



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

AGENDA

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

**Monday, June 28, 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	9
2. ROLL CALL	

3. SPECIAL IN-CAMERA COUNCIL MEETING

That Council move into an In-Camera Meeting of Council at 3:30 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A - Section 239(2)(d) - Labour relations or employee negotiations; and, **Section 239(2)(f)** - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item B - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item C - Section 239(2)(i) - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

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

4. ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING

5. RESUMPTION OF REGULAR COUNCIL MEETING

That Council resume Regular session at p.m.

6. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

7. LAND ACKNOWLEDGEMENT

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

8. REPORT OUT FROM SPECIAL IN-CAMERA COUNCIL MEETING - June 28, 2021

9. 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:

- 9.1. Special In-Camera Council Meeting Minutes - May 25, 2021
- 9.2. Special Council Meeting Minutes - June 14, 2021 11
- 9.3. Special Council Meeting Minutes - Planning - June 14, 2021 13
- 9.4. Regular Council Meeting Minutes - June 14, 2021 16
- 9.5. Special In-Camera Council Meeting Minutes - June 14, 2021

10. DELEGATIONS

There are no Delegations.

11. REPORTS – CORPORATE SERVICES

11.1. Policy Amendments – Salary Administration Policy and Annual Vacation – Non-Union Policy

35

It is recommended that:

1. The following policies **BE AMENDED** as recommended in the report from the Director of Corporate Services and Manager of Human Resources dated June 1, 2021:
 - a. Salary Administration Policy, and
 - b. Annual Vacation – Non-Union Policy.

12. REPORTS – COMMUNITY & PROTECTIVE SERVICES

12.1. Conceptual Stormwater Management Plan for Canard Valley Estates Phase 2 Development

49

It is recommended that:

1. The proposed conceptual plan to locate a Stormwater Management Pond on lands identified as Part 80 on Plan 12M527 (2.45 acres) (currently Canard Estates Park) **BE SUPPORTED** as part of the developer's draft plan of subdivision application for Canard Valley Estates Subdivision Phase 2 servicing, subject to recommendation two; and,
2. The conveyance of Part 80 on Plan 12M527 (2.45 acres) to Valente Group in exchange for cash in lieu of parkland dedication at the current market value appraisal **BE APPROVED** and the funds be deposited into the Parkland Dedication Reserve Fund.

13. REPORTS – INFRASTRUCTURE SERVICES

There are no reports.

14. REPORTS - PLANNING & DEVELOPMENT SERVICES

14.1. Zoning By-law Amendment for S/S Alma Street

56

It is recommended that:

1. **By-law 2021-035** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as S/S Alma Street, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

14.2. Zoning By-law Amendment- Kingsbridge Subdivision Phase 5 and 10

76

It is recommended that:

1. **By-law 2021-034** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as Kingsbridge Subdivision Phases 5 and 10, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

15. REPORTS - CAO's OFFICE

There are no reports.

16. INFORMATION REPORTS

There are no reports.

17. CONSENT CORRESPONDENCE

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

- | | | |
|-------|---|----|
| 17.1. | 2nd Quarter Statistics - Windsor Police Service, Amherstburg Detachment | 95 |
| 17.2. | Motion M-84, Anti-Hate Crimes and Incidents & Private Members Bill C-313, Banning Symbols of Hate Act - Peter Julian, MP, Westminster-Burnaby | 96 |
| 17.3. | Lyme Disease Awareness Month - City of St. Catharines Resolution | 97 |
| 17.4. | Licensing of Cannabis Operations, Previously Operating Illegally - Town of Fort Erie Resolution | 99 |

18. CORRESPONDENCE

- | | | |
|-------|---|-----|
| 18.1. | Emancipation Day, August 1, 2021 - Amherstburg Freedom Museum | 101 |
|-------|---|-----|

It is recommended that:

1. The Proclamation received by the Amherstburg Freedom Museum regarding Emancipation Day - August 1, 2021, **BE RECEIVED**; and,
2. August 1, 2021, **BE PROCLAIMED** as Emancipation Day in the Town of Amherstburg.

- | | | |
|-------|--|-----|
| 18.2. | Childhood Cancer Awareness Month, September 2021 - Fight Like Mason Foundation | 102 |
|-------|--|-----|

It is recommended that:

1. The Proclamation received by the Fight Like Mason Foundation regarding Childhood Cancer Awareness Month, September 2021, **BE RECEIVED**; and,
2. September 2021, **BE PROCLAIMED** as Childhood Cancer Awareness Month in the Town of Amherstburg.

19. CONSENT OTHER MINUTES

That the following minutes **BE RECEIVED**:

- | | | |
|-------|--|-----|
| 19.1. | Inclusive Community Program Advisory Steering Committee Minutes - May 27, 2021 | 104 |
| 19.2. | Mayor's Youth Advisory Committee Minutes - June 8, 2021 | 108 |

20. OTHER MINUTES

- | | | |
|-------|---|-----|
| 20.1. | Heritage Committee Minutes - May 13, 2021 | 110 |
|-------|---|-----|

It is recommended that:

1. The minutes of the Heritage Committee meeting of May 13, 2021 **BE RECEIVED**;
2. Administration **BE DIRECTED** to investigate 24 Sandwich Street South for a possible heritage designation; and,
3. The request from the Heritage Committee to increase their base budget from \$3,000 to \$4,500 **BE CONSIDERED** during the 2022 budget deliberations.

- | | | |
|-------|---|-----|
| 20.2. | Amherstburg Accessibility Advisory Committee Minutes - May 20, 2021 | 120 |
|-------|---|-----|

It is recommended that:

1. The Amherstburg Accessibility Advisory Committee Minutes of May 20, 2021 **BE RECEIVED**; and,
2. The request from the Amherstburg Accessibility Advisory Committee to increase their base budget from \$1500 to \$2000 **BE CONSIDERED** during the 2022 budget deliberations.

20.3. Drainage Board Meeting Minutes - June 21, 2021

127

It is recommended that:

1. The Drainage Board Meeting Minutes of June 21, 2021, **BE RECEIVED**; and,
2. **By-law 2021-041** being a by-law to Provide for the Abandonment of Part of the 2nd Concession Drain based on the Drainage Report by RC Spencer Associates Inc. **BE PROVISIONALLY ADOPTED** by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same.

21. UNFINISHED BUSINESS

21.1. Unfinished Business List as at June 28, 2021

146

22. NEW BUSINESS

23. NOTICE OF MOTION

There are no Notices of Motion.

24. BY-LAWS

24.1. By-law 2021-044 - Confirmatory By-law

150

That **By-law 2021-044** being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on June 28, 2021, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

25. ADJOURNMENT

That Council adjourn Regular session at p.m.

JULY 2021

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5 (Tentative) Audit and Finance Advisory Committee Meeting Electronic Participation 5:30 p.m.	6 Drainage Board Meeting Electronic Participation 6:00 p.m.	7	8	9	10
11	12 Electronic Meetings (Livestream) Special Council Meeting Planning 5:30 p.m. & Regular Council Meeting 6:00pm	13	14 Parks and Recreation Advisory Committee Meeting Electronic Participation 6:00 p.m.	15 Amherstburg Accessibility Advisory Committee Meeting Electronic Participation 5:00 p.m.	16	17

18	19	20	21	22	23	24
25	26 <i>(Tentative)</i> Special Council Meeting Planning 5:00 p.m.	27 Committee of Adjustment Meeting Electronic Participation 7:30 a.m.	28 Inclusive Community Program Advisory Steering Committee Meeting Electronic Participation 5:00 p.m.	29	30	31



**TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING**

**Monday, June 14, 2021
4:00 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

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 4:03 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

PRESENTATION

4.1 Community Safety and Well-Being Plan, Engagement & Project Update - Leonardo Gil, Project Manager, City of Windsor

Resolution # 20210614-183

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That Council adjourn from Special session at 4:40 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING - PLANNING

Monday, June 14, 2021
5:00 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

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 5:04 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 Kingsbridge Subdivision Phase 5 and 10

The Manager of Planning Services provided an overview of the Zoning By-law for Kingsbridge Subdivision Phase 5 and 10 and answered Council questions.

The Manager of Planning Services advised that there were no comments submitted by the public.

The Mayor invited the Applicant to comment. The Applicant advised that he did not have any comments.

Resolution # 20210614-184

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That comments from the public with respect to Zoning By-law Amendment for Kingsbridge Phase 5 and 10 (File ZBA/12/21), Zoning By-law 2021-034 BE RECEIVED and SUMMARIZED in a future report.

The Mayor put the Motion.

Motion Carried

4.2 Zoning By-law Amendment for S/S of Alma Street

The Manager of Planning Services provided an overview of the Zoning By-law for S/S Alma Street and answered Council questions.

The Manager of Planning Services advised that there were no comments submitted by the public.

The Mayor invited the Applicant to comment. The Applicant advised that he did not have any comments.

Resolution # 20210614-185

Moved By Councillor Renaud
Seconded By Councillor McArthur

That comments from the public with respect to Zoning By-law Amendment for lands on the South Side of Alma Street (File ZBA-07-21), owned by Blake and Suzanne Laramie, BE RECEIVED and SUMMARIZED in a future report to Council.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That Council adjourn from Special session at 5:24 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, June 14, 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

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 6:10 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

LAND ACKNOWLEDGEMENT

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

MINUTES OF PREVIOUS MEETING

Resolution # 20210614-186

Moved By Councillor McArthur
Seconded By Councillor Renaud

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

5.1 Regular Council Meeting Minutes - May 25, 2021

The Mayor put the Motion.

Motion Carried

Item # 7.1 was moved forward

PRESENTATIONS

- 7.1 **2021 Initiatives and 2021-2022 Official Visitor Guide - Gordon Orr, CEO, Lynnette Bain, Vice President, and Jason Toner, Director of Marketing and Communications, Tourism Windsor Essex Pelee Island (TWEPI)**

Resolution # 20210614-187

Moved By Councillor Courtney
Seconded By Councillor Simone

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 6.1 **Solar Power Grant Funding, Green Inclusive Community Building Program - Daren Crawford, Otter Energy**

Resolution # 20210614-188

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. **The delegation BE RECEIVED;**
2. **The presentation BE SENT to the Environmental Advisory Committee;**
3. **Administration BE DIRECTED to review the feasibility of rooftop solar, with cost savings, and a report be brought back to Council for consideration.**

The Mayor put the Motion.

Motion Carried

6.2 Rainbow Crosswalk Proposal - Linden Crain, Amherstburg Resident

Resolution # 20210614-189

Moved By Councillor Courtney

Seconded By Councillor Renaud

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

6.3 Indigenous Peoples Flag Proposal - Linden Crain, Amherstburg Resident

Resolution # 20210614-190

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That:

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to convene a meeting with First Nations representatives, both on and off the Reserve, to seek input on flag to be raised in the Town of Amherstburg with the costs to BE INCLUDED in the 2022 Budget.**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

7.1 2021 Initiatives and 2021-2022 Official Visitor Guide - Gordon Orr, CEO, Lynnette Bain, Vice President, and Jason Toner, Director of Marketing and Communications, Tourism Windsor Essex Pelee Island (TWEPI)

As dealt with above

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – COMMUNITY & PROTECTIVE SERVICES

9.1 Paving for Fire Stations 2 and 3

Resolution # 20210614-191

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

1. **An over-expenditure not to exceed \$87,000 including net HST for an additional 2021 Capital Project in the Facilities budget centre to provide asphalt repaving at Fire Station 2, as shown in the attachment to the report from the Director, Community & Protective Services dated June 1, 2021, BE APPROVED and BE FUNDED by a transfer from Reserve Fund – General;**
2. **An over-expenditure in the Facilities budget centre Fire Station 3 BE APPROVED for either:**
 - ~~Option one: A 2021 Capital Project to replace asphalt and concrete pavement at a cost not to exceed \$123,000 including net HST, to be funded by a transfer from Reserve Fund – General; OR,~~
 - **Option two: Facility Maintenance expense for concrete and asphalt pavement repairs in selective areas at a cost not to exceed \$20,500 including net HST, to be funded from current taxation.**

The Mayor put the Motion.

Motion Carried

9.2 Amherstburg Destination River Cruises

Resolution # 20210614-192

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That Administration BE AUTHORIZED to negotiate and execute an agreement for the 2021 season, between the Town of Amherstburg and Windsor Premier Cruises subject to programming review by the Manager of Tourism and Culture, technical review by the Director of Community and Protective Services and financial review by the Director of Corporate Services.

The Mayor put the Motion.

Motion Carried

9.3 Approval for Grant Funding, Applications and Donations for Community Gardens and Active Transportation Initiatives

Resolution # 20210614-193

Moved By Deputy Mayor Meloche

Seconded By Councillor Prue

That:

1. **The following capital projects, related over-expenditures and funding sources BE APPROVED OR AFFIRMED as outlined in the report from the Director of Community and Protective Services dated June 8, 2021:**
 - a. **Eighteen(18) Planter Boxes (10 GREEN CIRCLE Accessible boxes and 8 wooden boxes) for Community Gardens at 320 Richmond at a cost not to exceed \$22,000 including net HST, to be funded by a grant of \$12,000 from Amherstburg Community Foundation and a Federal Enabling Accessibility Fund - Youth Innovation Grant of up to \$10,000;**
 - b. **Bike Repair Stations (2) and Bike Racks with Concrete Pads (4) at a cost not to exceed \$33,000 including net HST, to be funded by grants from the County of Essex (CWATS Municipal Partnership Program) of up to \$16,500 and a Transfer from Reserve – New Capital of up to \$16,500; and,**
 - c. **Outdoor Furniture and Fixtures (3 picnic tables, 5 picnic tables with benches, 10 planter stands and 50 bollards) at a cost not**

to exceed \$20,000 including net HST, to be funded by a grant from the Southwest Ontario Tourism Corporation - Tourism Adaptation Fund of up to \$20,000.

The Mayor put the Motion.

Motion Carried

REPORTS – INFRASTRUCTURE SERVICES

10.1 Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 7C

Resolution # 20210614-194

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

- 1. The recommendations of the consulting engineer, Baird AE regarding the Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 7C BE ACCEPTED; and,**
- 2. The underground infrastructure, base asphalt and curbs for Kingsbridge Subdivision Phase 7C BE PLACED on a 1-year maintenance period, commencing May 27, 2021.**

The Mayor put the Motion.

Motion Carried

10.2 Culvert Replacements Conc. 5 South over Albert McGee Drain (Culvert 8) and Conc. 3 North over Whelan Drain (Culvert 38) – Tender Results

Resolution # 20210614-195

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

- 1. An over-expenditure not to exceed \$26,600 for replacement of Culvert 8 at a total project cost not to exceed \$341,600 including net HST BE APPROVED and be funded by Ontario Community Infrastructure Fund -**

Formula Based funding as a transfer from Reserve Fund - Ontario Grants;

- 2. The Tender for 2021 Culvert Replacements at Conc. 5 South over Albert McGee Drain (Culvert 8) and Conc. 3 North over Whelan Drain (Culvert 38) BE AWARDED to South Shore Contracting of Essex County Inc. for an amount not to exceed \$634,260.00 plus HST; and,**
- 3. The Mayor and Clerk BE AUTHORIZED to execute an agreement with South Shore Contracting of Essex County Inc. for the 2021 Culvert Replacements Conc. 5 South over Albert McGee Drain & Conc. 3 North over Whelan Drain.**

The Mayor put the Motion.

Motion Carried

REPORTS - PLANNING & DEVELOPMENT SERVICES

11.1 Request for a Building Inspector/Plans Examiner Staff Position

Councillor Courtney amended the motion to approve \$30,000 for contracted services.

Resolution # 20210614-196

Moved By Councillor Courtney
Seconded By Councillor Prue

That \$30,000 for contracted services for an Inspector/Plans Examiner BE APPROVED.

The Mayor put the Motion.

Motion Failed

Resolution # 20210614-197

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. **The addition of one regular full-time Building Inspector/Plans Examiner position BE APPROVED; and,**
2. **An over-expenditure not to exceed \$66,500 including net HST, including \$57,700 in operating costs and \$8,800 in capital costs, for the cost to employ a Full Time Building Inspector/Plans Examiner BE APPROVED in the Building budget center for 2021, to be funded by building services fees.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 2021 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholder Meeting

Resolution # 20210614-198

Moved By Councillor Prue

Seconded By Councillor Courtney

That:

1. **Mayor Aldo DiCarlo BE APPOINTED proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder Meeting;**
2. **Bill Wark BE APPOINTED as the alternate proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder Meeting; and,**
3. **The Clerk BE AUTHORIZED to sign all necessary proxy forms to implement this resolution and forward them to Essex Power Corporation as required.**

The Mayor put the Motion.

Motion Carried

12.2 Roadmap to Recovery – Next Steps

Resolution # 20210614-199

Moved By Councillor Prue
Seconded By Councillor Simone

That Administration BE DIRECTED to re-open municipal facilities in accordance with Step 3 of the Province of Ontario’s Roadmap to Recovery.

The Mayor put the Motion.

Motion Carried

12.3 Temporary Relocation of Amherstburg Skateboard Park

Resolution # 20210614-200

Moved By Councillor McArthur
Seconded By Councillor Simone

That the Procurement Policy BE WAIVED for the Skateboard Park project.

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 Carried

Moved By Councillor Courtney
Seconded By Councillor Renaud

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

The Mayor put the Motion.

Motion Carried

Resolution # 20210614-201

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

1. **The Town's skateboard park be temporarily relocated to an interim location at 320 Richmond Street until a permanent location is approved; and,**
2. **A 2021 capital project and related over-expenditure for construction of an asphalt pad to temporarily house the skateboard park as an extension to the parking lot at the rear of the 320 Richmond facility, referred to as Option 2 in the report, BE APPROVED at a total cost not to exceed \$75,000 including net HST, to be funded by a transfer from Reserve – Capital New for capital costs and from current taxation for operating costs.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20210614-202

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the following information reports BE RECEIVED:

- 13.1 **Agent of Change Policies**
- 13.2 **Monthly Fire Department Activity Report – May 2021**

The Mayor put the Motion.

Motion Carried

Resolution # 202106140-203

Moved By Councillor Prue
Seconded By Councillor Courtney

Item # 13.1 - That Administration BE DIRECTED to prepare a by-law regarding Agent of Change as soon as possible.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20210614-204

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

- 14.1 Request for Discretionary Regional Reopening Strategy - County of Essex Resolution**
- 14.2 8th Annual Charity Golf Tournament Fundraiser - Windsor Downtown Lions Club**
- 14.3 Bill 228, Banning Unencapsulated Polystyrene Foam - Township of the Archipelago Resolution**
- 14.4 Bill 279, Environmental Protection Amendment Act - Township of the Archipelago Resolution**
- 14.5 Capital Gains Tax on Primary Residence - Town of Fort Erie Resolution**
- 14.6 Domestic COVID-19 Vaccine Production and Capacity - Perth County Resolution**
- 14.7 Request for Review of Cannabis Licensing and Enforcement - Township of West Licoln Resolution**
- 14.8 Request for the Elimination of LPAT - Town of Halton Hills Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20210614-205

Moved By Councillor Prue
Seconded By Councillor Courtney

Item #14.8 - That Administration BE DIRECTED to send correspondence in support of the Town of Halton Hills resolution regarding their request for the elimination of LPAT.

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Drainage Board Meeting Minutes - June 1, 2021

Resolution # 20210614-206

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That:

- 1. The Drainage Board Meeting Minutes of June 1, 2021, BE RECEIVED;**
- 2. The revised schedule of assessments as presented by R. Dobbin Engineering in the letter dated May 10, 2021 by Mike Gerrits, P.Eng for improvements for the Charles Shepley Drain BE APPROVED, as recommended by the Drainage Board;**
- 3. The request from Allan Blain for the installation of a new access culvert over the Faucher Drain 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. for the repair and improvement to the Faucher Drain BE APPROVED, as recommended by the Drainage Board;**
- 5. The request from Allan Blain to complete a report for the Subsequent Connection of a parcel into the Faucher Drain per Section 65 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**

6. **The appointment of the firm of N.J. Peralta Engineering Ltd. for the repair and improvement to the Faucher Drain (Lower Portion) BE APPROVED, as recommended by the Drainage Board;**
7. **The request from Mike McMahon (MGV Developments (McGregor) Inc.) per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**
8. **The appointment of the firm of Dillon Consulting Ltd. to complete the necessary report for the repair and improvement to the Dufour Drain and Branches BE APPROVED, as recommended by the Drainage Board; and,**
9. **The appointment of the firm of Dillon Consulting Ltd. to complete a New Maintenance Schedule of Assessment for the Dufour Drain and Branches BE APPROVED, as recommended by the Drainage Board.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney asked for an update with respect to the Greenhouse by-law.

The Director of Planning and Development Services advised that she was awaiting the outcome of a decision made by the Normal Farm Practices Board with respect to an application brought forward by a greenhouse operator; however, she will move forward with drafting the by-law in absence of the Board's decision.

2. Councillor Courtney asked for an update with respect to the Air B&B policy (Resolution # 20200914-292)

The Director of Planning and Development Services advised that the research has been completed and the next step is public consultation.

3. Councillor Prue asked for an update with respect to the Environmental Advisory Committee and it's Terms of Reference (Resolution # 20191028-507).

The Clerk advised that currently the Terms of Reference is all-encompassing for the Committees of Council and that individual Terms of Reference are being established for each Committee.

4. Councillor Prue asked if the Town has assumed the infrastructure on the North end of Boblo Island (Resolution # 20211015-497).

The Director of Infrastructure Services advised that it is her understanding that the Town has assumed the infrastructure and she is looking into whether the Town has received the final documentation.

5. Councillor Prue asked for an update with respect to the idling by-law on Boblo Island at the ferry dock (Resolution # 20200914-293).

The Director of Planning and Development Services advised that there are provisions in the Noise By-law that address idling; and further, that the Noise By-law can be relied upon in the interim. She further advised that a stand-alone Idling By-law will be coming forward for Council's consideration.

6. Councillor Simone asked for an update with respect to the study being conducted by the County of Essex regarding the possibility of a 4-way stop at the intersection of Texas Road and County Road 5 (Concession 2 N).

The Director of Infrastructure Services advised that the Town requested the County to take a look at that intersection; and further, she advised that correspondence was received today and subsequently shared with Council. The correspondence advised that there were no warrants with respect to placing a 4-way stop or traffic lights at that intersection; however, the County did provide recommendations such as increasing the size of the stops signs and paint on the roadway indication that there is a stop ahead. She further advised that County will be implementing those recommendations.

7. Councillor McArthur asked for an update with respect to the traffic calming by-law.

The Director of Planning and Development Services advised that a report is drafted and once some additional information is acquired, it will be before Council.

NEW BUSINESS

1. Councillor McArthur advised that efforts are underway for the June 27th Miracle and asked if there were any locations that the Town can offer to store donations.

The Chief Administrative Officer advised that he and the Mayor reached out to the Public School Board and it looks like Western Secondary School may be an option and he will advise once the location is confirmed.

2. Councillor Simone asked if there is a possibility of an indigenous education centre or museum in the Town and if this could be discussed while at the flag meeting with First Nations representatives.

The Chief Administrative Officer advised that he will bring the idea forward for discussion at the meeting.

3. Councillor McArthur asked for an update with respect to the ICIF grant funding applications for the Big Creek Trail at the Libro Centre and the Alma Street parkette.

The Director of Corporate Services advised the \$200,000 for the Alma Street parkette has been approved and the Big Creek Trail is still under review.

4. Councillor Renaud asked for an update with respect to the concepts for Jack Purdie Park and Centennial Park.

The Director of Community and Protective Services advised that the concepts are currently being finalized with the consultant and she is aiming to schedule public consultation in the last week of June.

5. Councillor Courtney asked about the status of the Mass Vaccination Centre (MVC) at the Libro Centre and when it will be re-opened for recreational programming.

The Chief Administrative Officer advised the goal is to have the ice surface operational by the 2nd week of September.

