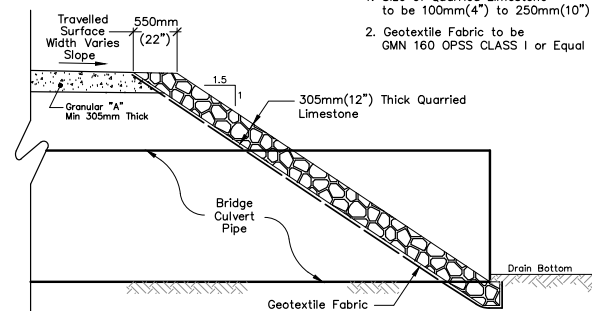
ELEV. 183.574m

GENERAL NOTES:

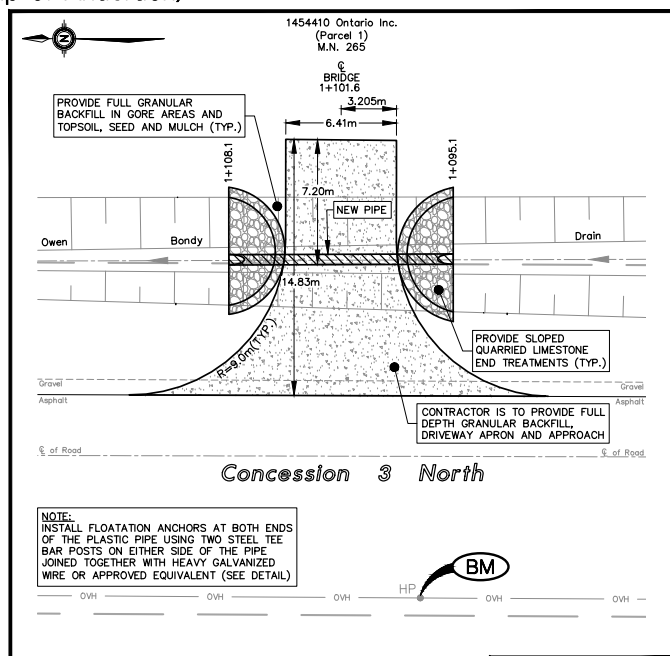
- THE ACCURACY OF THE UTILITIES SHOWN ON THESE DRAWINGS ARE NOT GUARANTEED BY THE OWNER OR N. J. PERALTA ENGINEERING LTD. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION SHOWN.
- ALL DIMENSIONS SHOWN IN METERS UNLESS NOTED OTHERWISE. PROPERTY LINES ARE APPROXIMATE AND ARE BASED ON THE TOWN OF AMHERSTBURG GIS AND FIELD INFORMATION.
- THE ENTRANCE LOCATION IS BASED ON THE SITE PLAN APPROVED BY THE TOWN OF AMHERSTBURG; THE ENTRANCE HAS BEEN DESIGNED TO SATISFY THE M.T.O. COMMERCIAL SITE ACCESS POLICY AND STANDARD DESIGNS FOR AN ENTRANCE TO SMALL BUSINESS (C.S.A.S.-31).
- THE CONTRACTOR IS RESPONSIBLE TO RECEIVE ALL NECESSARY PERMITS AND AUTHORIZATIONS ISSUED BY THE ESSEX REGION CONSERVATION AUTHORITY AND THE TOWN OF AMHERSTBURG.
- CONTRACTOR IS TO PROVIDE FULL DEPTH GRANULAR BACKFILL AND GRANULAR DRIVEWAY APPROACH.
- ALTHOUGH A PAVED DRIVEWAY APRON DOES NOT FORM PART OF THIS PROJECT, THE OWNER SHALL COORDINATE AND INSTALL SAME AS PART OF THEIR SITE PLAN AGREEMENT WITH THE TOWN OF AMHERSTBURG.
- THE OWNER SHALL BE RESPONSIBLE FOR THE GRANULAR ACCESS AND LOT GRADING BEYOND THE LIMITS SHOWN.