The Fire Chief advised that the latest update from the Windsor-Essex County Health Unit with respect to decommissioning the MVC at the Libro Centre is August 21, 2021.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

19.1 By-law 2021-040 - Confirmatory By-law

Resolution # 20210614-207

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That By-law 2021-040 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on June 14, 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 # 20210614-208

Moved By Councillor Renaud

Seconded By Councillor Courtney

That Council move into an In-Camera Meeting of Council at 10:49 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

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the meeting BE EXTENDED to 11:30 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 11:54 P.M

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Prue
Seconded By Councillor Renaud

That Council resume Regular session at 11:56 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Prue
Seconded By Councillor McArthur

That the meeting BE EXTENDED to June 15, 2021 @ 12:00 a.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM SPECIAL IN-CAMERA SESSION - May 25 & June 14, 2021

Council met on May 25th, 2021, for a Special In-Camera Meeting at 4:40 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)(d)&(f) of the Act. There is nothing further to report on this matter at this time.

Council met on June 14th, 2021, for a Special In-Camera Meeting at 10:49 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). As a result of this discussion, the following motion is before Council for consideration:

Resolution # 20210614-209

Moved By Councillor Simone
Seconded By Councillor McArthur

That the CAO BE DIRECTED to issue an RFP for the Belle Vue property as presented in the In-Camera presentation.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council adjourn Regular session at 11:57 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF CORPORATE SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

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

To: Mayor and Members of Town Council
Subject: Policy Amendments – Salary Administration Policy and Annual Vacation – Non-Union Policy

1. RECOMMENDATION:

It is recommended that:

- 1. The following policies BE AMENDED as recommended in the report from the Director of Corporate Services and Manager of Human Resources dated June 1, 2021:
a. Salary Administration Policy, and
b. Annual Vacation – Non-Union Policy.

2. BACKGROUND:

The Town adopted the current Annual Vacation Policy on October 23, 2006 and the current Salary Administration Policy on July 14, 2014. Since the adoption of those policies, the Town has adopted a new policy template and some administrative practices have been implemented for which the policies require update.

3. DISCUSSION:

Annual Vacation Policy: The current Annual Vacation Policy has been transferred into the new policy template and recommended changes to reflect current practices are reflected in the updated draft policy attached to this report.

The significant changes are as follows:

- Remove union employees from the policy scope and content as terms of agreement for annual vacation of union employees are outlined in the Collective Agreement
- Remove automatic payment of unused vacation, clarify that requests for up to 10 days unused vacation may be requested for carryover to and use in the next calendar year, subject to approval
- Clarify that days carried over must be used within the first ten months of the year they are carried over to
- Allow for payout of unused vacation in excess of 10 days to address unusual and or excessive service level demands, subject to approval

In all cases vacation pay entitlements will be administered in accordance with legislative requirements.

Salary Administration Policy: The current Salary Administration Policy has been transferred into the new policy template and recommended changes to reflect current practices are reflected in the updated draft policy attached to this report.

The significant changes are as follows:

- Clarify that approved inflationary increases are applied effective January 1 annually
- Amend section 6.15 to:
 - a) provide for acting pay only where the transfer is for more than 15 consecutive working days and is to a job in a higher pay grade than the incumbent position of the employee being transferred
 - b) where a) applies, to provide that acting pay will be the greater of Step 1 of the salary grid for the job or a 5% increase in pay over the salary rate of the employee being transferred; however the acting pay shall not exceed the job rate (top salary band step) for the job.

4. RISK ANALYSIS:

Approval of the policy amendments recommended in this report reduces risk by facilitating improved understanding of the Town's policies and ensuring that the authority, roles and responsibilities under those policies are clearly defined.

5. FINANCIAL MATTERS:

The Annual Vacation Policy currently indicates that unused vacation would be automatically paid out; however, the Town's practice has been to require CAO approval for pay out rather than to automatically do so. The policy amendments remove automatic payout language but recommend maintaining approval authority for vacation in excess of allowable carryover to be paid out. Going forward the cost of any vacation payout will continue to be reflected in the Town's financial reporting.

The Salary Administration Policy amendment to reflect that approved inflationary increases are applied effective January 1 annually; this amendment has no financial

impact as that is the current practice of the Town, except where otherwise specified in individual employment agreements.

The Salary Administration Policy amendments related to acting pay clarify the terms under which acting pay would apply and are consistent with policy/practices in other local municipalities. Historically, the Town has not used acting pay under this Policy to a great extent; however, if approved, the policy amendments would guide acting pay where applicable going forward and the related costs would be included in the Town's financial reporting.

6. CONSULTATIONS:

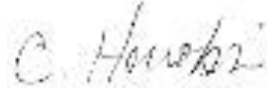
Senior Management Team

7. CONCLUSION:

The policy amendments outlined in this report are consistent with existing practices, are consistent with policy/practices in other local municipalities and recommended for approval.



Michelle Rose
Manager of Human Resources



Cheryl Horrobin
Director of Corporate Services

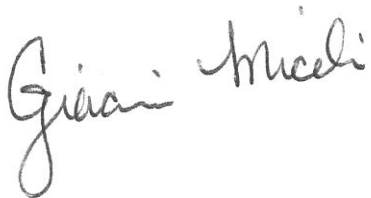
Report Approval Details

Document Title:	Policy Amendments - Salary Administration Policy and Annual Vacation - Non-Union Policy.docx
Attachments:	- Annual Vacation Policy - Non-Union Draft.pdf - Salary Administration Policy Draft.pdf
Final Approval Date:	Jun 21, 2021

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



Cheryl Horrobin




John Miceli



Paula Parker

POLICY

	Policy:	Annual Vacation – Non Union		
	Department:	Corporate Services		
	Division:	Human Resources	By-Law No.:	
	Administered By:	Manager of Human Resources	Approval Date:	June 28, 2021
	Replaces:	H00 - Annual Vacation October 23, 2006		
	Attachment(s):	N/A		

1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to providing paid vacation time to its employees to provide time away from the workplace for rest and rejuvenation.

2. PURPOSE

- 2.1. This policy defines the vacation entitlement for non-union employees.

3. SCOPE

- 3.1. This policy applies to all non-union permanent full-time employees.
- 3.2. Vacation entitlement for employees employed under union or association agreements shall be administered in accordance with those agreements and or applicable legislation.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective or sooner at the discretion of the CAO or designate.

4. DEFINITIONS

- 4.1. Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

5. INTERPRETATIONS

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

6. GENERAL CONDITIONS

- 6.1. The vacation year shall be from January 1st to December 31st. An employee's eligibility for paid vacation shall be determined on January 1st based on their cumulative municipal service.
- 6.2. No employee shall be allowed to accumulate vacation and all vacation days must be taken during the same calendar year, except as follows..

- 6.2.1. If by the end of the calendar year an employee has not been able to exhaust all the vacation time to which such employee is entitled, such employee may request vacation carryover to the following year of up to 10 days for approval by their Director and the CAO. Requests for carryover of the CAO's vacation entitlement of up to ten (10) day shall be approved by the Mayor. Any remaining vacation entitlement in excess of ten (10) days shall be forfeited.
- 6.2.2. All vacation days carried over must be used within the first ten months of the year they are carried over to.
- 6.3. Notwithstanding anything else in this Policy, where the CAO deems that due to exigencies of service an employee is precluded from use of their vacation entitlement in a year resulting in excess of ten (10) days remaining, the CAO may authorize carryover of vacation entitlement in excess of ten (10) days or pay out of unused vacation entitlement in excess of ten (10) days at the applicable daily salary rate in the year in which it was earned by the employee at year end. Requests for carryover or pay out of the CAO's vacation entitlement in excess of ten (10) days shall be approved by Council.
- 6.4. In May and October of each year, the Senior Management Team (SMT) will be provided with a summary of the outstanding vacation entitlement of their employees. The SMT shall ensure that all outstanding vacation time is scheduled and taken within the calendar year subject to authorization to carry over or pay out vacation time under sections 6.2 and 6.3 above.
- 6.5. Once an employee's vacation has been requested and subsequently approved by the Employer, it shall not be cancelled, postponed, or interrupted by the Employer except in the event of a Municipal emergency as defined in the Duties policy or in the event the employee has been summoned to testify as a Crown witness on behalf of the Town as outlined in the Leave of Absence policy. Should an employee's vacation be cancelled or postponed, the employer agrees to provide full reimbursement for any deposits, cancellation fees or other such expenses incurred by the employee for such action providing that insurance is not covering the cancellation fee.
- 6.6. Where in any year an employee ceases to be an employee of the Town prior to receiving his/her annual vacation in that year, the employee shall be given his normal vacation due them not later than 7 days of the employee's resignation becoming effective or the next pay day at the rate prescribed in the entitlement section.

6.7. **Vacation Entitlement**

6.7.1. The annual vacation for each non-union employee shall be as follows:

On completion of six months service	- 1 week	
On completion of one years service	- an additional week	4%
In the second calendar year	- 2 weeks	4%
In and after the third calendar year	- 3 weeks	6%
In and after the eighth calendar year	- 4 weeks	8%
In and after the fourteenth calendar year	- 5 weeks	10%
In and after the twenty-second calendar year	- 6 weeks	12%
In and after the twenty-ninth (29) calendar year	- 7 weeks	14%

- 6.7.2. Notwithstanding 6.7.1, the schedule of annual vacation entitlement for non-union/ management staff shall not provide a lesser benefit than that provided under the union collective agreement.


7. RESPONSIBILITIES

- 7.1. **Council** has the authority and responsibility to:
- 7.1.1. Approve the Annual Vacation Policy – Non-Union
- 7.2. The **CAO** has the authority and responsibility to:
- 7.2.1. Ensure compliance with the Annual Vacation Policy – Non-Union
 - 7.2.2. Authorize carryover or payment of unused vacation time where necessary and appropriate to support municipal operations.
- 7.3. **Directors** have the authority and responsibility to:
- 7.3.1. Monitor and approve vacation scheduling for their department
 - 7.3.2. Recommend carryover or payout of unused vacation balances to the CAO
- 7.4. **Managers** have the authority and responsibility to:
- 7.4.1. Monitor, approve and schedule vacation time off for their staff
- 7.5. **Staff** have the authority and responsibility to:
- 7.5.1. Take approved time off per their vacation entitlement each year
 - 7.5.2. Adhere to and abide by the Annual Vacation Policy
- 7.6. **Manager of Human Resources** has the authority and responsibility to:
- 7.6.1. Administer and recommend changes to the Salary Administration Policy

8. REFERENCES AND RELATED DOCUMENTS

- 8.1. Delegation of Powers and Duties Policy
- 8.2. H00 - Duties Policy
- 8.3. H00 – Leave of Absence Policy

POLICY

	Policy:	Salary Administration		
	Department:	Corporate Services		
	Division:	Human Resources	By-Law No.:	
	Administered By:	Manager of Human Resources	Approval Date:	June 28, 2021
	Replaces:	H09-01 – Salary Administration July 14, 2014		
	Attachment(s):	N/A		

1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to providing a work environment where all individuals are treated in a fair and consistent manner as it relates to the administration of pay amongst other items.
- 1.2. The Town will maintain a pay policy that is internally equitable, externally competitive and pay equity compliant.

2. PURPOSE

- 2.1. The purpose of the policy is to provide the framework for an ongoing and renewable salary administration program.
- 2.2. This policy is intended to support and acknowledge the dignity and worth of each individual working with and for the Town and to support retention of employees through a competitive compensation program.

3. SCOPE

- 3.1. This policy applies to all permanent full-time non-union/management employees.
- 3.2. This policy does not apply to contract and bargaining unit employees. Contract employees will receive compensation in accordance with the terms of the contract. Compensation and wage administration for bargaining unit employees will be covered by the Collective Agreement.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective or sooner at the discretion of the CAO or designate.

4. DEFINITIONS

- 4.1. **Acting Pay** is the remuneration for the period of time that an employee actually performs the essential core duties of a more responsible position as authorized within this policy.
- 4.2. **Job Rate** is defined as Step 5 on the salary grid. The salary grid is comprised of five (5) steps for each salary band, with five percent (5%) step intervals.

4.3. **Red-Circle** occurs when an incumbent is in a position where the Job Rate of the Salary range is less than the current pay of the incumbent. As a result, the current pay of the incumbent will be “red-circled”, or held at the current rate until such time as that rate is within the pay band for the position.

4.4. Common definitions, acronyms, and terms are available in the Glossary located on the Town’s Policies webpage.

5. **INTERPRETATIONS**

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

6. **GENERAL CONDITIONS**

6.1. **Salary Structure and Salary Bands**

6.1.1. Employee salaries will be determined with regard to a grading system that defines a minimum and a maximum amount for each salary band. Each salary band is comprised of a job rate and a salary range from 80% to 110% of that job rate. Subject to Council approval, these bands shall be adjusted for inflation annually.

6.1.2. Remuneration for positions that are assigned a salary band is limited to that band and is not to exceed the maximum without CAO approval.

6.1.3. Employees are only eligible for a merit increase after they have completed their probationary period within the same year that it is being considered for performance management.

6.2. **Hours of Work**

6.2.1. All non-union salary bands are established on the basis of a 37.5 hour work week. All non-union employees are expected to work a 37.5 hour work week as a minimum. The actual work schedules shall be subject to CAO approval.

6.3. **Lieu Time**

6.3.1. As management, employees are not eligible for overtime pay. The Town recognizes that managers are typically required to attend Council meetings, attend to Town business via the use of remote technology after hours, and generally work more than 37.5 hours per week on average. All management employees are entitled to (1) week of paid leave in lieu of overtime pay.

6.3.2. This lieu week must be used in the year that it is granted and has no cash value. Employees who begin work or accept a management position with the Town part way through a calendar year shall be awarded a proration of the (1) week lieu time.

6.3.3. Additionally, at the sole discretion of the CAO, employees who have been asked to work an inordinate amount of extra time for specific projects or other operational reasons may be awarded additional lieu time under the same terms and conditions noted above.

6.4. **Overtime**

6.4.1. Only non-union/non-management employees are eligible for overtime pay. Overtime pay is paid for all work in excess of 40 hours in a week. All overtime work must be preauthorized by the employee's supervisor. All overtime will be paid at a rate of time and one half (1 ½ x) the employee's normal hourly rate. The employee shall have the option of converting the overtime pay to paid time off (lieu time). Any unused lieu balances will be paid out with the last pay of the calendar year.

6.5. **Management/Non-Union Compensation Administration**

6.5.1. Management shall actively participate in the administration of employee compensation during the course of an employee's career – recruiting the employee into their new role, establishing an appropriate level of compensation that reflects their responsibility skills and competencies, reinforcing learning to support career growth and managing market and organizational pressures.

6.5.2. The Senior Management Team shall provide advice and recommendations ensuring compensation decisions are in keeping with the Town's compensation philosophy and guiding principles and overall internal equity is maintained. They will help facilitate initial compensation recommendation discussions and provide final recommendations for approval by the CAO.

6.6. **Assigning Compensation**

6.6.1. When determining the appropriate level of compensation for an employee, their overall performance will be considered, as well as the extent to which an employee's skills and capabilities have developed to perform their expected job accountabilities. The appropriate salary range positioning, or "zone" for an employee, will be reflective of their contribution and determined in accordance with this Policy.

6.7. **Zone Management Within a Salary Range**

6.7.1. Zone 1 represents salaries that fall between 80% (minimum) and 100% of the job rate. Salaries in this zone are reflective of those for:

- a) Employees still developing the required skills for the position (i.e., employees without sufficient time in a role to measure sustained satisfactory performance)
- b) Employees with sustained, less than satisfactory performance
- c) Entry-level hires

6.7.2. **Job Rate**

6.7.2.1. The Job Rate is reserved to reflect the level of "full competence" in the job. This represents the maximum base salary achievable for all employees and should only be awarded when the employee has demonstrated the on-going skill, ability and motivation to fully and satisfactorily perform all aspects of their job.

6.7.3. Zone 2 represents recognition and retention pay that falls between 100% and 110% of the job rate. Salaries in this zone are reflective of those for:

- a) Employees who possess and have demonstrated all of the required skills of the position and meet or exceed all of the expectations of the job
- b) Employees with sustained performance that exceeds all expectations over a significant period of time
- c) Market competitive reasons related directly to recruitment and/or retention

6.8.4. Recognition Pay

6.8.4.1. Recognition Pay under Zone 2 is applied to the employee's pay rate for the year under review, is paid over the course of the following year and is reflective of the prior year's performance. On January 1 of each year, recognition and retention pay is reduced to zero (0) and may be reintroduced after the performance of the previous year has been evaluated. Salary increases within Zone 1, the salary range from 80% - 100%, remain intact on January 1 of the following year. Further increases in following years are subject to the performance of the employee in the preceding year.

6.8.4.2. Any recognition and retention pay recommendation under Zone 2, in excess of 100% of the job rate, for any employee must be submitted for approval in writing, including supporting documentation, by the appropriate Director for review and recommendation to the CAO for approval.

6.9. Annual Increases

6.9.1. Council may award an annual overall increase to the salary grid (i.e. inflationary increase), which shall be effective on January 1.

6.9.2. Any recognition and retention increases are provided to employees by the Town based on their contribution and employee performance. Each year the employee's performance is reviewed and any merited salary increases will be provided after the Town has approved any increase to the salary grid.

6.10. How Contribution is Assessed in a Salary Range

6.10.1. In a salary range, an employee's performance is the measure of contribution and performance and is an important component of determining base salary as the employee moves through the salary range, any increase awarded should be primarily driven by an employee's performance demonstrated over a period of time. The size of the adjustment is impacted by the following factors:

- a) The employee's current placement within the salary range
- b) The employee's current and sustained level of performance

6.10.2. When determining the appropriate level of award for an employee, it is important to consider their overall performance rating resulting from the performance evaluation process, as well as the extent to which an employee has demonstrated the required skills and capabilities have developed to perform the expected job accountabilities.

6.11. New Employees

- 6.11.1. When hiring a new employee, the initial step in the salary determination process is to identify the pay level within which the vacancy or new job falls. Once this has been confirmed, the salary range associated with the pay level establishes the parameters within which an appropriate salary for the new employee may be established.
- 6.11.2. Starting a new employee at a salary within Zone 1 of the salary range provides some latitude to provide annual increases that reflect the employee's performance toward 'full competence' and also ensures some internal equity of salaries relative to other longer-term employees currently in a same functional group. Some flexibility is required, however, to accommodate those situations where the new employee has significant prior experience in a similar position or brings special skills that reduce the on-the-job learning period. In any event, a longer term salary management plan that reconciles the expected learning curve of the employee with a progression toward the job rate must be established. Human Resources and the Director for the department can be expected to provide assistance in this regard.
- 6.11.3. There may also be a need to occasionally pay slightly higher salaries (recognition and retention) to employees working in jobs matched to some pay levels that are impacted by market volatility (these situations require the approval of the CAO). Careful consideration of providing compensation that is truly reflective of the job/position expectations, the employee's capability, and how the new employee's salary is viewed relative to other employee salaries and performance is necessary when making such decisions.

6.12. Promotions

- 6.12.1. Promoting an employee from one job level to a higher job level generally involves the filling of a vacant, pre-approved and/or internally posted position or a situation where an employee's job has evolved to reflect significantly changed accountabilities and has been approved at the higher level through the job evaluation process. Promotional increases must ensure the employee's new salary is at least at the minimum of the new salary range and in any event no less than 3% of the employee's current rate. Again, when determining appropriate compensation, careful consideration of providing compensation that is truly reflective of the job/position expectations, the employee's capability, the expected timeframe to 'full competence' and how the employee's salary is viewed relative to other employee salaries and performance is required.

6.13. Reconsideration of Positions

- 6.13.1. In the event that the duties and responsibilities of a position are altered from the original ratings assigned to the position, a request may be submitted that the position be re-rated using the following process:
 - 6.13.1.1. The request for the position to be re-rated is submitted to the appropriate manager on the "Request for Re-Evaluation" form with an updated job description and any other supporting documentation. The Manager is to consult with the Human Resources Manager with regard to the merit of the request within the Job Evaluation System and the completeness of the documentation.

6.13.1.2. The Manager shall submit the request to the Director for consideration. The Director shall then submit the request to the CAO. A request approved by the Director will be forwarded to the Job Evaluation Committee. In the event that the Director's position is to be re-evaluated, the request is to be approved by the CAO.

6.13.1.3. The Job Evaluation Committee shall review requests received for re-rating on a semi-annual basis utilizing the existing salary administration program.

6.14. Demotions

6.14.1. If an employee is demoted or is moved involuntarily to a position in a lower salary grade for non-disciplinary or performance reasons, the present salary level should be continued, unless there is a compelling reason for not doing so. The salary is considered to be "red-circled" when it exceeds the job rate of the range. This means that the base salary is frozen until such a time when it is once again aligned with the job rate in the salary range of the new lower level position (recall that the job rates generally experience regular increases over time as the market dictates). This approach ensures that the employee is earning a base salary that is commensurate with the level of work accountabilities and responsibilities associated with their assigned role level. When an employee is demoted for disciplinary or performance related reasons, their salary should be adjusted to the job rate of the new position.

6.15. Temporary Transfers or Acting Positions

6.15.1. An employee transferred to a new job/position on a short-term or temporary assignment shall be paid as follows:

6.15.1.1. If the transfer is for **more than fifteen (15) consecutive working days** and is to a position in a higher salary grade:

6.15.1.1.1. The employee's pay rate shall be Acting Pay and shall commence at the greater of Step 1 of the salary grid transferred to or an increase of 5% of the employee's salary in their incumbent job; however the Acting Pay shall not exceed the job rate for the new job/position.

6.15.1.1.2. If the employee remains in the temporary/acting position past the date they would otherwise be eligible to move to a higher step on the salary grid in their incumbent position, the employee may be eligible for a further pay adjustment under the Salary Administration Program, subject to performance.

6.15.1.2. If the transfer is for a period of less than or equal to fifteen (15) consecutive work days or is to a position at an equivalent or lower salary grade than the employee's incumbent position, no Acting Pay will be provided and the employee will continue to be paid within the salary grade for their incumbent position in accordance with the Salary Administration Policy

6.16. Lateral Transfers

6.16.1. For the purposes of career development and growth, an employee may be provided the opportunity to move into a job which is part of a different job description, but where the salary range of the new pay level is the same as the salary range for the employee's previous pay level. In this case, the employee's salary will continue to be administered at the current level. However, the compensation will need to be monitored carefully as the employee is new to the job even though the salary range has not changed. Therefore, the employee's salary should be viewed relative to other employee salaries in the same job description level based on the job/position expectations, and the employee's capability and potential for performance in the new job.

7. RESPONSIBILITIES

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

7.1.1. Approve the Salary Administration Policy

7.1.2. Determine the inflationary increase to be a to the salary grid having regard to market competitiveness, the pay philosophy, compression issues and ability to pay.

7.2. The **CAO** has the authority and responsibility to:

7.2.1. Ensure compliance with the Salary Administration Policy

7.2.2. Authorize a one-time attraction bonus of up to ten percent (10%) of job rate in order to attract a qualified candidate.

7.2.3. Authorize performance payments in accordance with the Salary Administration Policy

7.3. **Directors** have the authority and responsibility to:

7.3.1. Ensure staff performance reviews are completed at least annually

7.3.2. Make recommendations to the CAO for performance pay where appropriate

7.4. **Managers** have the authority and responsibility to:

7.4.1. Complete staff performance reviews at least annually

7.5. **Manager of Human Resources** has the authority and responsibility to:

7.5.1. Administer and recommend changes to the Salary Administration Policy

7.6. **Staff** have the responsibility to:

7.6.1. Abide by and adhere to the Salary Administration Policy

8. REFERENCES AND RELATED DOCUMENTS

8.1. Town of Amherstburg Performance Management Program

8.2. Town of Amherstburg Pay Equity Plan

8.3. Town of Amherstburg Job Evaluation Maintenance Program



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF COMMUNITY AND PROTECTIVE SERVICES & OFFICE OF PLANNING AND DEVELOPMENT SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Table with 2 columns and 3 rows containing author information and report details.