NOTE:

- Size of Quarried Limestone to be 100mm(4") to 250mm(10")
- Geotextile Fabric to be GMN 160 OPSS CLASS I or Equal



TYPICAL QUARRIED LIMESTONE END PROTECTION
N.T.S.



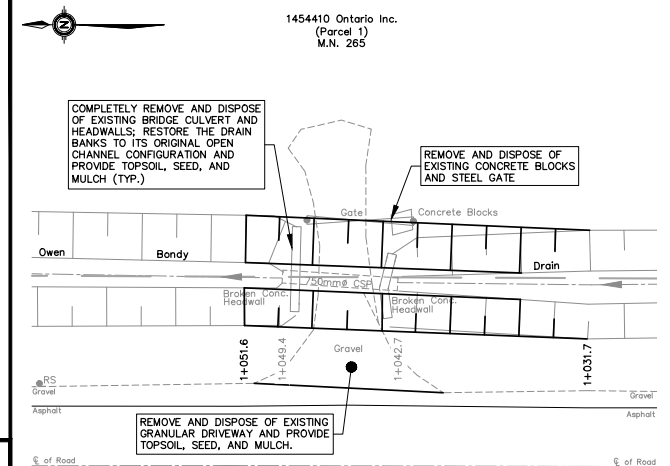
BRIDGE ① PLAN
Scale = 1:200

NEW BRIDGE INSTALLATION

BENCHMARK:
TOP OF NAIL SET IN EAST FACE OF EXISTING HYDRO POLE LOCATED ON THE WEST SIDE OF CONCESSION 3 NORTH IN FRONT OF M.N. 265 AND APPROXIMATELY 4.5m SOUTH OF PROPOSED BRIDGE ①.
ELEV. = 183.652m

PIPE SIZE:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:
600mm#	13.0m (42.65 FT.)	320 kPa	SMOOTHWALL INTERIOR	H.D.P.E.

PIPE & DRIVEWAY ELEVATIONS:
UPSTREAM INV. (S) = 182.000m
DOWNSTREAM INV. (N) = 181.992m
DESIGN GRADE = 0.06%
% OF DRIVEWAY AT ROADWAY EDGE = 183.981m
% OF DRIVEWAY AT PIPE CENTRELINE = 183.801m
% OF DRIVEWAY 7.20m EAST OF R.O.W. LIMIT = 183.615m
DRIVEWAY CROSSFALL FROM CENTRELINE TO TOP OUT END OF END WALL = 1.00%



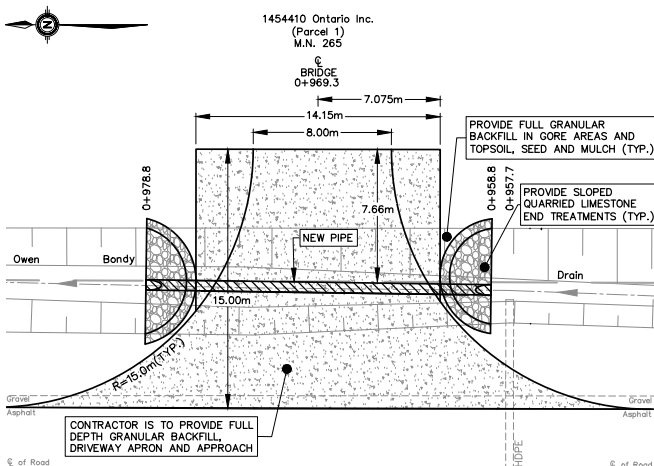
BRIDGE ② PLAN
Scale = 1:200

REMOVE AND ABANDON

BENCHMARK:
TOP OF NAIL SET IN EAST FACE OF EXISTING HYDRO POLE LOCATED ON THE WEST SIDE OF CONCESSION 3 NORTH IN FRONT OF M.N. 265 AND APPROXIMATELY 4.5m SOUTH OF PROPOSED BRIDGE ①.
ELEV. = 183.652m

PIPE SIZE:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:
--	--	--	--	--

DRAIN DETAILS:
UPSTREAM DRAIN BOTTOM ELEV. (1+031.7) = 182.097m
DOWNSTREAM DRAIN BOTTOM ELEV. (1+051.6) = 182.085m
DESIGN GRADE = 0.06%
BOTTOM WIDTH = 0.91m
SIDE SLOPES = 1.5H : 1.0V