To: Mayor and Members of Town Council

Subject: Conceptual Stormwater Management Plan for Canard Valley Estates Phase 2 Development

1. RECOMMENDATION:

It is recommended that:

- 1. The proposed conceptual plan to locate a Stormwater Management Pond on lands identified as Part 80 on Plan 12M527 (2.45 acres) (currently Canard Estates Park) BE SUPPORTED as part of the developer’s draft plan of subdivision application for Canard Valley Estates Subdivision Phase 2 servicing, subject to recommendation two; and,
2. The conveyance of Part 80 on Plan 12M527 (2.45 acres) to Valente Group in exchange for cash in lieu of parkland dedication at the current market value appraisal BE APPROVED and the funds be deposited into the Parkland Dedication Reserve Fund.

2. BACKGROUND:

Canard Valley Estates Phase 1 Development

The Canard Valley Estates subdivision (Canard) is located south of Middle Side Road and west of Walker Road within the secondary settlement area formerly known as McGregor. Phase 1 was developed in 2005 by Canard Development Inc. As part of the Phase 1 draft Plan of Subdivision approval for the complete Canard subdivision, it was

agreed that the developer would convey 5% parkland dedication as required in the Planning Act for both Phases 1 and 2.

Parkland for both Phase 1 and Phase 2 was dedicated and conveyed to the Town in 2009 in accordance with the 2005 agreement, parkland dedication was dedicated in the amount of 5%, which equated to approx. 2.45 acres of land.

In the 2005 Phase 1 agreement, the Town acknowledged that the Stormwater Management (SWM) facility constructed for the Phase 1 development provided sufficient capacity for Phase 2 development conditional to the expiration of the Certificate of Approval. The Certificate of Approval expired in 2010 and the SWM facility does not meet current legislative requirements to service Phase 2. As such, the SWM plan for the Phase 2 development will be addressed under a new development plan and agreement for that Phase to meet current legislative requirements. The current SWM facility for Phase 1 is located underneath the dedicated parkland parcel (Canard Estates Park).

Canard Phase 2 Development

Steve Valente of the Valente Group in collaboration with RC Spencer Associates Inc. are in the process of preparing a Plan of Subdivision Application for the Canard Subdivision Phase 2. The developer's proposed plan of subdivision consists of 69 residential lots with an extension of Annie Avenue and Mihailo Crescent, and an enhanced SWM pond with a multiuse trail surrounding the pond that would connect to the active transportation multi-use trail. The draft plan of subdivision will come before Council at a future date for approval, in adherence to the Planning Act legislative process.

To assist in preparing the draft plan of subdivision, the Valente Group with RC Spencer Associates Inc. have designed an unique engineered solution for the required SWM facility for Phase 2 that would meet current legislative requirements. That plan was presented to Council by the developer at the May 25, 2021 meeting of Council.

3. DISCUSSION:

Stormwater Management – Canard Phase 2:

In order to facilitate the development of Phase 2, Valente Group and RC Spencer Associates Inc. solicited public consultation for the proposed plan of subdivision including 135 information packages that were sent to homeowners within 120 metres of the subdivision. The developer also consulted the Essex Region Conservation Authority (ERCA) regarding the proposed development application. The developer has made Administration aware that through the developer-led public consultation, the single most expressed concern was related to storm drainage and flooding that has occurred in the Phase 1 of the Canard development. The existing SWM infrastructure currently located under Canard Estates Park was designed using best practices of 2004 and was originally designed to handle stormwater for both Phase 1 and Phase 2, but does not meet the current legislative requirements for new development.

In addition, the SWM system is not designed to handle water from extreme rain events experienced in recent years causing flooding on three different occasions. Flooding

occurred during the following three major rainfall events in the McGregor area: July 1, 2013, September 10, 2014 and on August 28, 2017. All three events caused flooding in the Phase 1 development area, the largest being the rainfall event in 2017.

Municipalities across Ontario with the same infrastructure are experiencing increased inflow and infiltration based on an influx extreme weather events in recent years. It has become apparent through these extreme weather events that many of the stormwater management systems are not equipped or designed to handle additional inflow at high rates of infiltration. In 2018, the Town adopted the Essex County Stormwater Management Guidelines, which provides more stringent design measures to deal with stormwater. Building the proposed biological pond as part of the Canard Phase 2 development is expected to meet current standards for stormwater management of that this development aligns with the Town's inflow and infiltration efforts in the McGregor area.

To accommodate the construction of a SWM for servicing Canard Phase 2 development, the developer has requested that the lands originally conveyed to the Town as Parkland Dedication be returned to them in exchange for the payment of cash in lieu of parkland dedication.

The Town of Amherstburg Parks Master Plan (PMP) outlines a surplus of parklands. The conveyance of (2.45 acres) acres back to the developer is consistent with the Town's strategy to seek cash in lieu of parkland dedication rather than transfer of lands for parks development. The proceeds from the developer for cash in lieu of parkland dedication will be held in the obligatory Parkland Dedication Reserve Fund for allowable use under the Planning Act as directed by Council in the future.

The PMP recommends that the Town provide playgrounds within 500 metres of residents within urban areas where feasible. The Canard development is geographically located in an area whereby removing this parkland would make residents more reliant on CO-AN Park for playground, sport and leisure recreational opportunities, which is within approximately 600 metres.

Administration is supportive of this request and recommends that Council approve those actions, as recommended in this report. All terms surrounding parkland dedication and SWM will come forward in the subsequent draft plan subdivision agreement for Council's consideration.

Developer proposal for parkland amenities:

The developer's proposed conceptual plan includes the possible development of a passive recreational space for the area including naturalization features, new benches, fish and wildlife habitat creation, educational signage and a multi-use trail. The proposed conceptual plan outlines an active transportation connection on County Road 10 (Middle Side Road) in the form of a multi-use trail.

There are a number of considerations associated with the proposed conceptual plan for parkland amenities that will need to be addressed to ensure that policy and legislative compliance can be met in relation to development of any such parkland amenities in the area, to align with the Town's strategic plans and to address financial considerations.

Administration will prepare a separate report for Council's consideration on these matters.

4. RISK ANALYSIS:

Should Council support the recommendations of this report there may be a perceived risk of loss of parkland; however, those lands are not currently required to satisfy the overall parkland needs within the Town as the PMP clearly states Amherstburg has a surplus of current dedicated parkland.

The Town has invested in many initiatives to deal with inflow and infiltration concerns that have come to light in recent years. Namely, improvements in infrastructure, implementation of the Basement Flooding Protection Subsidy program and the Mandatory Downspout Disconnection Program. The addition of an engineered SWM facility that is designed to the current guidelines aligns with the initiatives introduced by the Town to assist with inflow and infiltration.

5. FINANCIAL MATTERS:

Administration recommends that the lands described as Part 80 comprising 2.45 acres be conveyed to the Developer at the cash in lieu rate based on the current market appraised value. Should Council approve the conveyance of parkland back to the developer, the total funds would be transferred to the obligatory Parkland Dedication Reserve Fund on receipt, until their authorized use in accordance with legislation and as approved by Council.

The costs associated with the applications and planning processes are the responsibility of the developer. Once developed, residential taxes will be assessed by the Town for each residential dwelling unit built in the subdivision.

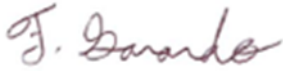
6. CONSULTATIONS:

RC Spencer Associates Inc., Director of Infrastructure Services, Director of Corporate Services and the Clerk/Risk Manager were consulted on this report.

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7. CONCLUSION:

It is the position of Administration that the conceptual proposal presented in this report regarding the development of Phase 2 of the Canard Subdivision merits serious consideration in support of the proposal. This proposal provides a viable solution to the concerns raised by Phase 1 residents in response to the developer-led public consultation. This coupled with the opportunity for passive recreational parkland in the creation of trails and wildlife habitat and a link to active transportation networks are all recommendations that are supported and outlined in the Parks Master Plan that was approved by Council.



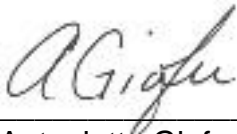
Frank Garardo
Manager of Planning Services



Heidi Baillargeon
Director of Community and Protective Services



Nicole Rubli
Director of Planning and Development Services



Antonietta Giofu
Director of Infrastructure Services

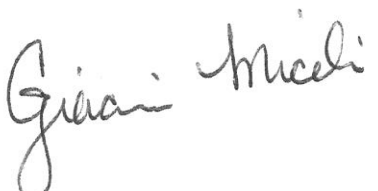
Report Approval Details

Document Title:	Conceptual Stormwater Management Plan for Canard Estates Phase II Development.docx
Attachments:	- 12M-527- Canard Valley Estates.pdf
Final Approval Date:	Jun 9, 2021

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



Heidi Baillargeon


Cheryl Horrobin
John Miceli
Paula Parker



BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERN LIMIT OF MIDDLE SIDEROAD (AS WIDENED) AS SHOWN ON PLAN 12R-11723, HAVING A BEARING OF N 87° 20' 00" W.

This final plan of subdivision is approved under s. 51 (38) of the Planning Act on this _____ day of _____, 20____.

WILLIAM KING, M.O.P., R.P.P.
Manager, Planning Services
County of Essex

P.I.N. 01551 - 0759

ESSEX COUNTY ROAD 10 (MIDDLE SIDEROAD)

(ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 6 & 7)

PLAN OF SUBDIVISION

OF
**PART OF LOT 6,
CONCESSION 8**
GEOGRAPHIC TOWNSHIP OF ANDERDON
NOW IN THE
TOWN OF AMHERSTBURG
COUNTY OF ESSEX, ONTARIO
VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

SCALE = 1:1250

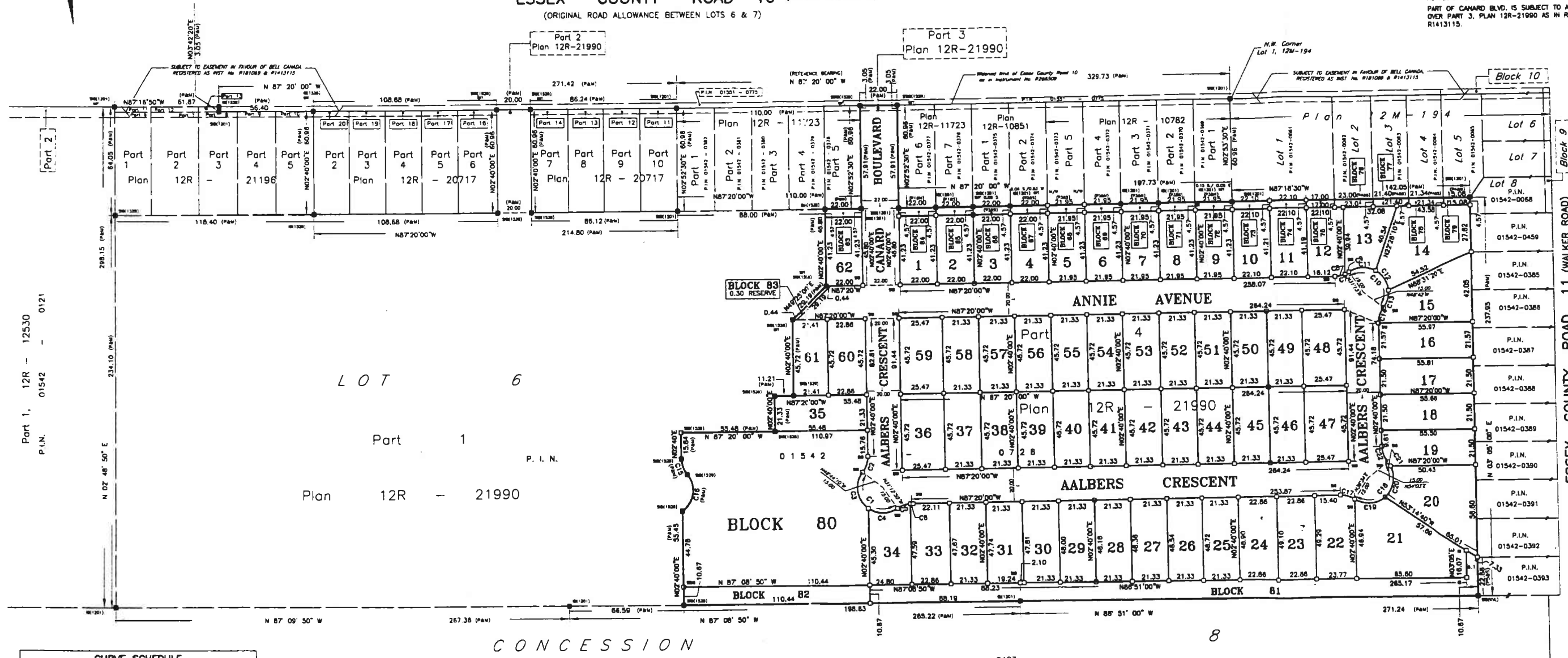


PLAN 12M-527

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF ESSEX (12) AT 1:37 O'CLOCK ON THE 24th DAY OF OCTOBER, 2005 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER 01542-0728 AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT NO. C-217870

LAURA OUELLETTE
ASSISTANT DEPUTY LAND REGISTRAR

THIS PLAN COMPRISES PART OF THE LAND IDENTIFIED AS P.I.N. 01542-0728. PART OF CANARD BLVD. IS SUBJECT TO AN EASEMENT OVER PART 3, PLAN 12R-21990 AS IN R181089 AND R141315.



Part 1, 12R - 12530
P.I.N. 01542 - 0121

LOT 6
Part 1
P.I.N.
Plan 12R - 21990

P.I.N. 01542 - 0403

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	15.00	42.94	29.85	N39°58'30"W
C2	15.00	10.11	9.92	N21°59'00"E
C3	15.00	24.23	21.68	N05°00'40"W
C4	15.00	18.31	17.19	N88°19'00"W
C5	15.00	8.12	8.02	N74°16'30"E
C6	15.00	0.75	0.75	N88°47'00"W
C7	15.00	8.87	8.74	N75°43'30"E
C8	15.00	8.15	8.11	N87°55'10"E
C9	15.00	2.72	2.71	N83°58'50"E
C10	15.00	42.55	29.85	N38°57'30"W
C11	15.00	18.84	15.97	N89°02'30"W
C12	15.00	14.66	14.06	N28°52'50"W
C13	15.00	11.05	10.80	N20°12'20"E
C14	15.00	10.18	9.98	N21°45'40"E
C15	15.00	10.04	9.85	N16°47'20"W
C16	15.00	24.54	21.90	N10°54'30"E
C17	15.00	8.88	8.75	N70°22'30"W
C18	15.00	42.55	29.85	N45°18'50"E
C19	15.00	19.27	17.97	N89°48'50"E
C20	15.00	20.20	18.71	N14°24'50"E
C21	15.00	3.08	3.08	N30°03'10"W
C22	15.00	10.04	9.85	N16°38'10"W

- LEGEND**
- SB DENOTES 25mm x 25mm x 1.22m STANDARD IRON BAR
 - S28 DENOTES 25mm x 25mm x 0.61m SHORT STANDARD IRON BAR
 - # DENOTES 18mm x 18mm x 0.61m IRON BAR
 - W DENOTES 19mm diameter x 0.61m ROUND IRON BAR
 - CD DENOTES CUT-CROSS
 - N/P DENOTES SURVEY NAIL WITH WASHER MARKED (1528)
 - M DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT SET AND MARKED 1528
 - WT DENOTES WITNESS ; DENOTES PERPENDICULAR
 - (S) DENOTES SET (N) DENOTES MEASURED
 - (S/P) DENOTES SET PROPORTIONALLY (O) DENOTES ORIGIN UNKNOWN
 - (P) DENOTES PLAN 12R-21990 (P1) DENOTES PLAN 12R-11723
 - (P2) DENOTES PLAN 12R-10851 (P3) DENOTES PLAN 12R-10782
 - (P4) DENOTES PLAN 12M-184
 - (P5) DENOTES PLAN OF SURVEY BY (1201) DATED NOV. 14, 1991
 - (O) DENOTES INSTRUMENT R141315
 - (1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
 - (1201) DENOTES CLARKE SURVEYORS INC. O.L.S. (O1) DENOTES INSTRUMENT R181089
 - (M1) DENOTES HOWARD B. HEAD, O.L.S.
 - (M2) DENOTES VERHAEGEN AND BEZAIRE LIMITED, O.L.S.

ALL SET BARS ARE IRON BARS (B) UNLESS OTHERWISE DENOTED
"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

OWNERS CERTIFICATE
THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 62 (INCLUSIVE), BLOCKS 83 TO 82 (INCLUSIVE), BLOCK 83 (D.30 RESERVE) AND THE STREETS NAMELY AALBERS CRESCENT, ANNIE AVENUE AND CANARD BOULEVARD HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
2. THE STREETS ARE HEREBY DEDICATED AS PUBLIC HIGHWAYS TO THE CORPORATION OF THE TOWN OF AMHERSTBURG.
DATED THE _____ DAY OF SEPTEMBER, 2005
CANARD DEVELOPMENTS INC.

GEORGE DRAGICEVIC - PRESIDENT
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 5th DAY OF JUNE, 2005.
DATE SEPTEMBER 13, 2005
ANDREW S. MARITHA
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

WINDSOR 470 Devonshire Road, Suite 200 NBY 2L8 ONT. L9A 4K6
Tel: (519) 228-1772 Fax: (519) 228-2873
www.vshb.com

VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC.

LEAMINGTON 187 Talbot Street East NBY 1L8 ONT. L9M 1L8
Tel: (519) 222-2375 Fax: (519) 222-2873
www.vshb.com

ONTARIO LAND SURVEYORS
DRAWN BY: LJP
CHECKED BY: A.S.M.
DATE: OCT/26/2005 3:27PM
CAD FILE NO.: P:\4217\4217010.DWG
WORK ORDER: 4-21780-X05
S-435 (WIND)
PLAN FILE NO: C-2882E



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING AND DEVELOPMENT SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

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

To: Mayor and Members of Town Council

Subject: Zoning By-law Amendment for S/S Alma Street

1. RECOMMENDATION:

It is recommended that:

- 1. By-law 2021-035 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as S/S Alma Street, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

2. BACKGROUND:

The Statutory Public Meeting was held at 5:00 p.m., June 14, 2021 to hear public comments on an application for a Zoning By-law Amendment for S/S Alma Street (Conc 8, Pt Lot 94), Amherstburg. The Zoning By-law Amendment (ZBA) will change the zoning for the subject lands from the "Agricultural (A) Zone" to "Special Provision Agricultural (A-36) Zone". The parcel was the subject of an application for consent (File B/17/21) to sever a dwelling which is surplus to the needs of the farming operation. The rezoning of the subject property to A-36 is a condition of the consent decision.

3. DISCUSSION:

At the statutory public meeting there were no public comments. Administration outlined the Provincial requirement for prohibiting dwellings on the remnant farm parcel.

As noted above, the applicant severed a parcel of land being 59.13 m (194 ft) ± frontage by 71.63 m (235 ft) ± depth with an area of 0.425 ha (1.05 acres) ± which includes a single detached dwelling and one accessory structure, which are considered surplus to the

needs of the farming operation. The residence which was the subject of the severance is located at 8121 Alma Street, is not subject to this rezoning. At the conclusion of the severance, the remaining farm parcel subject of the recommended ZBA will have a total area of 96.95 acres ±.

The subject parcel is zoned Agriculture in the Zoning By-Law and Agriculture in the Town's Official Plan. The effect of the ZBA will allow for general agricultural uses on the subject property and prohibit any new dwelling units on the remnant land.

The application is consistent with the Provincial Policy Statement, specifically Section 2.3.4.1(c) which provides for lot creation for a residence surplus to a farming operation as a result of farm consolidation provided that new residential dwellings are prohibited on any vacant remnant parcel created by the severance. The application is also in conformity with the Town's Official Plan specifically Section 3.2.2(14) which provides for surplus dwelling severances subject to the remnant parcel being rezoned to ensure no new dwelling units will be permitted. The proposed lot size as well as the intended land use for the subject parcel complies with the zone requirements for the Special Provision Agricultural Zone.

4. RISK ANALYSIS:

The recommendation presents little to no risk to the municipality. Should Council not approve the proposed application for ZBA, the consent which has been approved by the Committee of Adjustment could not be finalized. The home which is surplus to the needs of the farming operation could then not be severed and transferred.

5. FINANCIAL MATTERS:

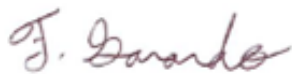
All costs associated with the application are the responsibility of the applicant.

6. CONSULTATIONS:

No further consultations are required on this application. All statutory notice requirements and consultations were met through the planning process.

7. CONCLUSION:

Administration recommends that Zoning By-law 2021-035 be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.



Frank Garardo
Manager of Planning Services

JM

Report Approval Details

Document Title:	Zoning By-law Amendment for S-S Alma Street.docx
Attachments:	- 2021 06 28 - Zoning By-law Amendment S-S Alma-ATTACHMENTS.pdf
Final Approval Date:	Jun 21, 2021

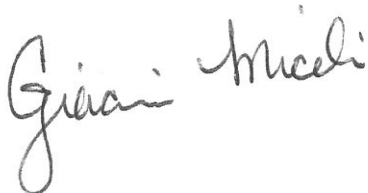
This report and all of its attachments were approved and signed as outlined below:



Nicole Rubli



Cheryl Horrobin



John Miceli



Paula Parker

CORPORATION OF THE TOWN OF AMHERSTBURG
**NOTICE OF STATUTORY PUBLIC MEETING
TO CONSIDER A ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting, by electronic means, on **Monday, June 14, 2021 commencing at 5:00 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

THE SUBJECT LANDS affected by the proposed amendment are described as Part of Lot 94, Concession 8, municipally known as the farm parcel severed from 8121 Alma Street. The property is vacant agricultural land and the total area subject to the rezoning is 39.23 hectares (96.95 acres) ±. (see key map below)

THE PURPOSE OF THE AMENDMENT TO ZONING BY-LAW No. 1999-52 is to change the zoning of the subject lands noted above from the “**Agricultural (A) Zone**” to “**Special Provision Agricultural (A-36) Zone**”. The parcel is designated Agricultural in the Town’s Official Plan. The lands described above are subject to an application for consent (File B/17/21) to sever a dwelling which is surplus to the needs of a farming operation.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to allow for general agricultural use on the subject property and prohibit any new dwelling unit on the land. The “Special Provision Agricultural (A-36) Zone” is established as a site specific zone for the retained agricultural parcel created through consent, to prohibit new residential uses on these lands.

COVID-19 Emergency: During the COVID-19 Declaration of Emergency (declared by the Province of Ontario and the Town of Amherstburg under the provisions of Section 7.0.1 and Section 4(1) of the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9, respectively*) Town of Amherstburg Council is holding electronic meetings, and in-person meeting attendance is restricted. Any person, who wishes to make representation is required to do so in writing.

ANY PERSON may make written representation in support of or in opposition to the proposed Zoning By-law Amendment by email to the Planner, Frank Garardo at fgarardo@amherstburg.ca or in person by appointment for drop-off in the vestibule of the Libro Centre located at 3295 Meloche Road. Comments must be submitted by 4:00 p.m. on Thursday, June 10, 2021 before the hearing and will be read aloud prior to the application being heard by Council.

ANY PERSON who wishes to attend by electronic means, must register with the Clerk’s Office no later than 4:00 pm on Thursday, June 10, 2021. To register for electronic participation please email the Deputy Clerk at tfowkes@amherstburg.ca. Once you register, you will be given information on how to make your submission at the electronic meeting by electronic participation. To participate, you will need access to a computer or tablet with internet service or a telephone.