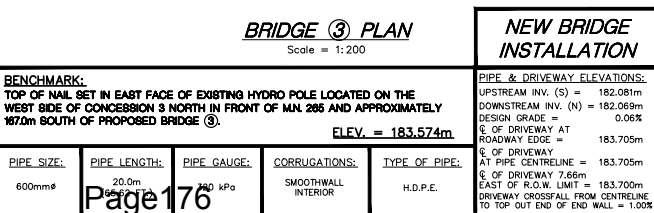
BRIDGE ③ PLAN
Scale = 1:200

NEW BRIDGE INSTALLATION

BENCHMARK:
TOP OF NAIL SET IN EAST FACE OF EXISTING HYDRO POLE LOCATED ON THE WEST SIDE OF CONCESSION 3 NORTH IN FRONT OF M.N. 265 AND APPROXIMATELY 167.0m SOUTH OF PROPOSED BRIDGE ③.
ELEV. = 183.574m

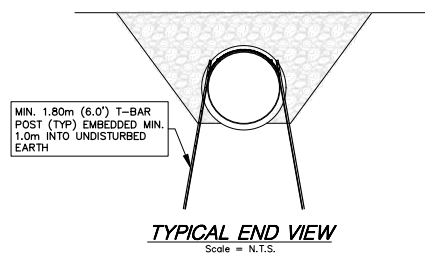
PIPE SIZE:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:
600mm#	20.0m	320 kPa	SMOOTHWALL INTERIOR	H.D.P.E.

PIPE & DRIVEWAY ELEVATIONS:
UPSTREAM INV. (S) = 182.081m
DOWNSTREAM INV. (N) = 182.069m
DESIGN GRADE = 0.06%
% OF DRIVEWAY AT ROADWAY EDGE = 183.705m
% OF DRIVEWAY AT PIPE CENTRELINE = 183.705m
% OF DRIVEWAY 7.66m EAST OF R.O.W. LIMIT = 183.700m
DRIVEWAY CROSSFALL FROM CENTRELINE TO TOP OUT END OF END WALL = 1.00%

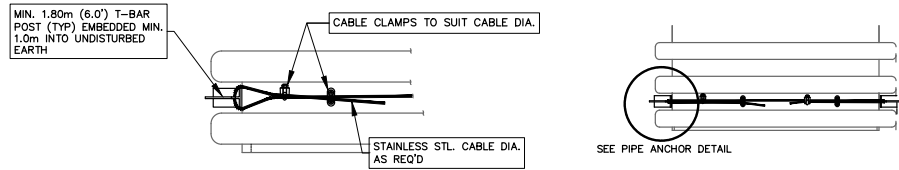


KEY PLAN
Scale = 1:7,500

- DENOTES COMPLETE BRIDGE REPLACEMENT
- ⊗ DENOTES BRIDGE REMOVAL
- DENOTES EXISTING BRIDGE



TYPICAL END VIEW
Scale = N.T.S.



PIPE ANCHOR DETAIL
Scale = N.T.S.

TYPICAL TOP VIEW
Scale = N.T.S.

FLOTATION ANCHOR DETAILS

FOR DISTRIBUTION
The copy of this Plan complies with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

THESE DRAWINGS HAVE BEEN REDUCED IN SIZE AND THE SCALE THEREFORE VARIES.
FULL SCALE DRAWINGS CAN BE VIEWED AT THE MUNICIPAL OFFICES IF REQUIRED.

DRAWN BY: K.D.S.
PLOT CODE: 1:1
COMPUTER FILE: D20103S2.dwg
FILE No.: D20-103
SHEET No.: 1 OF 1

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2021 – 009

**By-law to provide for the Bridges Over the Owen Bondy Drain based on the
Drainage Report by N.J. Peralta Engineering Ltd.**

WHEREAS a request for improvement of the Owen Bondy Drain was received under section 78 of the Drainage Act;

WHEREAS Council of the Corporation of the Town of Amherstburg appointed an engineer for the purpose of preparation of an engineer's report for the improvements of the Owen Bondy Drain under section 78 of the Drainage Act;

WHEREAS Council of the Corporation of the Town of Amherstburg has authorized Tony Peralta, P. Eng., to prepare a report and said engineer's report dated December 22, 2020, can be referenced as Schedule A, as attached hereto;

WHEREAS \$56,056.00 is the estimated cost of improving the drainage works;

AND WHEREAS the report was considered by the Amherstburg Drainage Board at the meeting held on February 2, 2021.

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

1. AUTHORIZATION

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report

2. BORROWING

The Corporation of the Town of Amherstburg may borrow on the credit of the Corporation the amount of \$56,056.00 being the amount necessary for the improvements of the drainage works.

3. DEBENTURE(S)

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:

- (a) Grants received under section 85 of the Drainage Act;
- (b) Monies paid as allowances;
- (c) Commuted payments made in respect of lands and roads assessed with the municipality;
- (d) Money paid under subsection 61(3) of the Drainage Act; and
- (e) Money assessed in and payable by another municipality.

4. PAYMENT

Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 1% more than the municipal lending rates as posted by The Town of Amherstburg's Bank's Prime Lending Rate on the date of sale of such debenture(s).

(1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.

(2) All assessments of \$1000.00 or less are payable in the first year in which the

assessments are imposed.

Read a first and second time and provisionally adopted this 8th day of February, 2021.

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER

Read a third time and finally passed this ___ day of _____, 2021.

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER

Unfinished Business List - eScribe as at February 8, 2021

Agenda Item	Assigned To	Comment	Description	Date
Off-Road Vehicle Use on Municipal Roadways - Kevin Schmidt and Shawn Ellenberger, Essex County ATV Club	Nicole Rubli	Meeting held with County and ERCA Administration. Anticipate report to Council in Fall 2019 Administration will hold this report until the regulations associated with Bill 107 are passed by the Province, in speaking with AMO Policy Advisor this is expected in 2020 Effective Jan 1, 2021 changes were made to O. Reg 316/03. These changes do not effect Amherstburg. ATVs are not permitted on municipal roadways. Report anticipated by end of 2021.	Resolution # 20190325-202 Prue/Renaud That Administration continue to work with the Essex County ATV Club, the County of Essex, ERCA, and the Police to find a possible trial area for off-road vehicle use.	25-Mar-19
SPECIAL PLANNING REPORTS	Cheryl Horrobin	Item cannot be completed until Proclamation date for legislation is determined.	Resolution # 20190826-TBD Prue/Simone That Administration BE DIRECTED to report back to Council at the meeting prior to the 2020 Budget Deliberations and regularly thereafter through 2020 to ensure pertinent deadlines arent missed for Community Benefit Charges and Community Use By-laws, etc.	26-Aug-19
NEW BUSINESS	Anne Rota, Phil Roberts	Tourism administration in 2020 introduced a new festival (TRUE Festival) as supported by the Canadian Experience grant. Additionally the Department has been task with investigating creating green festivals to which preparation is underway for participation in the Great Global Cleanup - Detroit River. The impact of these events will be included, along with an assessment of other events in the pending report. Consultation with the TWEPI to help frame to elements of an economic impact statement requires further action. Information will follow as it becomes available on post pandemic festivals/events.	Resolution # 20190909-447 Simone/Meloche That: Administration BE DIRECTED to prepare a report exploring the economics, rationale and feasibility of introducing other festivals and events within the Town of Amherstburg for Council consideration in the 2020 Operating Budget; Administration BE DIRECTED to look at all possible venues within the Town of Amherstburg to hold events/festivals.	09-Sep-19
NEW BUSINESS	Justin Rousseau, Cheryl Horrobin	Policy work in progress	Resolution # 20190909-446 McArthur/Meloche That: Administration BE DIRECTED to reach out to the Miracle League to advise them of the charitable number that is available to them; and, A policy BE DEVELOPED outlining the use of charitable numbers for other organizations.	09-Sep-19
Opposing SunParlour R/C Flyers Noise Exemption Request - Tom and Mary Bateman	Nicole Rubli	Public consultation required. Anticipate report to Council late Q3 early Q4	Resolution # 20200113-004 Prue/Simone That Administration BE DIRECTED to bring back a report with an amendment to Section 3 of Noise By-law 2001-43.	13-Jan-20
Live Music on Legion Patio from May to October - Laurie Cavanaugh, President, Royal Canadian Legion, Fort Malden Branch 157	Nicole Rubli, Dawn Morencie	Public consultation required. Anticipate report to Council late Q3 early Q4	Resolution # 20200113-006 McArthur/Prue That Administration BE DIRECTED to amend Noise By-law 2001-43 to allow commercial properties with patios to request seasonal exemptions to allow for outdoor music and to allow a reading of 70 decibels from the source of where music is produced.	13-Jan-20
Economic Development Advisory Committee Minutes - 2020 02 06	John Miceli	Administration coordinating discussion with property owners	Resolution # 20200224-078 Simone/Meloche That: 1. The Town of Amherstburg APPROACH the property owner to investigate the opportunities to create a Master Plan for the former Honeywell site to determine its highest and best use; 2. The Town of Amherstburg BRING a report to explore the possibilities of obtaining waterfront properties as they become available in accordance with the Town's Official Plan; and, 3. The Transportation Study BE REFERRED to the Economic Development Advisory Committee before being presented to Council	24-Feb-20
NEW BUSINESS	Nicole Rubli, John Miceli		Resolution # 20200224-080 Prue/Meloche That Administration BE DIRECTED to meet with businesses in the downtown core to assist them with locations for staff parking and to look into the feasibility of staff permit parking, including overnight parking, and to educate businesses and the community on downtown parking.	24-Feb-20