NO PERSON OR PUBLIC BODY shall be added as a party to the hearing of the appeal unless, before the bylaw was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting, or make written submissions to the Town of Amherstburg before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

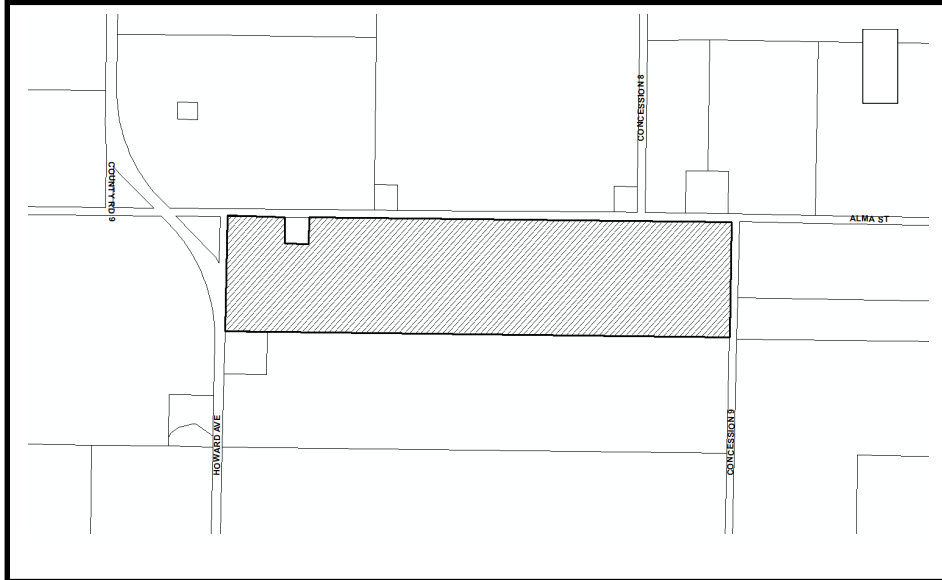
ADDITIONAL INFORMATION relating to the proposed Zoning By-law (File# ZBA/07/21) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment

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

is also available for review on the Town of Amherstburg Website: www.amherstburg.ca. If you wish to be notified of the passage of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below. The hearing will be available for viewing by livestream by visiting www.amherstburg.ca.

DATED at the Town of Amherstburg this 19th day of May, 2021.

KEY MAP



Frank Garardo, MCIP, RPP
Manager of Planning Services

Town of Amherstburg
Libro Centre
3295 Meloche Road
Amherstburg, Ontario N9V 2Y8
Telephone: (519) 736-5408
Fax No. (519) 736-9859
Website: www.amherstburg.ca

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

Municipal Fee Received:	1620.00
Municipal Deposit Received:	N/A
ERCA Fee Received:	200.00

Application No. Z&A/07/21

**FORM 1
PLANNING ACT
APPLICATION FOR ZONING BY-LAW AMENDMENT
TOWN OF AMHERSTBURG**

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality March 16, 2021
3. Date application deemed complete by municipality April 27, 2021
4. Name of registered owner Blake + Suzanne Laramie
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]
 Name of registered owner's solicitor or authorized agent (if any) _____
 Telephone number _____
 Address _____
 Email _____

Please specify to whom all communications should be sent:

- registered owner solicitor agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

6. Location and description of subject land:

Concession No. 8 Lot(s) No. Pt Lt 94
 Registered Plan No. _____ Lot(s) No. _____
 Reference Plan No. _____ Part(s) No. _____
 Street Address severed from B121 Alma Assessment Roll No. 610-04908

7. Size of subject parcel:

Frontage 1257.6m +/- Depth 29992m +/- Area 39.23 ha +/-

8. Access to subject parcel:

- Municipal Road County Road Provincial Highway
 Private Road Water

If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road

9. (a) Current Official Plan Land Use designation of subject land Agricultural
 (b) Explanation of how application conforms to the Official Plan Section 3.2.2 (14)

of the OP requires the remnant parcel subsequent to a surplus dwelling ~~severance~~ be rezoned to restrict residential development.

(c) Does the application implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

- Yes
- No

If yes, provide details of the official plan or official plan amendment that deals with this matter:

10. Current Zoning of subject land Agricultural (A) Zone

11. Nature and extent of rezoning requested rezone to A-36 restricting residential development

12. Reasons why rezoning is requested condition of consent

13. Current use of subject land agricultural farmland

14. Length of time current use of subject land has continued 100+ yrs

15. Is the subject land within an area where the municipality has pre-determined:

(a) minimum and maximum density requirements

- Yes
- No

(b) minimum and maximum height requirements

- Yes
- No

If yes, state the requirements _____

16. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

3 grain bins

1 pole barn

17. Date of construction of existing buildings and structures on the subject land:

18. Date subject land acquired by current registered owner March 2021

19. Proposed use of subject land agricultural farmland

20. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

none

21. Type of water supply:

- municipally owned and operated piped water supply
- well
- Other (specify) not needed

22. Type of sanitary sewage disposal:

- municipally owned and operated sanitary sewers
- septic system
- Other (specify) not needed

If the requested amendment permits development on a privately owned and operated individual or communal septic system and more than 4,500 litres of effluent will be produced per day as a result of the development being completed the applicant is required to submit a:

- (i) servicing options report, and
- (ii) a hydrogeological report

23. Type of storm drainage:

- sewers
- ditches
- swales
- Other (specify) _____

24. If known, indicate whether the subject land is the subject of an application under the Planning Act for:

- consent to sever
- approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

B / 17 / 21

25. If known, indicate if the subject land has ever been the subject of an application for rezoning under Section 34 of the Planning Act:

no

If known, indicate whether the subject land has ever been the subject of a Minister's Zoning Order and, if known, the Ontario Regulation number of that order.

no

26. Does the requested amendment remove the subject land from an area of employment in the official plan?

- Yes
- No

If yes, state the current official plan policies, if any, dealing with the removal of land from an area of employment.

27. Is the subject land within an area where zoning with conditions may apply?

- Yes No

If yes, how does this application conform to the official plan policies relating to zoning with conditions?

28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)?

- Yes No

Comments _____

29. Is the subject land within an area of land designated under any provincial plan or plans?

- Yes No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans?

30. Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

- Yes No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

31. Will the proposed project include the addition of permanent above ground fuel storage?

- Yes No

Dated at the Town of Amherstburg this 16th day of March, 20 21.

Blake Laramie
(signature of applicant, solicitor or authorized agent)

I, Blake Laramie of the Town of Amherstburg
in the County/District/Regional Municipality of Essex solemnly declare that
all the statements contained in this application are true, and I make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect as
if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Town of Amherstburg in the County
of Essex this 16th day of March, 20 21.

Blake Laramie
Applicant, Solicitor or Authorized Agent

Frank Garardo, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 7, 2023
[Signature]
A Commissioner, etc.

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

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Blake & Suzanne Laramie**
- (c) Brief description LOCATION OF PROPERTY (c) **8121 Alma Street
(Roll No. 3729-610-000-04900)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 59.13 m (194 ft) ± frontage by 71.63 m (235 ft) ± depth with an area of 0.425 ha (1.05 acres) ± which includes a single detached dwelling and one accessory structure, which are considered surplus to the needs of the farming operation. The remaining parcel being 1,257.6 m (4,126 ft) ± frontage by 2999.92 m (984 ft) ± depth with an area of 39.23 hectares (96.95 acres) ± is agricultural land, which includes four accessory structures: one pole barn and three grain bins. The property is designated Agricultural in the Town's Official Plan and zoned Agricultural in the Town's Zoning By-law.
- (e) Date of decision **CONCUR** in the following decision and reasons for decision made on the (e) 27th day of April, 2021.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate, and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That an assessment apportionment for any and all drains affected by the severance be completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment be paid by the applicant.
 5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.
 6. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus dwelling does not cross the property lines, that the system is in working order and that its operation will not be affected by the severance, to the satisfaction of the Building Department.
 7. That should access be required for the retained or severed lot, access be completed in accordance with the provisions of the Drainage Act if it is required to cross a Municipal Drain. If access is required to cross a roadside ditch, it will be completed according to the Town right-of-way. The access shall be provided to each lot to the satisfaction of the municipality and County.
 8. That a minor variance be obtained from the provisions of By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.
 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice

- (g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement. The size and configuration of the severed surplus dwelling lot is appropriate for this severance as it reduces the amount of land taken from the farming operation and does not remove any of the farming drainage tiles from the farming operation.

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

.....
David Cozens

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

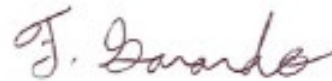
CERTIFICATION

The Planning Act, R.S.O. 1990

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

(i) Name & address of approval authority

Dated this 29th day of April, 2021



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

A motion was put forward to adopt the minutes of March 30, 2021 as presented.

Moved by: Anthony Campigotto

Seconded by: Don Shaw

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

7. Order of Business

7.1 Applications B/17/21 & A/14/21 – Blake & Suzanne Laramie – 8121 Alma Street (Roll No. 3729-610-000-04900)

Public in Attendance: Blake Laramie, Applicant

B/17/21: The applicant is proposing to sever a parcel of land being 59.13 m (194 ft) ± frontage by 71.63 m (235 ft) ± depth with an area of 0.425 ha (1.05 acres) ± which includes a single detached dwelling and one accessory structure, which are considered surplus to the needs of the farming operation. The remaining parcel being 1,257.6 m (4,126 ft) ± frontage by 299.92 m (984 ft) ± depth with an area of 39.23 hectares (96.95 acres) ± is agricultural land, which includes four accessory structures: one pole barn and three grain bins. The property is designated Agricultural in the Town’s Official Plan and zoned Agricultural in the Town’s Zoning By-law.

A/14/21: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(a)(i), which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone. Subsequent to a severance of a 0.425 ha (1.05 acres) ± surplus dwelling from an existing 39.66 hectares (98 acres) parcel, the retained farm parcel will have an area of 39.23 hectares (96.95 acres). Therefore, the amount of relief requested is 0.77 hectares (1.9 acres).

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

- i) Letter dated April 20, 2021 from the Essex Region Conservation Authority stating:
We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act).

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

With the review of background information and aerial photograph, ERCA has no objection to these applications for Consent and Minor Variance.
- ii) Letter dated April 20, 2021 from the County of Essex stating that:
The minimum setback for any proposed structures on this property must be 85 feet from the center of the original ROW of County Road No. 10. Permits are necessary for any changes to existing structures, or the construction of new entrances. New accesses to be located on Alma Street. No new access from County Road No. 9 will be permitted.
- iii) Email dated April 14, 2021 from the Fire Department states no objection.

- iv) Email dated April 20, 2021 from the Windsor Police Department stating that:
The Windsor Police Service has no concerns or objections with the application for a severance resulting in a variance associated with minimum remaining lot area. The result of this application will create no consequences for police service delivery.
- v) Email dated April 15, 2021 from the Engineering and Public Works Department stating a drainage apportionment is required for the Long Marsh Drain.
- vi) Email dated April 19, 2021 from the Building division stating,
 - *Septic review required*
- vii) Planning Report dated April 20, 2021 from Amy Farkas, Dillon Consulting Limited, on behalf of Frank Garardo, Manager of Planning Services.

Committee Discussion:

The Chair introduced the application and asked if there were any members of the public present for this application. There were none. The Planner, Frank Garardo read the purpose of the application. Blake Laramie presented the concept of the application. Discussion ensued regarding access to the retained farmland and farm buildings. Mr. Laramie confirmed that he has spoken with the Public Works Department regarding the installation of a new access off of the Howard Avenue cut off. The Chair confirmed with the applicant that they are aware of the required conditions. The applicant confirmed knowledge and understanding of the conditions.

The following resolutions were put forth:

That application B/14/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
2. The applicant submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate, and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That an assessment apportionment for any and all drains affected by the severance be completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment be paid by the applicant.
5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.
6. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus dwelling does not cross the property lines, that the system is in working order and that its operation will not be affected by the severance, to the satisfaction of the Building Department.
7. That should access be required for the retained or severed lot, access be completed in accordance with the provisions of the Drainage Act if it is required to cross a Municipal Drain. If access is required to cross a roadside ditch, it will be completed according to the Town right-of-way. The access shall be provided to each lot to the satisfaction of the municipality and County.
8. That a minor variance be obtained from the provisions of By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.

9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.

Moved by: Anthony Campigotto
 Seconded by: Terris Buchanan

-carried-

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

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement. The size and configuration of the severed surplus dwelling lot is appropriate for this severance as it reduces the amount of land taken from the farming operation and does not remove any of the farming drainage tiles from the farming operation.

That application A/14/21 be approved.

Moved by: Anthony Campigotto
 Seconded by: Don Shaw

-carried-

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

Reasons of Committee – The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law. The proposed lot addition and surplus dwelling severances do not remove agricultural land from production.

7.2 Application B/22/21 –John & Susan McCallum, c/o Nick B. Soulliere, Agent – 420 Texas Road (Roll No. 3729-420-000-26500)

Public in Attendance: Nick B. Soulliere, Agent on the Application

Application B/13/21: The applicant is proposing to sever a parcel of land with 94 m ± width by 210.6 m ± depth and an area of 19,750 sq m ± for the purpose of a lot addition to merge with the vacant land to the east. The proposed retained parcel being 27.34 m ± frontage by 91.2 m ± depth has an area of 2,495 sq m ± contains one single detached dwelling. The subject lands are designated Low Density Residential in the Town's Official Plan and Residential Type 1A (R1A) Zone in the Town's Zoning By-law.

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

- i) Letter dated April 20, 2021 from the Essex Region Conservation Authority stating:



planning@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

May 26, 2021

Mr. Frank Garardo
Manager of Planning Services
3925 Meloche Road
Amherstburg, ON N9V 2Y8

Dear Mr. Garardo:

RE: Zoning By-Law Amendment ZBA-07-21
8121 ALMA ST
ARN 372961000004900; PIN: 015410079
Applicant: ALLEN CATHERINE ALICE ESTATE

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-07-21 to change the zoning of the subject lands noted above from the "Agricultural (A) Zone" to "Special Provision Agricultural (A-36) Zone" for the retained agricultural parcel created through consent, to prohibit new residential uses on these lands.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

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

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

Mr. Garardo
May 26, 2021

PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

Notwithstanding the above noted references to the PPS policies, we note that the proposed development is either adequately setback and/or physically separated from the natural heritage feature by existing development or infrastructure. Therefore, we do not anticipate any negative impacts associated with the proposal. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no objection to this application for Zoning By-Law Amendment.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Vitra Chodha, E.P
Resource Planner
/vc



From: [Shane McVitty](#)
To: [Janine Mastronardi](#)
Cc: [Todd Hewitt](#); [Antonietta Giofu](#); [Frank Garardo](#)
Subject: RE: Notices of Public Meeting for two ZBAs, Amherstburg
Date: May 25, 2021 9:41:09 AM

Good Morning,

In general, Public Works does not have any issues with the proposed Zoning By-law Amendment.

ZBA – 12-21

With regards to the stormwater, the increase in building footprints as requested will increase the surface run-off into the receiving storm sewer system and the existing stormwater management pond. The cumulative effects of increased runoff resulting from lots that have been developed in excess of the allowable design tolerances can have detrimental consequences on existing storm water management (SWM) facilities and storm sewer infrastructure. However, in this case, the engineering letter provided by Stantec demonstrates that the existing SWM infrastructure can accommodate the additional run-off that will result from the increase in the impervious areas without negatively impacting the development. As such, EPW does not object to this ZBA.

ZBA – 07-21

No comments from EPW

Thanks,
Shane

Shane McVitty

Drainage Superintendent / Engineering Coordinator

Town of Amherstburg

512 Sandwich St. South, Amherstburg, ON, N9V 3R2

Tel: 519-736-3664 x2318 Fax: 519-736-7080 TTY: 519-736-9860



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From: Janine Mastronardi <jmastronardi@amherstburg.ca>

Sent: May 21, 2021 4:00 PM

To: Giovanni (John) Miceli <jmiceli@amherstburg.ca>; Antonietta Giofu <aGiofu@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>; Angelo Avolio <aavolio@amherstburg.ca>; Michelle Lavin <mlavin@amherstburg.ca>; Shane McVitty <smcvitty@amherstburg.ca>; Ron Meloche <rmeloche@amherstburg.ca>; Paula Parker <pparker@amherstburg.ca>; Antonio Marra

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2021-035**

**By-law to amend Zoning By-law No. 1999-52
S/S Alma Street (Conc 8, Pt Lot 94), Amherstburg**

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

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

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

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

1. Schedule "A", Map 43 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from A to A-36" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Special Provision Agricultural (A-36) Zone".
2. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

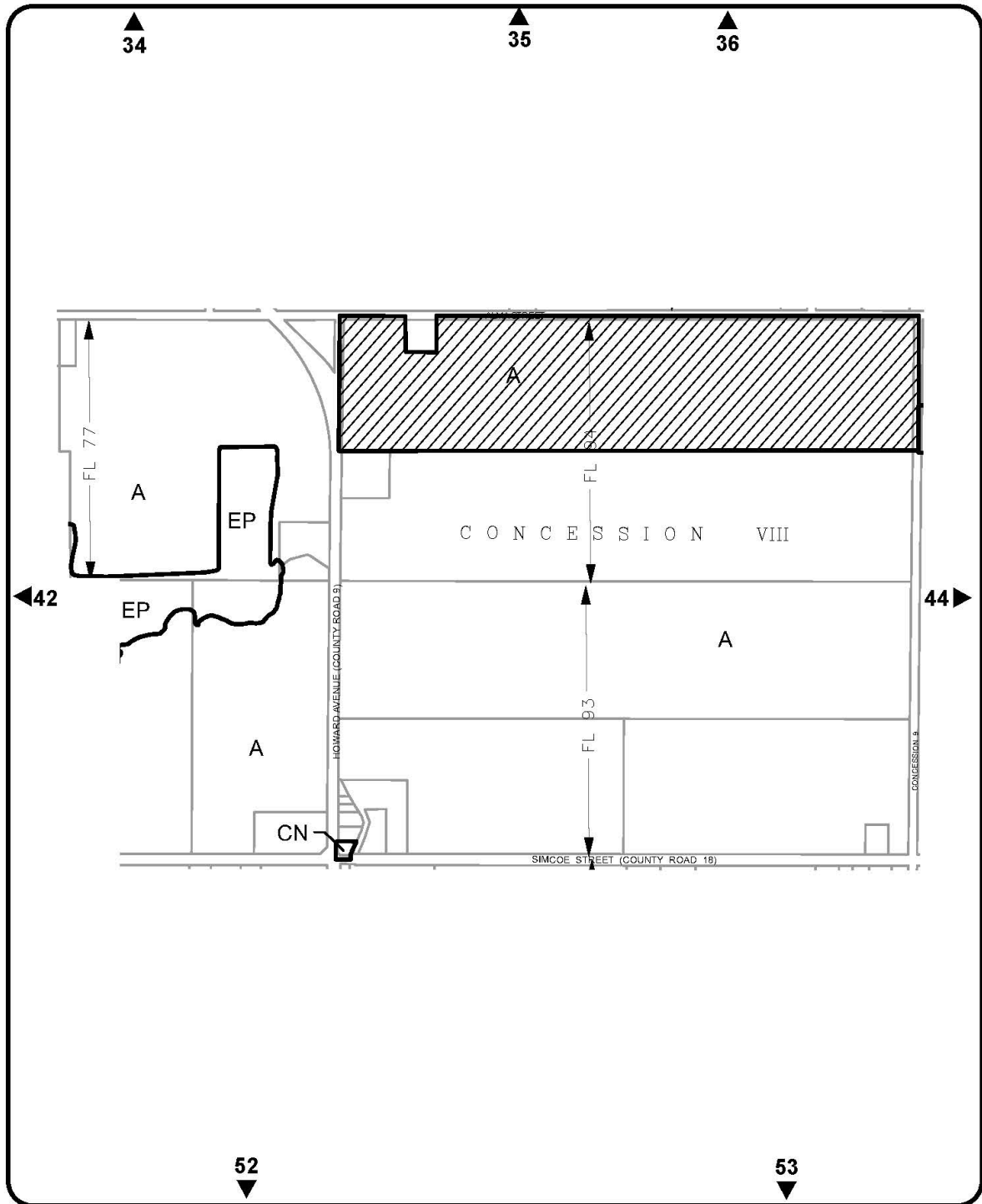
Read a first, second and third time and finally passed this 28th day of June, 2021.

MAYOR- ALDO DICARLO


CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2021-035
 A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'
MAP 43
 ZONING BY-LAW NO. 1999-52

A to A-36 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING AND DEVELOPMENT SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

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

To: Mayor and Members of Town Council

Subject: Zoning By-law Amendment- Kingsbridge Subdivision Phase 5 and 10

1. RECOMMENDATION:

It is recommended that:

- 1. By-law 2021-034 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as Kingsbridge Subdivision Phases 5 and 10, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

2. BACKGROUND:

The Statutory Public Meeting was held at 5:00 p.m., June 14, 2021 to hear public comments on an application for a Zoning By-law Amendment for Kingsbridge Subdivision Phases 5 and 10.

The Zoning amendment on the subject lands would change the zoning of the subject lands noted above from the "Residential Type 1A (R1A) Zone" and "Residential Second Density Zone / Residential Multiple First Density (R2/RM1) Zone" to "Residential First Density (R1) Zone" and "Site Specific Residential Second Density Zone/Residential Multiple First Density (R2-7/RM1) Zone". The parcel is designated Low Density Residential in the Town's Official Plan.

The submitted application seeks to amend the Zoning By-law to permit a maximum lot coverage of 35% for single detached dwellings and 47% for semi-detached dwellings in Kingsbridge Subdivision, Phases 5 and 10, whereas the current Zoning permits a maximum lot coverage of 30% for single detached dwellings and 35% for semi-detached dwellings.

The submitted application does not facilitate a change in the established use of the property but instead seeks to establish a revised lot coverage provision. The proposed Zoning amendment is housekeeping in nature.

The subject lands are known as Kingsbridge Subdivision Phase 5 and Phase 10 and comprise of townhomes, semi-detached dwelling units and single detached units.

Single detached units

The current zoning permits single detached dwelling units on the West side of Knobb Hill, North of McLellan with a 30% lot coverage. The subject application seeks to amend a single zoning provision to permit the lot coverage to 35%. The requested amendment is required to facilitate the prospective builders intended product while also providing lot coverage space for other structures such as covered decks.

The proposed lot coverage maximums are consistent with other developments in Town as seen in the chart below. The proposed zoning provisions are housekeeping in nature, as it would permit similar density as adjacent parcels. The abutting single detached homes within the Kingsbridge Subdivision already permit 35% lot coverage for single detached dwellings erected on Brown Crescent, Whelan Avenue, McLellan Avenue, Lundy Street, Lambert Street, Welsh Avenue, etc.; therefore the proposed zoning amendment would permit a consistent 35% lot coverage for the new single detached dwellings within the Kingsbridge Subdivision. This would allow for a consistent character of the area.

Semi-detached units

The current zoning permits semi-detached dwelling units, townhomes, and triplexes on the West side of Knobb Hill, South of McLellan Avenue. The current zoning permits a lot coverage of 35% percent for semi-detached dwellings. The zoning amendment recognizes the housekeeping nature, as semi-detached dwellings require a higher lot coverage to support the development. Semi-detached dwelling units utilize shared common walls, which increase the lot coverage to a higher percent than single detached dwellings. It is a very acceptable and common planning principle to permit a higher lot coverage for semi-detached units in comparison to single detached units. The builder intends to provide for a variation in the built-form while still providing a common design that facilitates the character of the new homes. The requested lot coverage increase will not impact the streetscape. It is worth mentioning that the current zoning permits 51% lot coverage for the proposed townhomes, therefore the proposed 47% lot coverage for the semi-detached would be consistent with the permitted character of the area.

The requested increase in lot coverage does not result in other zoning deficiencies. The required front, side and rear yard setbacks will be maintained to ensure that there is adequate separation between the proposed dwellings. This ensures that a consistent built-form is maintained throughout the community and that the increase in lot coverage does not result in negative impacts on surrounding properties. The required side and rear yard setbacks are maintained and the buildings do not exceed the maximum heights permitted. The required front yard remains at 7.5m to provide for a consistent street wall within the community and accommodates the required parking for each dwelling as well as a landscaped area along the street that

contributes to the streetscape. The increase in lot coverage does not cause any undue negative impacts on the surrounding properties and does not compromise adjacent resident's ability to enjoy their property.