Unfinished Business List - eScribe as at February 8, 2021

Agenda Item	Assigned To	Comment	Description	Date
NEW BUSINESS	Angelo Avolio, Nicole Rubli	Administration will investigate peer equivalents	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.	09-Mar-20
Amherstburg Accessibility Advisory Committee Minutes - February 27, 2020	Nicole Rubli	Administration exploring options	Resolution # 20200309-094 Meloche/Simone That Licensing and By-law Enforcement INVESTIGATE a means of providing incentives, regulation, or, a combination of both, to achieve a higher proportion of accessible on-demand taxis in the Town of Amherstburg.	09-Mar-20
At-large vs. Ward System Elections	Paula Parker	report anticipated for 1st quarter 2021	Resolution # 20200622-182 Simone/Prue That the Clerk BE DIRECTED to bring an additional option forward to Council with respect to an At-large vs. Ward System Election.	22-Jun-20
Water Bill Fee - Dennis Richardson	Cheryl Horrobin, Justin Rousseau		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	13-Jul-20
NEW BUSINESS	Antonietta Giofu		Resolution # 20200810-241 Prue/Simone That Administration BE DIRECTED to bring back a report on what the Town can do to eliminate the delivery of gravel on the waterfront at the end of Texas Road.	10-Aug-20
Mandatory Downspout Disconnection By-law	Antonietta Giofu, Dan Beaulieu		Resolution # 20200914-267 Courtney/McArthur That Administration BE DIRECTED to look into the feasibility of a rain barrel program to offer residents at a discounted cost.	14-Sep-20
NEW BUSINESS	Nicole Rubli	Administration will bring back a report with options.	Resolution #20200914-292 Courtney/Prue That Administration BE DIRECTED to bring back a report regarding regulating Air B&B's.	14-Sep-20
NEW BUSINESS	Nicole Rubli, Antonietta Giofu	Report to Council anticipated in 1st quarter 2021	Resolution # 20200914-293 Prue/Simone That Administration BE DIRECTED to look into an idling by-law specifically on Boblo Island at the ferry loading area and that a report be brought back to Council.	14-Sep-20
Amherstburg Street Pass Program Proposal - Lauri Brouette	John Miceli	Update on BIA - initial November meeting re-scheduled to early 2021	Resolution # 20200928-298 Prue/Simone That: The delegation BE RECEIVED; and, Administration BE DIRECTED to bring back a report regarding the possibility of starting a BIA; and, Legal advice BE SOUGHT with respect to the proposed Street Pass Program and the risks associated with the use of Town resources and logo.	28-Sep-20
NEW BUSINESS	Frank Garardo		Resolution # 20200928-309 Prue/Simone That Administration BE DIRECTED to bring a report back regarding the feasibility of a public art dedication fund as a provision in future development agreements.	28-Sep-20