Subdivisions:

Kingsbridge Zone R1

Subdivision	Zone	Permitted Maximum Lot Coverage	
		Singles	Semi-Detached
Big Creek	R3-2	45%	50%
Forhan	R2-3	N/A	40%
Meadowview	R2-5	35%	60%
Mulberry	R2-6	N/A	45%
Kingsbridge	R1A/R2/RM1	Proposed 35%	Proposed 47%
Kingsbridge existing	R1	35%	N/A
Adjacent Municipalities			
Town of LaSalle	R3	35% (+10%) for accessory structures (45%)	40% (+10%) for accessory structures (50%)
Town of Essex	R2	40%	50%

Lot Coverage Analysis

Stantec Consulting Ltd. completed a review of the existing stormwater management facility design and found the proposed increase in lot coverage is in accordance with the drainage plan approved for the subdivision. The increase in lot coverage does not cause any undue negative impacts on surrounding properties. The engineer study concluded that the existing Storm water Management Pond is capable of accommodating the proposed increase in lot coverage of the Kingsbridge Subdivision.

The requested increase in lot coverage does not facilitate any negative impacts on surrounding properties. The application is considered to conform to good planning principles.

Planning Policy

The proposed Zoning By-law Amendment appears to be in conformity with the Provincial Policy Statement 2020 (PPS). The proposed lots are located within a settlement area.

Section 1.1.3.1 of the PPS states:

Settlement areas shall be the focus of growth and development.

Section 1.1.3.6 of the PPS states:

New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject lands are located within a subdivision that has existing approval. All of the lots and blocks within this subdivision have been draft approved and the permitted uses of the lands have been established through the Zoning By-law. The comprehensive subdivision planning process ensures that the development addresses all Provincial, Regional and local interests with respect to the appropriate use and development of the land. Specifically, the subdivision represents efficient and orderly development of serviced residential land in accordance with the land use vision outlined in the Provincial Policy Statement. The proposal conforms to the County's land use vision as outlined in the specific policies under the County Official Plan as it represents efficient development of land within in the Settlement Boundary. The subject lands are within Town's Settlement Boundary and are designated as Low Density Residential in the Town's Official Plan. The proposed single detached dwellings and semi-detached dwellings are permitted uses and the proposal makes efficient use of residential land and municipal infrastructure in accordance with the applicable Official Plan policies.

3. DISCUSSION:

There were no public comments submitted to the Planning Division prior to the statutory public meeting.

Members of Council raised questions and concerns during the statutory public meeting. The questions and concerns raised by Council are addressed in the following table.

Comments	Administrative Response
When was the Zoning by-law implemented?	The current zoning provisions on the subject lands were implemented in 1999. The proposed lot coverage is a more acceptable zoning provision for current planning principles.
When will the next Zoning amendment occur?	The current zoning by-law was drafted in 1999. The Town of Amherstburg is obligated to update zoning by-laws to implement current planning principles and trends. The Zoning by-law is to be updated after the Official plan review.

Lot coverage and flooding concerns	Stantec engineering outlined that the storm water management pond and infrastructure has been designed to accommodate for the requested increase in lot coverage. Further, the requested increase in lot coverage does not facilitate any negative impacts on surrounding properties.
Lot coverage and accessory structures	The proposed lot coverage includes all covered structures, including accessory structures.

4. RISK ANALYSIS:

The recommendation in this report presents little to no risk to the Town. The proposed change is in conformity with the Town’s Official Plan.

5. FINANCIAL MATTERS:

All costs associated with the application are the responsibility of the applicant

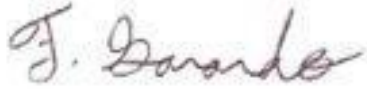
6. CONSULTATIONS:

No further consultations are required on this application. All statutory notice requirements and consultations were met through the planning process.

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7. **CONCLUSION:**

Administration recommends that Zoning By-law 2021-034 be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.



Frank Garardo
Manager of Planning Services

JM

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX
Michael Dunn		MRDunn@dunncompanies.com		
Sawyer DeJonge		<u>Sawyer@everjonge.com</u>		

Report Approval Details

Document Title:	Zoning By-law Amendment- Kingsbridge Phase 5 and 10.docx
Attachments:	- 2021 06 28 - Zoning By-law Amendment Kingsbridge Phase 5 and 10- ATTACHMENTS.pdf
Final Approval Date:	Jun 21, 2021

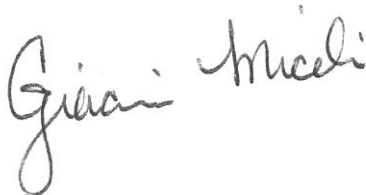
This report and all of its attachments were approved and signed as outlined below:



Nicole Rubli



Cheryl Horrobin



John Miceli



Paula Parker

CORPORATION OF THE TOWN OF AMHERSTBURG
**NOTICE OF STATUTORY PUBLIC MEETING
TO CONSIDER A ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting, by electronic means, on **Monday, June 14, 2021 commencing at 5:00 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

THE SUBJECT LANDS affected by this by-law encompass one phase of the Kingsbridge Subdivision development. Phases 5 and 10 are located in the west side of Knobb Hill and legally described as Concession 1, Part of Lots 11, 12, 13 and 14. (see key map below)

THE PURPOSE OF THE AMENDMENT TO ZONING BY-LAW No. 1999-52 is to change the zoning of the subject lands noted above from the **“Residential Type 1A (R1A) Zone” and “Residential Second Density Zone/ Residential Multiple First Density (R2/RM1) Zone”** to **“Residential First Density (R1) Zone” and “Site Specific Residential Second Density Zone/Residential Multiple First Density (R2-7/RM1) Zone”**. The parcel is designated Low Density Residential in the Town’s Official Plan.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to allow for general residential uses on the subject properties with 35% lot coverage for single detached dwellings and 47% lot coverage for semi-detached dwellings, whereas the current zoning permits 30% lot coverage for single detached dwellings and 35% lot coverage for semi-detached dwellings.

COVID-19 Emergency: During the COVID-19 Declaration of Emergency (declared by the Province of Ontario and the Town of Amherstburg under the provisions of Section 7.0.1 and Section 4(1) of the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9, respectively*) Town of Amherstburg Council is holding electronic meetings, and in-person meeting attendance is restricted. Any person, who wishes to make representation is required to do so in writing.

ANY PERSON may make written representation in support of or in opposition to the proposed Zoning By-law Amendment by email to the Planner, Frank Garardo at planning@amherstburg.ca or in person by appointment for drop-off in the vestibule of the Libro Centre located at 3295 Meloche Road. Comments must be submitted by 4:00 p.m. on Thursday, June 10, 2021 before the hearing and will be read aloud prior to the application being heard by Council.

ANY PERSON who wishes to attend by electronic means, must register with the Clerk’s Office no later than 4:00 pm on Thursday, June 10, 2021. To register for electronic participation please email the Deputy Clerk at tfowkes@amherstburg.ca. Once you register, you will be given information on how to make your submission at the electronic meeting by electronic participation. To participate, you will need access to a computer or tablet with internet service or a telephone.

NO PERSON OR PUBLIC BODY shall be added as a party to the hearing of the appeal unless, before the bylaw was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting, or make written submissions to the Town of Amherstburg before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

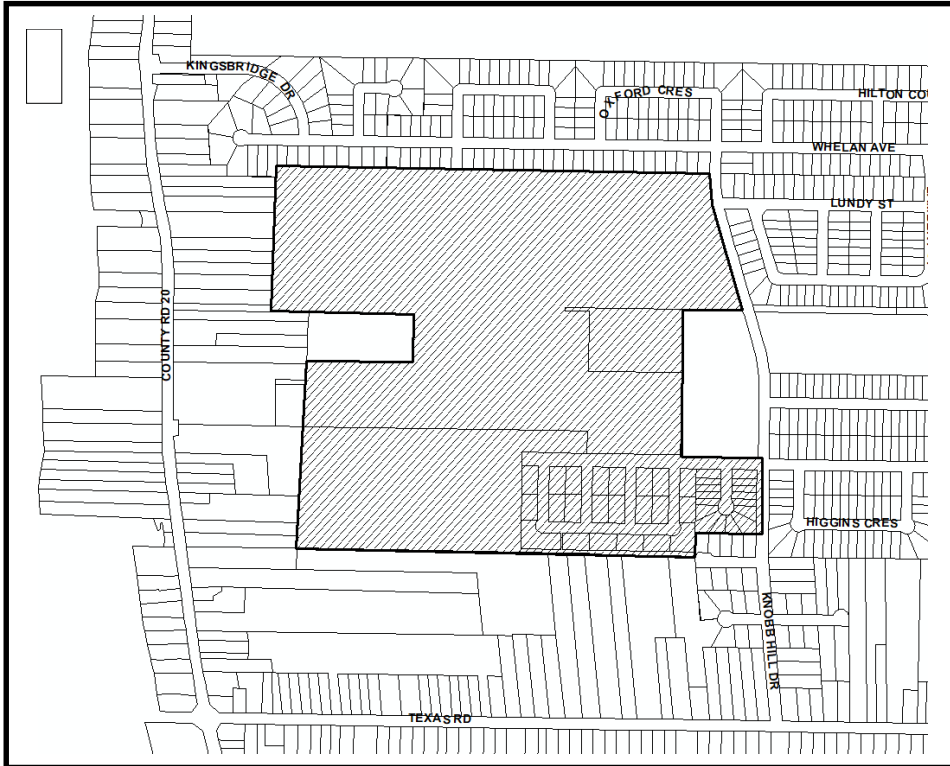
ADDITIONAL INFORMATION relating to the proposed Zoning By-law (File# ZBA/12/21) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment

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

is also available for review on the Town of Amherstburg Website: www.amherstburg.ca. If you wish to be notified of the passage of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below. The hearing will be available for viewing by livestream by visiting www.amherstburg.ca.

DATED at the Town of Amherstburg this 20th day of May, 2021.

KEY MAP

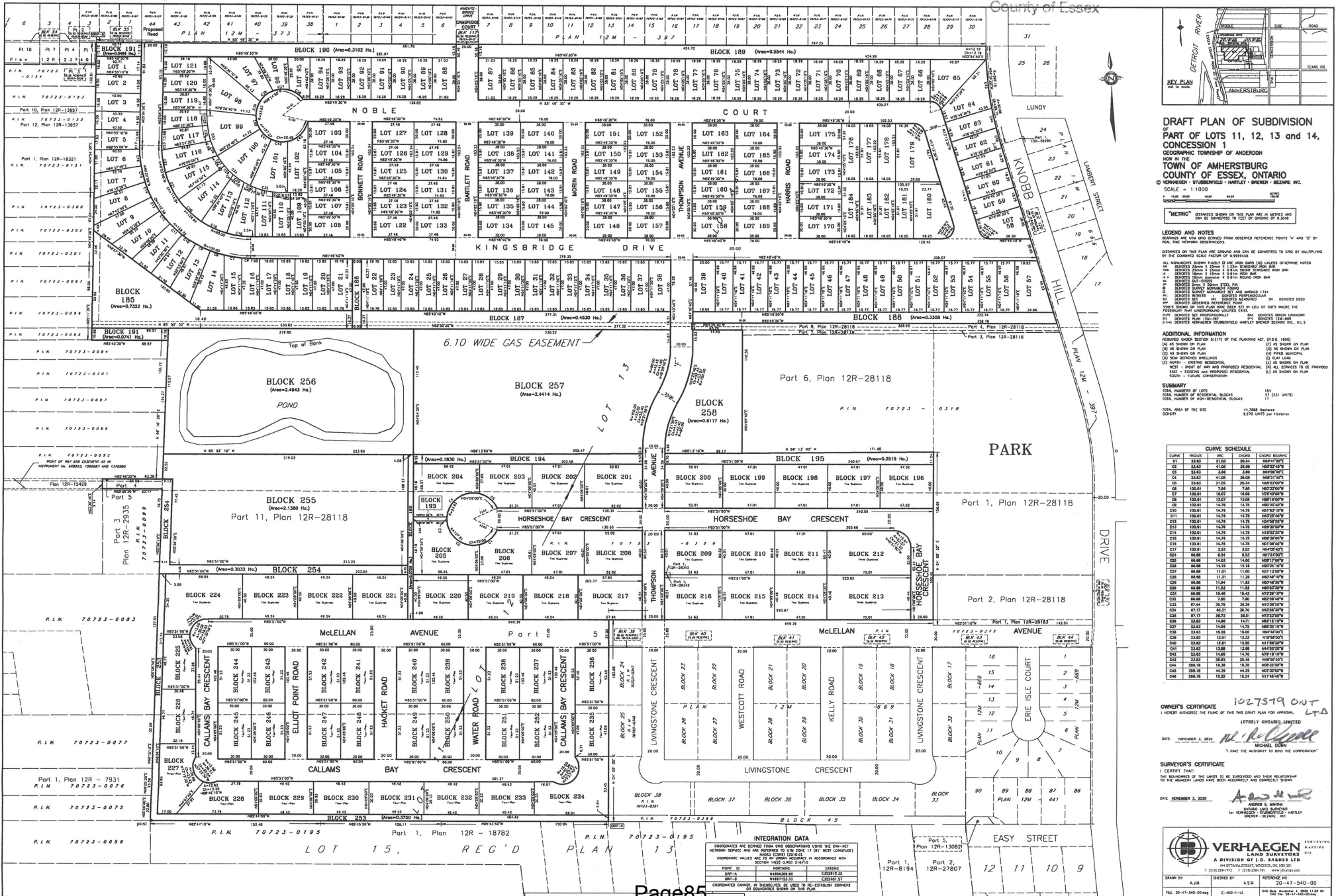


Frank Garardo, MCIP, RPP
Manager of Planning Services

Town of Amherstburg
Libro Centre
3295 Meloche Road
Amherstburg, Ontario N9V 2Y8
Telephone: (519) 736-5408
Fax No. (519) 736-9859
Website: www.amherstburg.ca

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REBECCA BELANGER M.C.I.P., R.P.P.
 Manager, Planning Services
 County of Essex



DRAFT PLAN OF SUBDIVISION OF PART OF LOTS 11, 12, 13 AND 14, CONCESSION 1
 GEOGRAPHIC TOWNSHIP OF ANDERSON
 TOWN OF AMHERSTBURG
 COUNTY OF ESSEX, ONTARIO
 © VERHAEGEN ENGINEERING - HARTLEY - GREENE INC.
 SCALE = 1:1000

LEGEND AND NOTES
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
 DEFENCES ON THIS PLAN ARE THE GEODIC AND CAN BE CONVERTED TO ORD BY MULTIPLYING BY THE CONVERSION SCALE FACTOR OF 1.000001
 ADDITIONAL INFORMATION
 TOTAL NUMBER OF LOTS 184
 TOTAL NUMBER OF RESIDENTIAL BLOCKS 151 (131 UNITS)
 TOTAL NUMBER OF NON-RESIDENTIAL BLOCKS 33
 TOTAL AREA OF THE SITE 41,828.92 SQ. METRES
 TOTAL AREA OF HIGH-RESIDENTIAL BLOCKS 8,276.27 SQ. METRES

SUMMARY
 TOTAL NUMBER OF LOTS 184
 TOTAL NUMBER OF RESIDENTIAL BLOCKS 151 (131 UNITS)
 TOTAL NUMBER OF NON-RESIDENTIAL BLOCKS 33
 TOTAL AREA OF THE SITE 41,828.92 SQ. METRES
 TOTAL AREA OF HIGH-RESIDENTIAL BLOCKS 8,276.27 SQ. METRES

CURVE SCHEDULE

CURVE NO.	ANGLE (D)	RADIUS (M)	CHORD BEARING	CHORD BEARING
C1	33.62	21.00	30.34	N89°47'48" E
C2	33.62	41.00	56.80	N89°47'48" E
C3	33.62	3.98	5.38	N89°47'48" E
C4	33.62	41.00	56.80	N89°47'48" E
C5	33.62	21.00	28.34	N89°47'48" E
C6	100.61	7.88	7.88	N89°47'48" E
C7	100.61	16.07	16.00	N89°47'48" E
C8	100.61	12.07	13.00	N89°47'48" E
C9	100.61	14.78	14.78	N89°47'48" E
C10	100.61	14.78	14.78	N89°47'48" E
C11	100.61	14.78	14.78	N89°47'48" E
C12	100.61	14.78	14.78	N89°47'48" E
C13	100.61	14.78	14.78	N89°47'48" E
C14	100.61	14.78	14.78	N89°47'48" E
C15	100.61	14.78	14.78	N89°47'48" E
C16	100.61	14.78	14.78	N89°47'48" E
C17	100.61	3.53	3.53	N89°47'48" E
C18	66.86	8.25	8.25	N89°47'48" E
C19	66.86	11.00	11.00	N89°47'48" E
C20	66.86	14.18	14.18	N89°47'48" E
C21	66.86	11.00	11.00	N89°47'48" E
C22	66.86	8.25	8.25	N89°47'48" E
C23	66.86	11.00	11.00	N89°47'48" E
C24	66.86	14.18	14.18	N89°47'48" E
C25	66.86	11.00	11.00	N89°47'48" E
C26	66.86	8.25	8.25	N89°47'48" E
C27	33.62	14.88	14.71	N89°47'48" E
C28	33.62	14.88	13.75	N89°47'48" E
C29	33.62	13.35	13.00	N89°47'48" E
C30	33.62	12.81	13.00	N89°47'48" E
C31	66.86	14.00	14.00	N89°47'48" E
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C33	66.86	14.00	14.00	N89°47'48" E
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C38	66.86	14.00	14.00	N89°47'48" E
C39	66.86	14.00	14.00	N89°47'48" E
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C41	66.86	14.00	14.00	N89°47'48" E
C42	66.86	14.00	14.00	N89°47'48" E
C43	66.86	14.00	14.00	N89°47'48" E
C44	66.86	14.00	14.00	N89°47'48" E
C45	66.86	14.00	14.00	N89°47'48" E
C46	66.86	14.00	14.00	N89°47'48" E
C47	66.86	14.00	14.00	N89°47'48" E
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C49	66.86	14.00	14.00	N89°47'48" E
C50	66.86	14.00	14.00	N89°47'48" E
C51	66.86	14.00	14.00	N89°47'48" E
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C53	66.86	14.00	14.00	N89°47'48" E
C54	66.86	14.00	14.00	N89°47'48" E
C55	66.86	14.00	14.00	N89°47'48" E
C56	66.86	14.00	14.00	N89°47'48" E
C57	66.86	14.00	14.00	N89°47'48" E
C58	66.86	14.00	14.00	N89°47'48" E
C59	66.86	14.00	14.00	N89°47'48" E
C60	66.86	14.00	14.00	N89°47'48" E
C61	66.86	14.00	14.00	N89°47'48" E
C62	66.86	14.00	14.00	N89°47'48" E
C63	66.86	14.00	14.00	N89°47'48" E
C64	66.86	14.00	14.00	N89°47'48" E
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C66	66.86	14.00	14.00	N89°47'48" E
C67	66.86	14.00	14.00	N89°47'48" E
C68	66.86	14.00	14.00	N89°47'48" E
C69	66.86	14.00	14.00	N89°47'48" E
C70	66.86	14.00	14.00	N89°47'48" E
C71	66.86	14.00	14.00	N89°47'48" E
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C79	66.86	14.00	14.00	N89°47'48" E
C80	66.86	14.00	14.00	N89°47'48" E
C81	66.86	14.00	14.00	N89°47'48" E
C82	66.86	14.00	14.00	N89°47'48" E
C83	66.86	14.00	14.00	N89°47'48" E
C84	66.86	14.00	14.00	N89°47'48" E
C85	66.86	14.00	14.00	N89°47'48" E
C86	66.86	14.00	14.00	N89°47'48" E
C87	66.86	14.00	14.00	N89°47'48" E
C88	66.86	14.00	14.00	N89°47'48" E
C89	66.86	14.00	14.00	N89°47'48" E
C90	66.86	14.00	14.00	N89°47'48" E
C91	66.86	14.00	14.00	N89°47'48" E
C92	66.86	14.00	14.00	N89°47'48" E
C93	66.86	14.00	14.00	N89°47'48" E
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C95	66.86	14.00	14.00	N89°47'48" E
C96	66.86	14.00	14.00	N89°47'48" E
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C100	66.86	14.00	14.00	N89°47'48" E

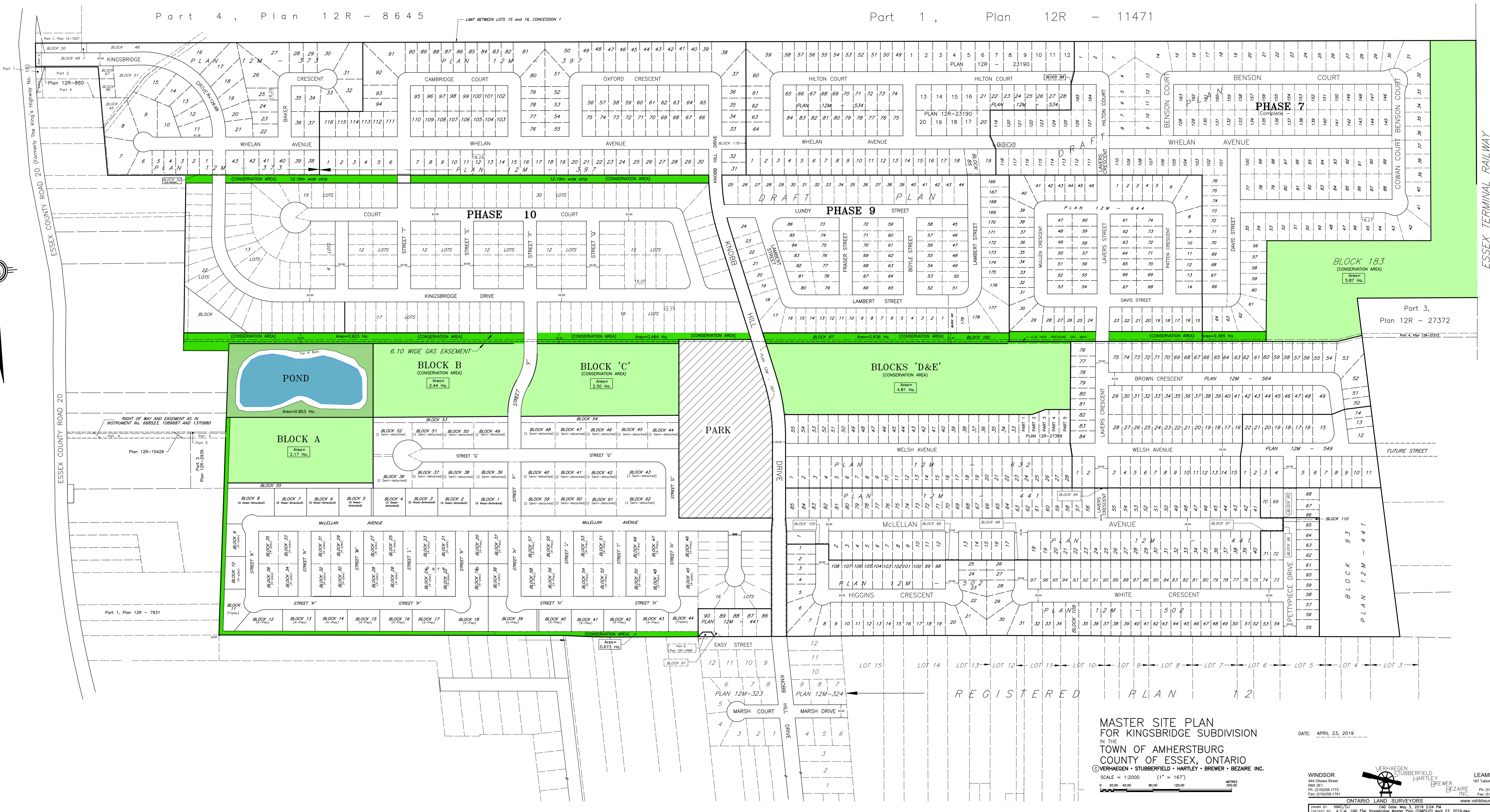
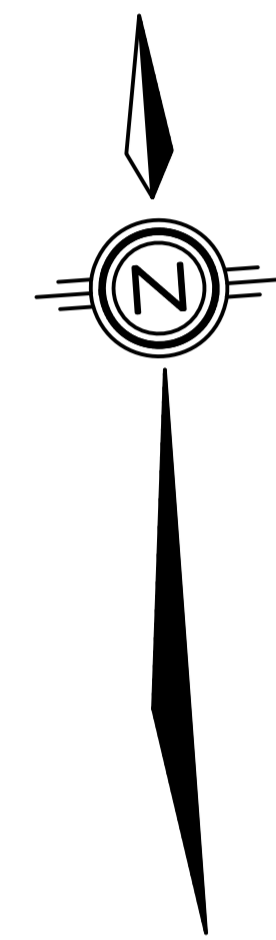
OWNER'S CERTIFICATE
 I HEREBY ADVISE THE PUBLIC OF THIS DRAFT PLAN FOR APPROVAL.
 DATE: NOVEMBER 3, 2020
 MICHAEL DUNE
 I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THE QUANTITY AND LOCATION OF THE LOTS AND THE BOUNDARIES AND THEIR RELATIONSHIP TO THE ADJACENT LANDS HAVE BEEN ACCURATELY AND CORRECTLY SHOWN
 DATE: NOVEMBER 3, 2020
 ANDREW S. BARNES
 VERHAEGEN ENGINEERING - HARTLEY - GREENE INC.
 SURVEYOR

VERHAEGEN ENGINEERING - HARTLEY - GREENE INC.
 A DIVISION OF I. B. BARNES LTD.
 700 UNIVERSITY AVENUE, SUITE 100
 TORONTO, ONTARIO M5G 1S1
 TEL: 416-597-8800 FAX: 416-597-8801
 WWW.VERHAEGEN-ENGINEERING.COM

INTEGRATION DATA

COORDINATE	POINT ID	DESCRIPTION	STATUS
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4400000.00	186	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	187	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	188	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	189	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	190	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	191	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	192	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	193	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	194	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	195	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00	196	STATION 1403 (DUNE 24/0)	CONTROL
4400000.00			



REGISTERED PLAN 12

**MASTER SITE PLAN
FOR KINGSBRIDGE SUBDIVISION
IN THE
TOWN OF AMHERSTBURG
COUNTY OF ESSEX, ONTARIO**

©VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.
(1" = 167')

DATE: APRIL 23, 2019

SCALE = 1:2000 (1" = 167')

WINDSOR 944 Ontario Street NEX 2E1 Ph: (519)258-1772 Fax: (519)258-1791

VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC. 187 Talbot Street East NEX 118 Ph: (519)322-2276 Fax: (519)322-2675

LEAMINGTON

ONTARIO LAND SURVEYORS www.vshbbsurveys.com

Drawn by: NMG/DJ CAD Date: May 3, 2019 2:04 PM
Checked by: A.S.M. CAD File: Kingsbridge Master Plan COMPLETED April 23, 2019.dwg
WORK ORDER: 4-26774 FILE NO.: S-156(WIND) PLAN FILE NO. 73R-1MASTER

Municipal Fee Received:	2240.00
Municipal Deposit Received:	N/A
ERCA Fee Received:	200.00

Application No. ZBA/12/21

**FORM 1
PLANNING ACT
APPLICATION FOR ZONING BY-LAW AMENDMENT
TOWN OF AMHERSTBURG**

- Name of approval authority Town of Amherstburg
- Date application received by municipality May 19, 2021
- Date application deemed complete by municipality May 20, 2021
- Name of registered owner Michael Dan

Telephone number _____

Address _____

Email _____

Name of registered owner's solicitor or authorized agent (if any) Sawyer DeTonge

Telephone number _____

Address _____

Email _____

Please specify to whom all communications should be sent.

- registered owner solicitor agent

- Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

- Location and description of subject land:

Concession No. 1 Lot(s) No. 11, 12, 13, 14

Registered Plan No. _____ Lot(s) No. _____

Reference Plan No. _____ Part(s) No. _____

Street Address _____ Assessment Roll No. _____

- Size of subject parcel:

Frontage _____ Depth _____ Area _____

- Access to subject parcel:

- Municipal Road County Road Provincial Highway
 Private Road Water

If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road

- (a) Current Official Plan Land Use designation of subject land Residential

(b) Explanation of how application conforms to the Official Plan _____

Allows the area in question to match nearby areas.

(c) Does the application implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

- Yes
- No

If yes, provide details of the official plan or official plan amendment that deals with this matter:

10. Current Zoning of subject land RIA + RVI + R2

11. Nature and extent of rezoning requested To increase the allowable lot coverage to 35% in phase 10 and 47% in phase 5

12. Reasons why rezoning is requested To allow structures similar to the nearby areas to be built on the lots.

13. Current use of subject land Residential

14. Length of time current use of subject land has continued +30

15. Is the subject land within an area where the municipality has pre-determined:

(a) minimum and maximum density requirements

- Yes
- No

(b) minimum and maximum height requirements

- Yes
- No

If yes, state the requirements _____

16. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

Kingsbridge Phase 5 and Phase 10

17. Date of construction of existing buildings and structures on the subject land:

No existing buildings.

18. Date subject land acquired by current registered owner 20+ years ago

19. Proposed use of subject land Residential Subdivision.

20. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

No changes to lot lines or setbacks

21. Type of water supply:

- municipally owned and operated piped water supply
- well
- Other (specify) _____

22. Type of sanitary sewage disposal:

- municipally owned and operated sanitary sewers
- septic system
- Other (specify) _____

If the requested amendment permits development on a privately owned and operated individual or communal septic system and more than 4,500 litres of effluent will be produced per day as a result of the development being completed the applicant is required to submit a:

- (i) servicing options report, and
- (ii) a hydrogeological report

23. Type of storm drainage:

- sewers
- ditches
- swales
- Other (specify) _____

24. If known, indicate whether the subject land is the subject of an application under the Planning Act for:

- consent to sever
- approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

25. If known, indicate if the subject land has ever been the subject of an application for rezoning under Section 34 of the Planning Act:

If known, indicate whether the subject land has ever been the subject of a Minister's Zoning Order and, if known, the Ontario Regulation number of that order.

26. Does the requested amendment remove the subject land from an area of employment in the official plan?

- Yes
- No

If yes, state the current official plan policies, if any, dealing with the removal of land from an area of employment.

27. Is the subject land within an area where zoning with conditions may apply?

Yes No

If yes, how does this application conform to the official plan policies relating to zoning with conditions?

28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)?

Yes No

Comments

29. Is the subject land within an area of land designated under any provincial plan or plans?

Yes No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans?

30. Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

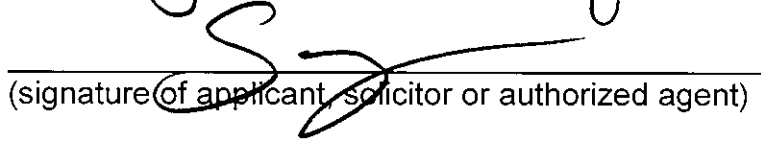
Yes No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

31. Will the proposed project include the addition of permanent above ground fuel storage?

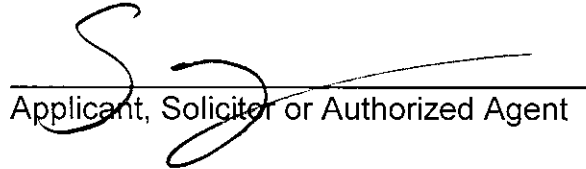
Yes No

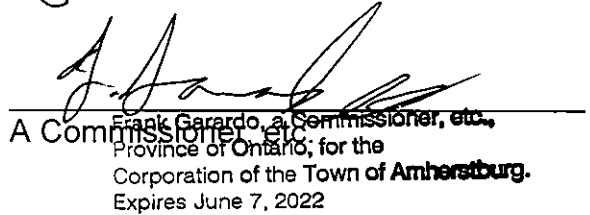
Dated at the Town of Amherstburg this 19th day of May, 2021.


(signature of applicant, solicitor or authorized agent)

I, Frank Garardo of the Town of Amherstburg
in the County/District/Regional Municipality of Amherstburg solemnly declare that
all the statements contained in this application are true, and I make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect as
if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Town of Amherstburg in the County ~~of~~
of Essex this 19 day of May, 2021.


Applicant, Solicitor or Authorized Agent


A Commissioner, etc.,
Province of Ontario; for the
Corporation of the Town of Amherstburg.
Expires June 7, 2022

From: [Shane McVitty](#)
To: [Janine Mastronardi](#)
Cc: [Todd Hewitt](#); [Antonietta Giofu](#); [Frank Garardo](#)
Subject: RE: Notices of Public Meeting for two ZBAs, Amherstburg
Date: May 25, 2021 9:41:09 AM

Good Morning,

In general, Public Works does not have any issues with the proposed Zoning By-law Amendment.

ZBA – 12-21

With regards to the stormwater, the increase in building footprints as requested will increase the surface run-off into the receiving storm sewer system and the existing stormwater management pond. The cumulative effects of increased runoff resulting from lots that have been developed in excess of the allowable design tolerances can have detrimental consequences on existing storm water management (SWM) facilities and storm sewer infrastructure. However, in this case, the engineering letter provided by Stantec demonstrates that the existing SWM infrastructure can accommodate the additional run-off that will result from the increase in the impervious areas without negatively impacting the development. As such, EPW does not object to this ZBA.

ZBA – 07-21

No comments from EPW

Thanks,
Shane

Shane McVitty

Drainage Superintendent / Engineering Coordinator

Town of Amherstburg

512 Sandwich St. South, Amherstburg, ON, N9V 3R2

Tel: 519-736-3664 x2318 Fax: 519-736-7080 TTY: 519-736-9860



The information in this e-mail is confidential, privileged and is subject to copyright and authorized solely for the addressee(s) named. The Town of Amherstburg is not responsible for any loss or damage arising from the use of this email or attachments.

From: Janine Mastronardi <jmastronardi@amherstburg.ca>

Sent: May 21, 2021 4:00 PM

To: Giovanni (John) Miceli <jmiceli@amherstburg.ca>; Antonietta Giofu <aGiofu@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>; Angelo Avolio <aavolio@amherstburg.ca>; Michelle Lavin <mlavin@amherstburg.ca>; Shane McVitty <smcvitty@amherstburg.ca>; Ron Meloche <rmeloche@amherstburg.ca>; Paula Parker <pparker@amherstburg.ca>; Antonio Marra

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2021-034**

**By-law to amend Zoning By-law No. 1999-52
Kingsbridge Subdivision
Phases 5 and 10 (Conc 1, Pt Lots 11, 12, 13, 14), Amherstburg**

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

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

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

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

1. Schedule "A", Map 19 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from R1A and R2/RM1 to R1 and R2-7/RM1" on Schedule "A" attached hereto and forming part of this By-law from "Residential Type 1A (R1A) Zone and Residential Second Density Zone/Residential Multiple First Density (R2/RM1)" to "Residential First Density (R1) Zone and Site Specific Residential Second Density Zone/Residential Multiple First Density (R2-7/RM1) Zone".

2. THAT Section 8(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (e) as follows;

“(g) R2-7 (Kingsbridge Subdivision)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned R2-7 on Schedule 'A' hereto, the zone requirements of Section 8 of this By-law shall apply with the exception of the following:

(i) Zone Requirements

1. Lot Coverage (maximum)

(a) Semi-detached dwelling 47%

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

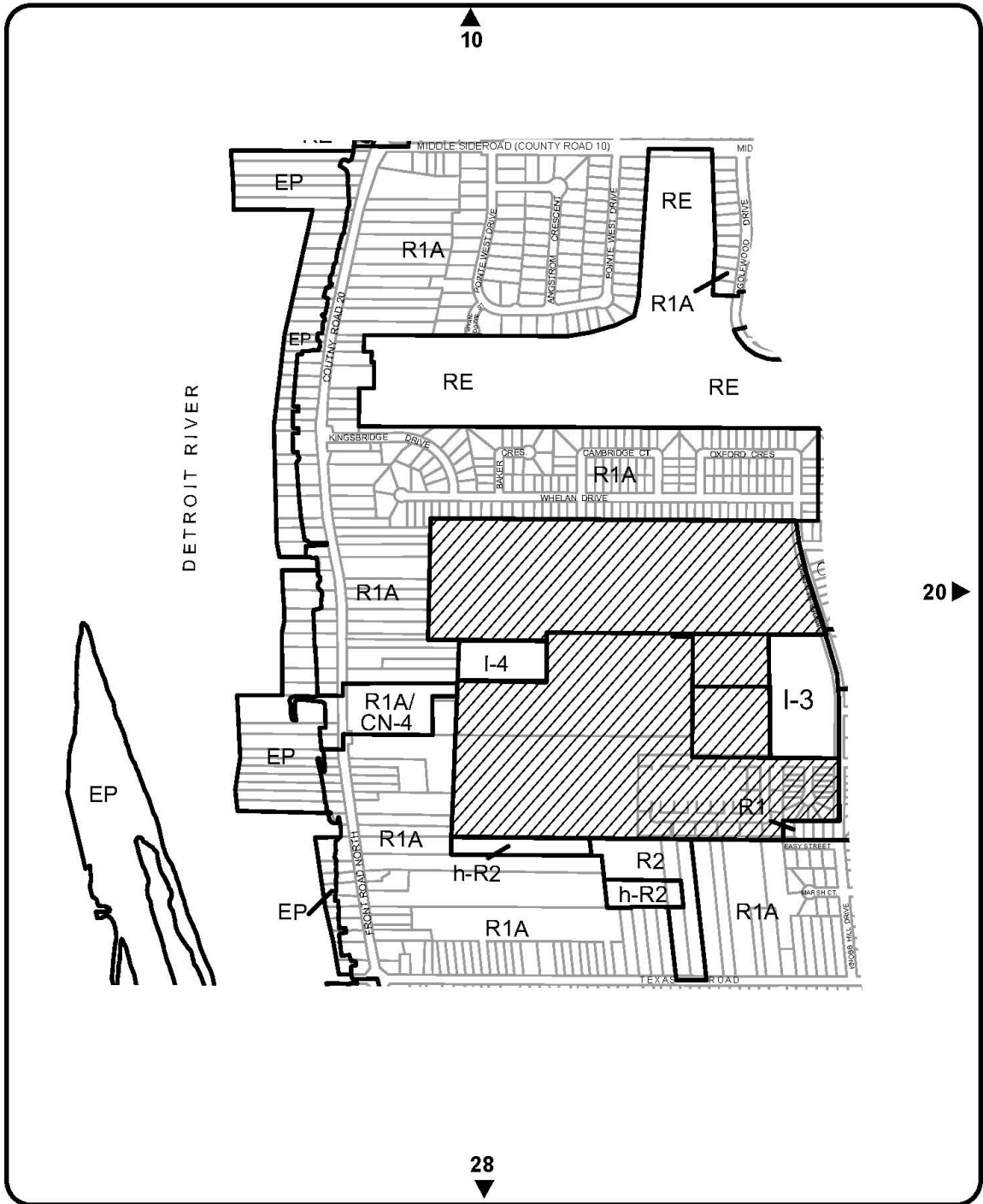
Read a first, second and third time and finally passed this 28th day of June, 2021.

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2021-034
 A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'
MAP 19
 ZONING BY-LAW NO. 1999-52

R1A & R2/RM1 to
 R1 & R2-7/RM1 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

Second Quarter - 2021 Policing Activities Report

Windsor Police Services - Amherstburg Detachment

	Apr-20	Apr-21	% Change	May-20	May-21	% Change	Jun-20	Jun-21	% Change	2020 YTD	2021 YTD	YTD % Change
CALLS FOR SERVICE												
Dispatch Generated Incidents (CAD Calls)	377	469	24%	477	560	17%	500			2116	2359	11%
Self-Generated Walk-in Incidents	0	0	0	0	0	N/A	0			217	N/A	N/A
Reports	125	147	18%	138	177	28%	155			683	811	19%
Arrests	6	20	233%	10	17	70%	6			41	72	76%
PROVINCIAL OFFENCES												
Traffic Offences	27	238	780	84	183	118%	57			383	1036	170%
Part III Summons	0	14	1400	8	10	25%	8			21	46	119%
Liquor Offences	2	0	-100	0	3	100%	0			4	3	-25%
Other Provincial Offences	0	2	200	0	4	100%	0			0	6	100%
TOTAL												
COMMUNITY OUTREACH ACTIVITIES												
Community Service Calls	0	0	0	0	12	100%	1			74	12	-84%
Persons in Crisis	14	15	7%	27	16	-40%	27			99	86	-13%
COAST Follow Ups	66	49	-26%	58	41	-29%	82			250	238	-5%



House of Commons
Chambre des communes
CANADA

Constituency Office

110-888 Carnarvon Street
New Westminster, BC
V3M 0C6
Phone: 604.775.5707
Fax: 604.775.5743
peter.julian.c1@parl.gc.ca

www.peterjulian.ca

House of Commons

Suite 203, Wellington Building
Ottawa, ON K1A 0A6
Phone: 613.992.4214
Fax: 613.947.9500
peter.julian@parl.gc.ca



Peter Julian

MP / Député
New Westminster–Burnaby

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Ottawa (ON) K1A 0A6
Tél. : 613.992.4214
Télééc. : 613.947.9500
peter.julian@parl.gc.ca

June 17th, 2021

RE: Seeking your endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act

Dear Mayor and Council,

I am writing to you today seeking your endorsement of my House of Commons [Motion M-84 Anti-Hate Crimes and Incidents](#) and my private member's legislation on [Banning Symbols of Hate Act - Bill C-313](#). We are living in an unprecedented time. The killing of George Floyd in the U.S., and the deaths of Regis Korchinski-Paquet, a 29-year-old Indigenous-Ukrainian-Black Canadian woman, occurred in Toronto, and Chantel Moore, an Indigenous Canadian woman, was shot and killed by Edmundston police, New Brunswick police, who were called to perform a wellness check - were results of systemic racism.

Since the start of the pandemic, there has been an alarming increase of anti-Asian racism and hate crimes in Canada and across North America. A new [Angus Reid public opinion](#) poll shows that nearly 50% of young Asian Canadians have experienced and been affected by anti-Asian racism and bigotry in the last year. [Statistics Canada](#) reported that in the context of the COVID-19 pandemic, fear and misinformation about the virus may disproportionately impact the sense of personal and community safety of many people in Canada.

The recent murder of the Muslim family in London, Ontario, was yet another reminder that hate and Islamophobia exist in Canada. We must take a strong stance against all forms of hate and racism against Black, Indigenous, People of Colour and Racialized communities.

My Bill C-313 would prevent anyone from selling and displaying symbols that promote hatred and violence against identifiable groups. Julian says banning symbols of hatred like swastikas or Klu Klux Klan insignia is important for all Canadians to feel safe.

I hope I can count on your endorsement to urge the federal government to immediately stop all forms of hate and all forms of discrimination, hate crimes and incidents as well as ending all display and sale in Canada of symbols of hate. Please consider using the following endorsement paragraph as a reply as soon as possible:

On behalf of _____ (Number of residents in your city), the Mayor and Council of _____ (city name) endorse MP Peter Julian's private member's motion, Motion M-84 Anti-Hate Crimes and Incidents and his private member's bill Bill-C 313 Banning Symbols of Hate Act.

Thank you very much for your consideration. Please feel free to contact my Chief of Staff, Doris Mah, at 604-353-3107 if you require any further information.

We look forward to hearing from you soon.

Sincerely,

Peter Julian, MP
New Westminster–Burnaby

June 11, 2021

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

Sent via email: premier@ontario.ca

**Re: Lyme Disease Awareness Month
Our Files: 35.31.99/35.23.12**

Dear Premier Ford,

At its meeting held on May 31, 2021, St. Catharines City Council approved the following motion:

“WHEREAS May is Lyme Disease National Awareness Month; and

WHEREAS the City of St. Catharines Strategic Plan includes improving livability for all; and

WHEREAS Niagara Region is a high-risk area for ticks and Lyme Disease, and cases continue to increase; and

WHEREAS Ontario health does not cover treatment and testing for all strains of Lyme Disease; and

WHEREAS Lyme Disease is a crippling disease if not diagnosed and treated appropriately;

THEREFORE BE IT RESOLVED the City of St. Catharines call on the Ontario government to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with this crippling disease; and

BE IT FURTHER RESOLVED the Premier of Ontario, Ontario Minister of Health, local MPPs, Niagara Health, Niagara Region Public Health, all Ontario municipalities, and the Association of Municipalities of Ontario be sent correspondence of Council's decision; and

BE IT FURTHER RESOLVED the Mayor bring this matter to the attention of the Niagara Region and request that the Region build an awareness campaign with on-line resources for families with Lyme Disease.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:mb

cc: Ontario Minister of Health
Niagara Area MPPs
Niagara Health
Niagara Region Public Health
Niagara Region
Ontario Municipalities
Association of Municipalities of Ontario, amo@amo.on.ca
Melissa Wenzler, Government Relations Advisor



Community Services

Legislative Services

June 22, 2021

File #120203

Sent via email: Justin.trudeau@parl.gc.ca

The Right Honourable Justin Trudeau,
Prime Minister of Canada
House of Commons
Ottawa, ON K1A 0A6

Honourable and Dear Sir:

Re: Licensing of Cannabis Operations – Previously Operating Illegally

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of June 21, 2021 passed the following resolution:

Whereas there have been a number of illegal cannabis grow operations within the Town of Fort Erie, and

Whereas these illegal cannabis operations take significant municipal and regional manpower to control, and pose a significant threat to nearby communities, and

Whereas monetary fines and penalties do not restrict cannabis growers from future illegal cannabis activities on the lands, and do not appear to be enough of a deterrent, and

Whereas operating an illegal cannabis grow operation does not restrict the owners from applying for a legal licence to Health Canada through another responsible person, and

Whereas the licensed operators for the grow facilities may be producing for owners or owners within a corporation previously convicted of an offence;

Now therefore be it resolved,

That: The Federal Government look at prohibiting the ability to obtain a licence to grow cannabis if any of the owners including those owners within a corporation have ever been convicted of operating an illegal cannabis operation, and further

That: The Federal Government look at restricting lands previously operated for illegal cannabis use from obtaining a licence for a period of 5 years from the date of the offence, and further

.../2

Mailing Address:

The Corporation of the Town of Fort Erie

1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

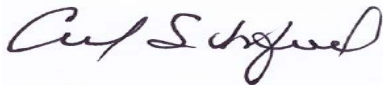
That: The Federal Government require that before submitting an application to the Minister for a licence for cultivation, a licence for processing or a licence for sale that authorizes the possession of cannabis, the person that intends to submit the application must first obtain a letter of compliance from the following authorities in the area in which the site referred to in the application is located:

- (a) the local government;
- (b) the local fire authority; and
- (c) the local police force or the Royal Canadian Mounted Police detachment that is responsible for providing policing services to that area, and further

That: A copy of this resolution be circulated to The Right Honourable Justin Trudeau, The Minister of Health Patty Hajdu, All members of Parliament, All municipalities, Niagara Regional Police, Royal Canadian Mounted Police and the Federation of Municipalities of Ontario for their support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

c.c. The Honourable Patty Hajdu, Minister of Health (Canada) Patty.Hajdu@parl.gc.ca
All Members of Parliament (MP's)
Ontario Municipalities
Chief of Police, Bryan MacCulloch, Niagara Regional Police Service deb.reid@niagarapolice.ca
Commissioner Brenda Lucki, RCMP Brenda.Lucki@rcmp-grc.gc.ca
Federation of Canadian Municipalities

PROCLAMATION

'EMANCIPATION DAY'

August 1, 2021

WHEREAS: August 1, 1834 was the date that slavery was abolished throughout the British Colonies by King William IV pursuant to the Slavery Abolition Act of 1833;

WHEREAS: Within fifteen years of the abolition of slavery, between 35,000 and 40,000 Black settlers made their way to Ontario in large part by the Underground Railroad into Southwestern Ontario;

THEREFORE: As a demonstration of our respect for human liberty and freedom and in recognition of the richness of the culture and history brought to Ontario by African Canadians, AUGUST 1, 2021 be proclaimed 'EMANCIPATION DAY' in the Town of Amherstburg.