Unfinished Business List - eScribe as at February 8, 2021

Agenda Item	Assigned To	Comment	Description	Date
Crossing Guard Program - Yvette Erickson	Antonietta Giofu, Paula Parker	Speed limit signs on Simcoe have been changed to 40km. #3 of the recommendation will be addressed with a report to Council regarding an amendment to the Traffic Bylaw - report anticipated in 1st quarter 2021.	Resolution # 20201013-317 Prue/McArthur That: The delegations in Items # 4.3 and # 4.4 BE RECEIVED; Administration BE DIRECTED to correspond with all school boards to ascertain the current number of additional walking students; Administration BE DIRECTED to bring back a report on reducing the street speed limit to 40km in the downtown core and on residential streets; and, The speed limit on Simcoe Street from Pacific Avenue to Victoria Street BE REDUCED from 50km to 40km.	13-Oct-20
Easement Documentation and By-law 2020-059 - Nicole Keogh and Mary Canton, Amherst Point Association	Nicole Rubli	Options will be brought back for consideration.	Resolution # 20201109- 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.	09-Nov-20
2021 BUDGET DELIBERATIONS	Phil Roberts	The Windsor Essex County Catholic School Board and the public proponents of the project have been notified of the Town of Amherstburg's commitment to fund restoration of the existing courts up to \$20K. Administration has indicated to both parties are willingness to meet and develop a Joint Use Agreement.	Resolution # 20201117-408 McArthur/Renaud That Parks-3, Joint Use Agreements Tennis Courts at Villinova HS, BE APPROVED from reserves contingent on partnership negotiations and Administration BE DIRECTED to report back on the negotiations.	17-Nov-20
NEW BUSINESS	John Miceli	Anticipate report back Q1 of 2021	Resolution # 20201123-441 Courtney/Prue That the Chief Administrative Officer BE DIRECTED to bring back a report outlining the necessary steps to implement a Corporate Strategy Plan as recommended by the Service Delivery Review.	23-Nov-20
NEW BUSINESS	Rick Daly, Phil Roberts		Resolution # 20201123-442 Simone/Meloche That Administration BE DIRECTED to bring a report back reviewing the Town's recreation user fees and program levels with surrounding municipalities and further to explore opportunities to improve programming and reduce excess capacity as recommended by the Service Delivery Review.	23-Nov-20
2021 Final Approved Budget	Justin Rousseau, Cheryl Horrobin		Resolution # 20201214-477 Meloche/McArthur Administration REPORT BACK with a Final Levy By-law for adoption of the 2021 tax rates, based on the approved 2021 own purposes tax levy, following receipt of the returned assessment roll for 2021.	14-Dec-20
NEW BUSINESS	Antonietta Giofu	Report anticipated in 1st quarter 2021.	Resolution # 20201214-484 McArthur/Courtney That Administration BE DIRECTED to amend the Traffic By-law to include Pacific Avenue to Fryer Street in the Community Safety Zone.	14-Dec-20

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2021-011

**By-law to Confirm the Proceedings of the Council
of the Corporation of the Town of Amherstburg**

WHEREAS pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council;

WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, shall be exercised by By-law unless the municipality is specifically authorized to do otherwise;

WHEREAS it is deemed expedient that a By-law be passed to authorize the execution of agreements and other documents and that the Proceedings of the Council of the Corporation of the Town of Amherstburg at its meeting be confirmed and adopted by By-law; and,

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

1. THAT the action(s) of the Council of the Corporation of the Town of Amherstburg in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Town of Amherstburg, documents and transactions entered into during the February 8th, 2021, meeting 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 8th day of February, 2021.

MAYOR – Aldo DiCarlo

CLERK – Paula Parker