From: Fight Like Mason Foundation <fightlikemason@gmail.com>

Sent: Sunday, June 13, 2021 2:12 PM

To: Aldo DiCarlo <adicarlo@amherstburg.ca>

Subject: Fight Like Mason Foundation

Good morning

Thank you for giving us the opportunity to raise awareness for childhood cancer.

September is childhood cancer awareness month & every year we try and turn our towns gold. Here in Belle river we line the Main Streets with gold bows and each store front decorates their store window and puts awareness out for childhood cancer. (we provide the signs) we also encourage others in our community to decorate their homes gold!

We also do a lawn sign campaign every year and sell over 500 to our community to be apart of the month.

All our proceeds during the month of September that we are able to raise goes towards high mortality childhood cancer research -

This year We hope to be able to raise a flag for 1 day in each municipality. We already have our childhood cancer flag that we would use!

The idea would be to have a little ceremony and have a few childhood cancer warriors from that municipality come out and raise the flag and honour all families who have fought and who are fighting and of course honouring the kids who have passed.

We would also love the idea of having a proclamation marking September childhood cancer awareness month.

Thank you for taking the time to read this.

If you aren't familiar with our registered charity, you can go to www.fightlikemason.org to find out more about us and what we do!

Enjoy the sunshine

Chantelle Bacon

--

Iain Macri

Vice President

Fight Like Mason Foundation

e: fightlikemason@gmail.com

m: 519-971-6107



FIGHT LIKE MASON FOUNDATION

CHARITY # 7060 20492

912 Driftwood Cres | Belle River, ON | N0R 1A0

Fight Like Mason Childhood Cancer Awareness Month Proclamation

WHEREAS: Fight Like Mason is a registered charity that has a mission is to improve treatment, care, quality of life and awareness of patients with childhood cancer.

WHEREAS : Beginning on this day September 1st 2021 the Town of Amherstburg in conjunction with Fight Like Mason Foundation would like to issue this proclamation of the recognition of September being Childhood Cancer Awareness Month.

WHEREAS : The Township and charity declare this month being in honour of children in our community and beyond that are currently battling, have battled and those who have passed.

WHEREAS : Township is encouraged to show their support by Going Gold with Fight Like Mason for all children affected by childhood cancer .

WHEREAS; This month we recognize the dedication and hard work of scientists, healthcare professionals, parent organizations and volunteers who are working to overcome childhood cancer and assist these families. We admire and support the courageous youth and parents who struggle with this disease; and

WHEREAS : There are about 10,000 children living with cancer in Canada today.

WHEREAS: In Canada, Childhood cancer remains responsible for more deaths from one year through adolescence than any other disease;

WHEREAS: About one in four children who are diagnosed with cancer will die of the disease.

NOW THEREFORE: I, (insert name), ON BEHALF OF THE TOWN OF Amherstburg, DO HEREBY PROCLAIM SEPTEMBER 2021 AS "CHILDHOOD CANCER AWARENESS MONTH" IN THE TOWN OF AMHERSTBURG and encourage the residents of Amherstburg to actively learn about the need for more further research and extend their knowledge of childhood cancer and how it affects children and their families.



fightlikemason.org
facebook.com/TeamMaseMan
fight.like.mason



fightlikemason@gmail.com



519 - 971 - 6107



TOWN OF AMHERSTBURG
INCLUSIVE COMMUNITY PROGRAM ADVISORY STEERING
COMMITTEE MEETING
ELECTRONIC PARTICIPATION

Thursday, May 27, 2020
5:00 PM

MINUTES

PRESENT

Pauline Gemmell, Chair
Kathy DiBartolomeo, Vice Chair
Councillor Marc Renaud
William Whittall
Christine Easterbrook
Heather Vandenharn
Monty Logan

Giovanni (John) Miceli, Chief Administrative Officer
Kevin Fox, Recording Secretary
Dawn Maziak, Consultant
Alec Anderson, Consultant

ABSENT

N/A

1.0 CALL TO ORDER

The Secretary called the meeting to order at 5:04 p.m.

1.1 Welcome and Introductions

1.1.1 Nomination of Chair

Moved By Councillor Renaud
Seconded By K. DiBartolomeo

That Pauline Gemmell BE APPOINTED Chair of the Inclusive Community Program Advisory Steering Committee.

Moved By Pauline Gemmell
Seconded By C. Easterbrook

That Kathy DiBartolomeo BE APPOINTED Chair of the Inclusive Community Program Advisory Steering Committee.

That Pauline Gemmell BE APPOINTED Chair of the Inclusive Community Program Advisory Steering Committee.

The Secretary put the Motion.

	Yes/Concur	No/Not Concur
William Whittall	X	
Christine Easterbrook		X
Kathy DiBartolomeo	X	
Pauline Gemmell	X	
Heather Vandenharn	X	
Monty Logan	X	
Councillor Renaud	X	

Motion Carried

1.1.2 Nomination of Vice Chair

Moved By C. Easterbrook
Seconded By W. Whittall

That Kathy DiBartolomeo BE APPOINTED Vice Chair of the Inclusive Community Program Advisory Steering Committee.

The Secretary put the Motion.

	Yes/Concur	No/Not Concur
William Whittall	X	
Christine Easterbrook	X	
Kathy DiBartolomeo	X	
Pauline Gemmell	X	
Heather Vandenharn	X	
Monty Logan	X	
Councillor Renaud	X	

Motion Carried

2.0 ROLL CALL

3.0 DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

No disclosures of pecuniary interest were noted.

4.0 LAND ACKNOWLEDGMENT

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

5.0 PRESENTATIONS

5.1 Inclusive Community Program Breakdown – Dawn Maziak

6.0 ORDER OF BUSINESS

6.1 Inclusive Community Program Advisory Steering Committee Terms of Reference

6.2 Inclusive Community Program Advisory Steering Committee Meeting Schedule

6.3 Draft Work Plan

7.0 NEW BUSINESS

8.0 ADJOURNMENT

Moved By Councillor Renaud
Seconded By K. DiBartolomeo

That the Committee ADJOURN at 6:16 p.m.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
William Whittall	X	
Christine Easterbrook	X	
Kathy DiBartolomeo	X	
Pauline Gemmell	X	
Heather Vandenharn	X	
Monty Logan	X	
Councillor Renaud	X	

Motion Carried

Committee Chair
Pauline Gemmell

Recording Secretary
Kevin Fox



TOWN OF AMHERSTBURG
MAYOR'S YOUTH ADVISORY COMMITTEE MEETING
ELECTRONIC PARTICIPATION

Tuesday, June 8, 2020
5:00 PM

MINUTES

PRESENT

Alessia Favrin
Jacqueline Pento
Tayten Goddard

Mayor Aldo DiCarlo

Heidi Baillargeon, Staff Representative
Kevin Fox, Recording Secretary

ABSENT

Hannah Rusenstrom (Regrets)
Alex Glendenning (Regrets)
Katie McEvoy (Regrets)
Kyra Glendenning
Phoebe Trealout
Adam Tronchin
Audrey Erickson
Bo O'Rourke-Caton

1.0 CALL TO ORDER

The Secretary called the meeting to order at 5:15 p.m.

2.0 ADJOURNMENT

With no quorum present, the meeting was adjourned at 5:15 p.m.

Committee Chair
Hannah Rusenstrom

Committee Coordinator
Kevin Fox



**TOWN OF AMHERSTBURG
HERITAGE COMMITTEE MEETING
ELECTRONIC PARTICIPATION
Thursday, May 13, 2020
4:30 PM**

MINUTES

PRESENT

Simon Chamely, Chair
Shirley Curson-Prue, Vice Chair
Councillor Patricia Simone
Robert Honor
Jennie Lajoie
Stephanie Pouget-Papak

Giovanni (John) Miceli, Chief Administrative Officer
Paula Parker, Clerk
Nicole Rubli, Director of Planning and Development Services
Angelo Avolio, Chief Building Official
Frank Garardo, Manager of Planning Services
Kevin Fox, Recording Secretary

ABSENT

N/A

1.0 CALL TO ORDER

The Secretary called the meeting to order at 4:30 p.m.

1.1.1 Nomination of Chair

Moved By Shirley Curson-Prue

Seconded By J. Lajoie

That Simon Chamely BE APPOINTED Chair of the Heritage Committee.

The Secretary put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

1.1.2 Nomination of Vice Chair

Moved By J. Lajoie

Seconded By S. Pouget-Papak

That Shirley Curson-Prue BE APPOINTED Vice Chair of Heritage Committee.

The Secretary put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

2.0 ROLL CALL

3.0 SPECIAL IN-CAMERA HERITAGE COMMITTEE MEETING

Moved By S. Pouget-Papak
Seconded By R. Honor

That the Heritage Committee MOVE into an In-Camera Meeting at 4:30 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

Item A – Section 239(2)(i) – A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons or organization.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

4.0 ADJOURNMENT OF SPECIAL IN-CAMERA MEETING OF THE HERITAGE COMMITTEE

The Special In-Camera Heritage Committee meeting adjourned at 5:27 p.m.

5.0 RESUMPTION OF REGULAR HERITAGE COMMITTEE MEETING

Moved By S. Pouget-Papak
Seconded By J. Lajoie

That Heritage Committee RESUME the regular session at 5:27 p.m.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

6.0 DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

No disclosures of pecuniary interest were noted.

7.0 LAND ACKNOWLEDGMENT

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

8.0 REPORT OUT FROM IN-CAMERA SESSION – May 13, 2021

Item A – was heard under section 239(2)(i) of the Act. There is nothing further to report.

9.0 MINUTES OF THE PREVIOUS MEETING

9.1 November 12, 2020 Heritage Committee Minutes

Moved By J. Lajoie
Seconded By S. Pouget-Papak

That the minutes of the Heritage Committee meeting of November 12, 2020 BE ADOPTED as presented.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

10.0 DELEGATIONS

10.1 Consideration of a Heritage Designation – 24 Sandwich Street South (Dr. Manning Residence)

Moved By S. Curson-Prue

Seconded By J. Lajoie

That the Delegation BE RECEIVED.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

Moved By Shirley Curson-Prue

Seconded By J. Lajoie

That the Heritage Committee recommend Council DIRECT Administration to further investigate 24 Sandwich Street South for a possible heritage designation.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

11.0 ORDER OF BUSINESS

11.1 Heritage Committee Review of 320 Ramsay Street

Moved By S. Pouget-Papak

Seconded By R. Honor

That the Heritage Committee ENDORSE, in principle, the design of 320 Ramsay Street as amended.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

11.2 Alterations to Designated Heritage Property – 455 Dalhousie Street

Moved By S. Pouget-Papak

Seconded By R. Honor

That the Heritage Committee ENDORSE the alteration to the designated heritage property at 455 Dalhousie Street.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

11.3 Alterations to Designated Heritage Property – 443 Dalhousie Street

Moved By S. Curson-Prue

Seconded By J. Lajoie

That the Heritage Committee ENDORSE the alteration to the designated property at 443 Dalhousie Street.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

11.4 Review of Heritage Committee Budget

Moved By S. Pouget-Papak

Seconded By S. Curson-Prue

That the Heritage Committee REQUEST that Council consider an increase to the Heritage Committee base budget from \$3,000 to \$4,500 during the 2022 budget deliberations.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

12.0 INFORMATION REPORTS

12.1 Heritage Rebate Applications for the 2018-2020 Calendar Years

Moved By Councillor Simone

Seconded By S. Pouget-Papak

That the report entitled Heritage Rebate Applications for the 2018-2022 Calendar Years, BE RECEIVED for information.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

Moved By J. Lajoie

Seconded By Councillor Simone

That the Heritage Committee ENDORSE the approval of all Heritage Rebate Applications for the 2018-2020 calendar years.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)		X
Simon Chamely (CH)	X	

Motion Carried

13.0 CORRESPONDENCE

13.1 Community Heritage Ontario Newsletter Spring 2021

14.0 UNFINISHED BUSINESS

14.1 Consideration of a Heritage Designation 247 Brock Street (House of Shalom/St. Anthony's School)

15.0 NEW BUSINESS

15.1 Review of Heritage Registry Entries

15.2 Training and Professional Development

16.0 ADJOURNMENT

Moved By S. Pouget-Papak
Seconded By S. Curson-Prue

That the Committee ADJOURN at 7:27 p.m.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Robert Honor	X	
Jennie Lajoie	X	
Stephanie Pouget-Papak	X	
Councillor Patricia Simone	X	
Shirley Curson-Prue (VC)	X	
Simon Chamely (CH)	X	

Motion Carried

Committee Chair
Simon Chamely

Recording Secretary
Kevin Fox



**TOWN OF AMHERSTBURG
AMHERSTBURG ACCESSIBILITY ADVISORY COMMITTEE
MEETING**

ELECTRONIC PARTICIPATION

**Thursday, May 20, 2021
5:00 PM**

MINUTES

PRESENT

William Whittall, Chair
Shirley Curson-Prue, Vice Chair
Tony Pietrangelo
Christine Easterbrook
Chris Drew
Angela Kelly

Councillor Marc Renaud

Kevin Fox, Staff Liaison/Recording Secretary

ABSENT

Robert MacMillan (*Regrets*)

1.0 CALL TO ORDER

The Secretary called the meeting to order at 5:00 p.m.

1.1 Call for Nominations

1.1.1 Nomination of Chair

Moved By C. Drew
Seconded By A. Kelly

That William Whittall BE APPOINTED Chair of the Amherstburg Accessibility Advisory Committee.

Moved By C. Easterbrook
Seconded By A. Kelly

That Shirley Curson-Prue BE APPOINTED Chair of the Amherstburg Accessibility Advisory Committee.

That William Whittall BE APPOINTED Chair of the Amherstburg Accessibility Advisory Committee.

The Secretary put the Motion.

	Yes/Concur	No/Not Concur
Chris Drew	X	
Christine Easterbrook		X
Angela Kelly	X	
Robert MacMillan	Absent	Absent
Tony Pietrangelo	X	
Shirley Curson-Prue		X
Councillor Marc Renaud	X	
William Whittall	X	

Motion Carried

1.1.2 Nomination of Vice Chair

Moved By T. Pietrangelo
Seconded By C. Drew

That Shirley Curson-Prue BE APPOINTED Vice Chair of the Amherstburg Accessibility Advisory Committee.

Moved By C. Drew
Seconded By T. Pietrangelo

That Christine Easterbrook BE APPOINTED Vice Chair of the Amherstburg Accessibility Advisory Committee.

That Shirley Curson-Prue BE APPOINTED Vice Chair of the Amherstburg Accessibility Advisory Committee.

The Secretary put the Motion.

	Yes/Concur	No/Not Concur
Chris Drew	X	
Christine Easterbrook	X	
Angela Kelly	X	
Robert MacMillan	Absent	Absent
Tony Pietrangelo	X	
Shirley Curson-Prue	X	
Councillor Marc Renaud	X	
William Whittall	X	

Motion Carried

2.0 LAND ACKNOWLEDGMENT

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

3.0 ROLL CALL

4.0 DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

5.0 ADOPTION OF MINUTES OF PREVIOUS MEETING

Moved By C. Easterbrook

Seconded By T. Pietrangelo

That the minutes of the Amherstburg Accessibility Advisory Committee Meeting of October 22, 2020 BE ADOPTED as presented.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Chris Drew	X	
Christine Easterbrook	X	
Angela Kelly	X	
Robert MacMillan	Absent	Absent
Tony Pietrangelo	X	
Shirley Curson-Prue	X	
Councillor Marc Renaud	X	
William Whittall	X	

Motion Carried

6.0 PRESENTATIONS

6.1 Site Plan Review – 9381 Townline Road

The Committee asked that Administration ensure that appropriate signage be added to the site to ensure safety.

Moved By C. Drew

Seconded By C. Easterbrook

That the Amherstburg Accessibility Advisory Committee ENDORSE the Site Plan for 381 Townline Road.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Chris Drew	X	
Christine Easterbrook	X	
Angela Kelly	X	
Robert MacMillan	Absent	Absent
Tony Pietrangelo		X
Shirley Curson-Prue	X	
Councillor Marc Renaud	X	
William Whittall	X	

Motion Carried

7.0 ORDER OF BUSINESS

7.1 Amherstburg Accessibility Advisory Committee Work Plan

7.2 Amherstburg Accessibility Advisory Committee Community Outreach and Education

7.3 Amherstburg Accessibility Advisory Committee Budget

Moved By C. Easterbrook

Seconded By C. Drew

That the Amherstburg Accessibility Advisory Committee REQUEST an increase in the Committee budget to a total of \$2,000 to reflect the \$1,500 in training and professional development allocation and \$500 for Community Education and Outreach activities.

The Chair put the Motion.

	Yes/Concur	No/Not Concur
Chris Drew	X	
Christine Easterbrook	X	
Angela Kelly	X	
Robert MacMillan	Absent	Absent
Tony Pietrangelo	X	
Shirley Curson-Prue	X	
Councillor Marc Renaud	X	
William Whittall	X	

Motion Carried

7.4 Municipal Parkland Accessibility Audits

8.0 UNFINISHED BUSINESS

8.1 Town of Amherstburg Multi-Year Accessibility Plan

8.2 Gibson Gallery Accessibility

8.3 Facility Accessibility Design Standards

9.0 NEW BUSINESS

9.1 Open Air Accessibility

Committee asked that the staff liaison ensure that an advertisement be placed in the River Town Times and on social media featuring the accessible parking locations and washrooms available during Open Air Weekends.

9.2 Essex County Initiative - Trail Network Accessibility

Committee asked that, if possible or required, the staff liaison would ensure that this event was cross-promoted by the Town of Amherstburg social media accounts.

10.0 ADJOURNMENT

Moved By A. Kelly

Seconded By C. Drew

That the Committee ADJOURN at 7:37 p.m.

	Yes/Concur	No/Not Concur
Chris Drew	X	
Christine Easterbrook	X	
Angela Kelly	X	
Robert MacMillan	Absent	Absent
Tony Pietrangelo	X	
Shirley Curson-Prue	X	
Councillor Marc Renaud	X	
William Whittall	X	

Motion Carried

Committee Chair
William Whittall

Committee Coordinator
Kevin Fox



**TOWN OF AMHERSTBURG
DRAINAGE BOARD
Monday, June 21, 2021
6:00 PM
ELECTRONIC PARTICIPATION
MINUTES**

PRESENT

Bob Bezaire, Chair
Allan Major, Vice-Chair
Bob Pillon
Anthony Campigotto
Brad Laramie
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. The Chair read the following land acknowledgement:

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

5. **MINUTES OF PREVIOUS MEETING**

Anthony Campigotto moved, Bob Pillon seconded;

That:

The minutes of the previous meeting BE ADOPTED:

1. Drainage Board Meeting Minutes – June 1, 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

6. CONSIDERATION OF FINAL DRAINAGE REPORT

6.1 Abandonment of Part of the 2nd Concession Drain

Dennis McCready, P.Eng of RC Spencer Associates Inc. gave an overview of the report he prepared under Section 84(3) of the Drainage Act, and stated that the abandonment of part of the 2nd Concession Drain is due to road reconstruction on Fryer Street. Mr. McCready explained that Dillon Consulting Ltd prepared the design and drawings for the road reconstruction project along Fryer St, which extends from Simcoe St to Alma St. Mr. McCready further explained that the drawings suggest that part of the existing 2nd Concession Drain be incorporated as part of the Municipal storm sewer system.

Mr. McCready advised that notices were sent to all ratepayers within the watershed of the 2nd Concession Drain indicating the Town's intentions to abandon part of the drain according to Section 84(1) of the Drainage Act. He added that Council was unable to immediately resolve to abandon part of the drain since a single landowner submitted a request indicating that they wanted an engineer's report made on the recommendation for abandonment.

Mr. McCready reviewed the pipe size charts provided on page 7 of his report for the board members. Mr. McCready noted that the drawings prepared by Dillon Consulting Ltd were reviewed and the system was analyzed and his report finds that the storm sewer design is adequate. He therefore recommends that the 2nd Concession Drain be abandoned from its upper end near Alma Street to an existing maintenance hole within the drain located approximately 23m north of the centerline of Simcoe Street.

Mr. McCready stated that after abandonment, the cost of all construction and further maintenance on the Fryer St. storm sewer will be borne by the Town. He added that there would be no assessments to landowners relating to the abandoned portion of the drain. Mr. McCready noted however that any landowners within the watershed of the 2nd Concession Drain would still be eligible for future assessments for any downstream works on the drain.

Board Chair Bob Bezaire asked if there were any landowners in attendance.

There were none.

Board Chair Bob Bezaire asked if there were any questions from the Board members.

The Board heard from:

- Board Member Anthony Campigotto asked why the landowners on the abandoned portion of the drain would still be assessed for future works, and if there were reserve funds to cover those costs.
- Mr. McCready stated that the new storm sewer (abandoned portion of the drain) would continue to discharge into the 2nd Concession Drain south of Simcoe Street; after the reconstruction of Fryer Street, it would be treated like any other storm sewer system in the Town. Mr. McCready further stated that once the portion of the drain is abandoned, then those landowners would no longer be responsible for payment of any costs relating that portion of the drain. Mr. McCready stated that he was unaware whether there are reserve funds for future maintenance.
- Board Member Bob Pillon indicated that he found it strange that upstream landowners would be assessed for future work on a drain when their portion of the drain was no longer a municipal drain, nor does he recall charging the landowners that use storm sewers for drainage work.
- Mr. McCready stated that some current bylaws are set up with block assessments for the urban lands, and those block assessments are normally assessed to the individual properties prorated based according to their property value. Some municipalities pay for it out of general funds or out of a drainage account, but the intention of the Drainage Act is to be assessed for outlet liability.
- Board Member Brad Laramie wanted clarification on whether there are any other locations in Town where storm sewer users pay into a municipal drain. Mr. Laramie also questioned the reason for the abandonment.
- Shane McVitty explained that with this particular drain, a large part of the upstream watershed is made up of the Monopoly subdivision, and even though there are no Municipal Drains within the Monopoly subdivision, all of the storm sewers discharge into existing municipal drains. Specifically, these storm sewers discharge to the Pike Road Drain and the section of the 2nd Concession Drain along Fryer St. that is being recommended for abandonment. Mr. McVitty provided examples of similar arrangements including the Pointe West subdivision, whose storm sewers empty into the Ouellette Drain, and the Kingsbridge subdivision storm sewers which empty into the White Drain and Morgan Drain.
- Mr. McVitty indicated that the road reconstruction was the primary catalyst for the abandonment. Mr. McVitty explained that in order to complete the storm sewer improvement work recommended by Dillon Consulting, the

drain should be abandoned and made into an urban storm sewer. Mr. McVitty reiterated that Council can abandon drains without an engineer's report, however in this case a request for a report was submitted by a landowner. Mr. McVitty advised that years ago this particular drain would have existed along the dividing line between Amherstburg and Malden Township which at the time was agricultural. It wasn't until years later that the drain was enclosed to accommodate urban development.

- Board Member Anthony Campigotto asked if subdivisions were assessed under the Drainage Act when work is completed.
- Mr. McVitty confirmed they are assessed.
- Board Member Bob Pillon asked if the new high school would be draining into the new storm sewer.
- Mr. McVitty stated that the storm water from the new high school property will be directed westerly towards Victoria Street.
- Board Member Allan Major inquired if the new storm pipe sizes would be large enough with the new developments north of Alma Street.
- Mr. McVitty clarified that the area north of Alma is not within the watershed of the 2nd Concession Drain and that the watershed of the storm sewer along Fryer Street has not changed.

Board Chair Bob Bezaire asked if there were any further questions.

There were none.

Anthony Campigotto moved, Brad Laramie seconded;

That:

- 1. The engineer's report, prepared by RC Spencer Associates Inc. on June 2, 2021 for the Abandonment of Part of the 2nd Concession Drain BE RECEIVED;**
- 2. The engineer's report for the Abandonment of Part of the 2nd Concession Drain, BE CONSIDERED;**
- 3. The PROVISIONAL ADOPTION of By-law 2021-041 of the engineer's report for the Abandonment of Part of the 2nd Concession Drain BE BROUGHT to the next Regular Council meeting for Council's consideration.**

	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

Mr. Mcvitty thanked the Board members for attending the meeting, and indicated that there would be no Court of Revision for this report as there are no assessments to landowners. Mr. McVitty advised that there will be a notice sent to all affected landowners within the watershed advising of the Town's intentions to move forward with the bylaw for the drain abandonment according to Mr. McCready's report. Landowners will be provided with a deadline to appeal to the Tribunal should the wish to do so. Mr. McVitty stated that after the appeal period has expired, then the bylaw would go before Council for final adoption.

8. NEXT MEETING DATE

Tuesday, July 6, 2021 @ 6:00 p.m.

9. ADJOURNMENT

Bob Pillon moved, Allan Major seconded;

That:

That the meeting of the Drainage Board BE ADJOURNED at 6:26 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

MUNICIPAL DRAINAGE REPORT
REPORT FOR THE ABANDONMENT
OF PART OF THE
2nd CONCESSION DRAIN
IN THE
TOWN OF AMHERSTBURG



RC SPENCER ASSOCIATES INC.
Consulting Engineers

Windsor: 800 University Avenue W. – Windsor ON N9A 5R9
Leamington: 18 Talbot Street W. – Leamington ON N8H 1M4
Chatham-Kent: 49 Raleigh Street – Chatham ON N7M 2M6

File No. 21-1149 D

June 2, 2021

June 2, 2021

Mayor and Municipal Council
Corporation of the Town of Amherstburg
271 Sandwich Street South
Amherstburg, Ontario
N9V 2A5

Re: Abandonment of Part of the 2nd Concession Drain
Town of Amherstburg
Project No. 21-1149 D

Mayor and Members of Council:

1.0 AUTHORIZATION

In accordance with your instructions under Section 84(3) of the Drainage Act, we have prepared the following report that provides for the abandonment of part of the 2nd Concession Drain in the Town of Amherstburg. The portion of the 2nd Concession considered for abandonment is located on Fryer Street and extends from the maintenance hole on the north side of Simcoe Street to the upstream limit of the drain near Alma Street. The 2nd Concession Drain is a Municipal Drain governed by the provisions of the Drainage Act.

Accordingly, the firm of RC Spencer Associates Inc. has carried out an examination of the drain, reviewed the bylaws and past engineer's reports for the drain and performed all of the necessary investigations. Our findings and recommendations are outlined in this report.

2.0 BACKGROUND

The process for abandonment of a Municipal Drain is outlined under Section 84 of the Drainage Act. Appendix A contains a location plan for the 2nd Concession Drain and shows the section of the 2nd Concession Drain proposed for abandonment from Alma Street to Simcoe Street, as a red line.

Prior to appointing an engineer under Section 84(3) of the Drainage Act, Council began the process to abandon part of the 2nd Concession Drain under Sections 84(1) and 84(2) of the Drainage Act. Administration sent notice to all owners of land assessed for the drainage works stating its intention to abandon part the 2nd Concession Drain drainage works in accordance with Section 84(2) of the Drainage Act.

If an affected property owner has concerns about the potential abandonment of a Municipal Drain, they can request an engineer's report on the proposed abandonment under Section 84(3) of the Drainage Act. A property owner sent a notice to the Clerk of the Municipality within 10 days of the date that the Municipality's notice was sent, requesting that a report of an engineer be made on the proposed abandonment.

Accordingly, Council appointed RC Spencer Associates Inc. to examine the drainage works and report recommendations as to the proposed abandonment.

Section 84(3) of the Drainage Act outlines the requirements for the engineer's report as follows:

84(3) If an owner sends a notice to the clerk within the 10-day period in accordance with subsection (1), the council shall appoint an engineer to examine the drainage works and report recommendations as to the proposed abandonment, any necessary work in connection therewith, the sale of any assets, the cost of abandonment and all other appropriate matters and shall assess all costs, including the engineer's compensation, and damage allowances against persons liable to assessment in connection with the drainage works in such proportions as appear just. R.S.O. 1990, c. D.17, s. 84 (3); 2010, c. 16, Sched. 1, s. 2 (33).

3.0 DESCRIPTION AND LOCATION OF DRAIN

The drainage basin of the 2nd Concession Drain contains approximately 218 hectares of lands and roads. This area is a mixture of residential, institutional, road and agricultural properties.

The upper portion of the 2nd Concession Drain is located along the east side of Fryer Street. Its head is located near the south limit of the Alma Street property. The upper reach of the drain consists of 300 mm diameter pipe. The drain runs downstream, southerly along the east side of Fryer Street to McCurdy Street. It then travels south-east through privately owned farm lands to its outlet into Big Creek.

The upper section of this drain, from Alma Street to the north side of the Saint-Jean-Baptiste Elementary School, is a buried pipe drainage system. The lower portion from the school to the outlet into Big Creek is an open drain.

This report deals with the abandonment of a portion of the buried section of the 2nd Concession Drain (see attached map) to allow for the construction of a new municipally-owned storm sewer as part of the "Fryer Street Reconstruction Project". The section considered for abandonment is from Alma Street to Simcoe Street.

4.0 DRAINAGE HISTORY

A detailed review of the bylaws and engineer's reports prepared under the provisions of the Drainage Act for the 2nd Concession Drain was carried out. The most current bylaw for the 2nd Concession Drain adopted the November 3, 2012 report of Gerard Rood, P.Eng. That report is a reassessment report under Section 76 of the Drainage Act. The report provides a new assessment schedule to be used to assess any maintenance or repair costs against the lands and roads in the watershed. No physical work was recommended under that report. The November 3, 2012 report stated that:

The physical dimensions which control the extent of maintenance works permitted on the drain shall be limited to that which has been set out in the September 28, 1979 Engineer's Report by William J. Setterington, P.Eng.

We note that the bylaw adopting the June 22, 2008 report of Phil Bartnik, P.Eng. sets out the technical standards to which the drain enclosures on the Saint-Jean-Baptiste Secondary property and the open drain around its perimeter are to be maintained.

A history of Engineer's reports on the 2nd Concession Drain adopted under municipal bylaw is as follows:

- **September 30, 1919 by Alex Baird, C.E., O.L.S.:** This report provided for the construction of a new drain initiated by a petition under provisions of the Drainage Act. The drain was called the 2nd Concession Drain. The report incorporated part of the H.J. Mickle Drain which was constructed under a report of Alex Baird, C.E., O.L.S. dated September 23, 1916. The 2nd Concession Drain followed the course of the H.J. Mickle Drain with the exception of changing the course of the upper 600 m of drain and eliminating the Branch along the north side of Simcoe Street. The drain was constructed as an open drain having a total length of 3,475 m.

The open drain extended along the east side of Fryer street, upstream for a distance of 935 m north of Simcoe Street and downstream for a distance of 670 m south of Simcoe Street. From this downstream point, the drain headed easterly and southeasterly to its outlet into Big Creek in Lot 20, Concession 2.

- **July 21, 1938 by J.J. Newman:** The open drain was cleaned, enlarged and deepened from a point located 326 m north of Simcoe Street downstream to a point approximately 183 m upstream from its outlet into Big Creek.
- **June 5, 1952 by C.G.R. Armstrong, P.Eng.:** The open drain was enclosed by installing 250mm diameter tile beneath the open drain from a point approximately 25 m south of Alma Street southerly for a length of 104 m. From the outlet of the tile downstream to the outlet of the drain into Big Creek, the open drain was cleaned, deepened and widened.
- **April 29, 1966 by C.G.R. Armstrong, P.Eng.:** The open drain was enclosed with 400mm and 450mm diameter tile for a total length of 315 m. The enclosure started at the present end of the enclosed portion and proceeded downstream, southerly to the south side of Venetian Drive. From this point downstream to the outlet into Big Creek, the open drain was repaired and improved by means of cleaning, deepening and widening.
- **September 1, 1971 by William J. Settington, P.Eng.:** The open drain was repaired and improved from Venetian Drive downstream, southerly for a distance of 549 m.
- **September 28, 1979 by William J. Settington, P.Eng.:** From the south side of Venetian Drive at the outlet of the covered portion of the drain, the covered portion was extended downstream, southerly to a point 68 m south of the south limit of Simcoe Street by installing pipe and backfilling the open drain. The covered drain extension consisted of 108 m of 914mm diameter concrete pipe, 250 m of 1220mm diameter concrete pipe, 305 m of 1090mm x 1730mm elliptical concrete pipe and 71 m of 1980mm diameter CSP, together with the necessary maintenance holes and catch basins. After construction, the outlet of the covered portion was located at the north

limit of the Saint-Jean Baptiste Elementary School property. From this point downstream to where the open drain turns east to leave the Fryer Street property, the open drain was relocated off of the Fryer Street property by constructing a new open drain on the private lands to the east. The remainder of the open drain downstream to its outlet into Big Creek, was cleaned, deepened and widened.

- **February 19, 2004 by Bruce D. Crozier, P.Eng.:** A preliminary report was prepared to examine the possible enclosure of the open drain along the Fryer Street property and realignment of other parts of the open drain is Lot 21, Concession 2 to accommodate potential development plans.
- **June 22, 2008 by Phil Bartnik, P.Eng.:** This report recommended modifications to the portion of the 2nd Concession Drain across the Saint-Jean Baptiste Elementary School property. The drain was rerouted across the north side of the school property with 145 m of 1800mm diameter concrete pipe. The drain was rerouted along the east and south sides of the property as an open ditch. The portion of the open drain along the west side of the property was enclosed with 116 m of 450mm diameter concrete pipe draining in a south to north direction
- **November 2, 2012 by Gerard Rood, P.Eng.:** An updated maintenance Schedule was prepared under Section 76 of the Drainage Act. The new maintenance schedule was prepared to reflect changed conditions in the watershed and would be used to assess future maintenance costs on the 2nd Concession Drain.

In addition to the reports listed above, an Engineer has been appointed to prepare a report for the repair and improvement of the lower portion of the 2nd Concession drain. That report will deal with the open portion of the 2nd Concession drain located downstream, southerly of the Saint-Jean Baptiste Elementary School property. The report is nearing completion and all affected property owners will receive a copy of that report and a notice of the meeting to consider the report as part of the Drainage Act process.

5.0 FRYER STREET RECONSTRUCTION PROJECT

The Town of Amherstburg is in the process of carrying out a road reconstruction project along Fryer Street from Simcoe Street to Alma Street. That project involves not only storm sewer construction but also watermain construction, sanitary sewer construction, road work, curb and gutter, etc.

During the detailed design process for the “Fryer Street Reconstruction Project”, Dillon Consulting completed an engineering review of the stormwater / Municipal Drain system for Fryer Street. It was determined that the 2nd Concession Drain pipe north of Richmond Street is undersized and does not service the areas north of Military Street appropriately. A new, larger pipe will need to be installed from Richmond Street northerly to Alma Street.

As the storm pipe, maintenance holes and catch basins along Fryer Street are all part of the Municipal Drain, the Town had 2 options to deal with the necessary upgrades. The first involves the completion of a drainage report in accordance with the Drainage Act that incorporates the

new storm sewer pipe as part of the 2nd Concession Drain. Alternatively, a portion of the Municipal Drain could be abandoned by Council to allow for the construction of the new storm sewer as part of the “Fryer Street Reconstruction Project”. Council’s decision was to begin the process of abandoning the entire portion of the 2nd Concession Drain from Simcoe Street northerly to Alma Street. Proceeding in this manner is both quicker and more in line with Town standards to have a municipally-owned storm sewers in urban areas.

The portion of the 2nd Concession Drain from Simcoe Street to Richmond Street will be incorporated as part of the municipally-owned storm sewer system as it is of adequate hydraulic capacity and condition. From Richmond Street to Alma Street, the 2nd Concession Drain pipe enclosure will be removed from its current location and a new storm sewer will be installed beneath the travelled portion of Fryer Street.

We were provided a copy of the construction drawings, and the storm sewer design brief and calculations for the “Fryer Street Reconstruction Project”. We find that the storm sewer design is consistent with current design standards for urban storm sewer systems.

6.0 INSPECTION

On May 20, 2021, a visual inspection of the 2nd Concession Drain was made to determine the extent of the drain that should be abandoned.

We have reviewed the records for the Pike Road Drain which is governed by the provisions of the Drainage Act. It is a covered Municipal Drain located 1.7 m north of the north limit of Simcoe Street. The Pike Road Drain outlets into the 2nd Concession Drain. There is an existing maintenance hole located on the 2nd Concession Drain approximately 23 m north of the centerline of Simcoe Street. The Pike Road Drain connects directly into the 2nd Concession Drain a short distance downstream of this maintenance hole.

Given that there are no other Municipal Drains under the provisions of the Drainage Act that tie into the 2nd Concession Drain upstream of this maintenance hole and the “Fryer Street Reconstruction Project” will deal with the existing enclosure of the 2nd Concession Drain upstream of this maintenance hole, it appears appropriate to have this maintenance hole become the upstream limit of the 2nd Concession Drain in the future. The portion of the 2nd Concession Drain upstream of this maintenance hole can be abandoned. The “Fryer Street Reconstruction Project” will incorporate the existing storm pipe from Simcoe Street to Richmond Street as part of the municipally-owned storm sewer and from Richmond Street to Alma Street, a new municipally-owned storm sewer will be constructed with much greater capacity than that of the existing Municipal Drain.

7.0 EXISTING CONDITIONS

The portion of the existing covered portion of the 2nd Concession Drain from Simcoe Street to Richmond Street is a pipe enclosure that is in good condition and has adequate capacity. It will be incorporated as part of the “Fryer Street Reconstruction Project” and become part of the Town’s storm sewer system. The portion of the existing covered portion of the 2nd Concession Drain from Richmond Street to the present head of the 2nd Concession Drain is in poor

condition and under sized by current storm sewer design standards. This section of covered drain will be removed and be replaced with a new storm sewer of much greater capacity. The new storm sewer will be relocated to the center of the travelled portion of Fryer Street. Removing the existing covered drain will allow all existing private drain connections to be located so that they can be connected to the new storm sewer.

The following table lists the diameters of the existing 2nd Concession Drain from Simcoe Street to Richmond Street. This section of the existing drain was found to have adequate hydraulic capacity by current design standards. The Stations listed refer to the Stations shown of the Fryer Street Project construction drawings.

<u>Station (meters)</u>	<u>to</u>	<u>Station (metres)</u>	<u>Pipe Length (metres)</u>	<u>Diameter of Existing Municipal Drain (mm)</u>
10+010 (Simcoe St.)		10+335	325	1727
10+335		10+607 (Richmond St.)	272	1200

The following is a table that compares the size of the existing 2nd Concession Drain piping with the sizes of the replacement storm sewer pipe that will be provided by the “Fryer Street Reconstruction Project”. The Stations listed refer to the Stations shown of the Fryer Street Project construction drawings.

<u>Station (meters)</u>	<u>to</u>	<u>Station (metres)</u>	<u>Pipe Length (metres)</u>	<u>Diameter of Existing Municipal Drain (mm)</u>	<u>Diameter of New Storm Sewer (mm)</u>
10+607 (Richmond St.)		10+735	128	900	1200
10+735		10+913	178	375	1200
10+913		11+043	130	300	825
11+043		11+191 (Alma St.)	148	300	750

8.0 STORM SEWER DESIGN

For the analysis and design of the storm sewer system, a 1 in 5 year rainfall intensity was used for the minor storm event and a 1 in 100 year rainfall intensity was used for the major storm event. This is consistent with the design criteria outlined in the “Windsor/Essex Region Stormwater Management Standards Manual 2018”.

9.0 RECOMMENDATIONS

Based on our review of the historical records, the storm sewer construction plans for the new storm sewer along Fryer Street, our examination of the site, and our detailed analysis of the storm sewer design, we recommend that the portion of the 2nd Concession Drain located on Fryer Street from the maintenance hole located 23 m north of the centreline of Simcoe Street upstream to the present upstream limit of the 2nd Concession Drain near Alma Street, be abandoned under Section 84 of the Drainage Act.

Reasons for abandoning this portion of the drain are as follows:

- Part of the abandoned drain will be replaced by an improved storm sewer system constructed to current design standards.
- North of Richmond Street, the drain is sufficiently old, undersized and/or out of repair.
- The drain will no longer serve a useful purpose after the storm sewer system is completed under the “Fryer Street Reconstruction Project”.
- No Municipal Drains outlet into the section of the 2nd Concession Drain to be abandoned.

Currently, the cost of maintaining the portion of the 2nd Concession Drain from Simcoe Street to Alma Street is assessable against the affected lands and roads in the watershed under the provisions of the Drainage Act. The portion of the 2nd Concession Drain from Simcoe Street to Alma Street will be abandoned under this report and will no longer be governed by the provisions of the Drainage Act. It will be replaced by a new storm sewer system constructed as part of the Fryer Street Reconstruction project. The new storm sewer will be maintained in the future by the Municipality and all costs will be paid for out of the general funds of the Municipality and not by way of Drainage Act assessments. This will reduce the assessments made against the affected lands and roads in the watershed.

We are not recommending any physical work be carried out under this report. The “Fryer Street Reconstruction Project” will deal with the abandoned section of the 2nd Concession Drain. A new storm sewer designed to meet current urban drainage standards will be provided from Richmond Street to Alma Street. All utility and agency approval issues will be a part of the “Fryer Street Reconstruction Project”. Private drain connections will be dealt with as part of the “Fryer Street Reconstruction Project”.

The cost for preparing this report will be assessed directly to the Municipality as owner of Fryer Street.

10.0 COST OF ABANDONMENT

No construction costs will be incurred on the Municipal Drain nor will any allowances be granted that would otherwise be assessed under the provisions of the Drainage Act, directly to the lands and roads in the watershed of the 2nd Concession Drain.

Also, there will be no estimated proceeds from the sale of any assets.

12.0 ASSESSMENT OF COSTS

The cost for preparing this report and attending the meeting to consider this report is estimated as \$ 4,500.00 including net HST of 1.78% and will be assessed entirely against the Municipality as owner of Fryer Street.

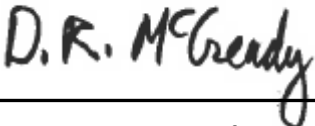
13.0 GRANTS

In accordance with the provisions of Sections 85, 86 and 87 of the Drainage Act, a Provincial grant is not available for the costs involved with a report under Section 84 of the Drainage Act.

All of which is respectfully submitted.

RC SPENCER ASSOCIATES INC.

PREPARED BY:



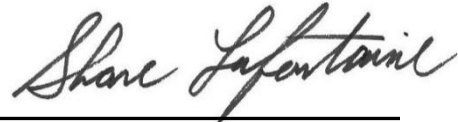
Dennis R. McCready, B.A.Sc., P. Eng.

Appointed Engineer

June 2, 2021



REVIEWED BY:



Shane LaFontaine, M. Eng., P. Eng.

June 2, 2021



APPENDIX 'A'

LOCATION PLAN

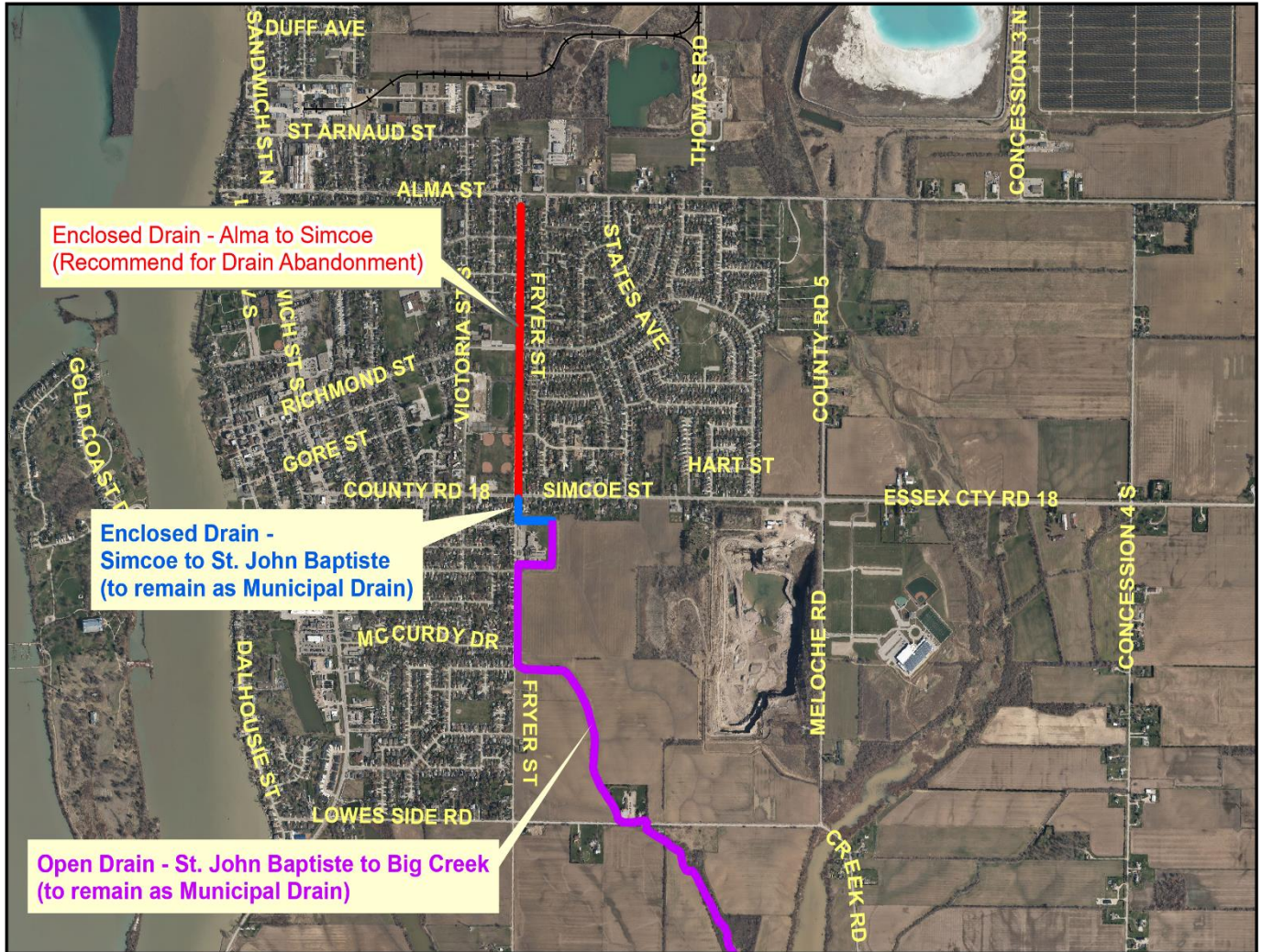
**FOR THE ABANDONMENT
OF PART OF THE
2nd CONCESSION DRAIN**

**IN THE
TOWN OF AMHERSTBURG
COUNTY OF ESSEX**

(This plan was prepared by the Municipality.)



2nd Concession Drain Abandonment Alma St. to Simcoe St.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2021 – 041

By-law to provide for the Abandonment of Part of the 2nd Concession Drain based on the Drainage Report by RC Spencer Associates Inc.

WHEREAS Council of the Corporation of the Town of Amherstburg has decided upon its own initiative to abandon a Part of the 2nd Concession Drain under Section 84 (2) 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 Abandonment of Part of the 2nd Concession Drain under section 84 (3) of the Drainage Act;

WHEREAS Council of the Corporation of the Town of Amherstburg has authorized Dennis McCready, P. Eng., to prepare a report and said engineer's report dated June 2, 2021, can be referenced as Schedule A, as attached hereto;

WHEREAS \$4,500.00 is the estimated cost of the engineering fees related to the preparation of the engineering report and that said costs shall be assessed entirely against the Corporation of the Town of Amherstburg according to the engineer's report;

AND WHEREAS the report was considered by the Amherstburg Drainage Board at the meeting held on June 21, 2021.

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg hereby enacts that the attached report is adopted and the drain abandonment is authorized as specified in the report

Read a first and second time and provisionally adopted this 28th day of June, 2021.

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER

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

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER

Agenda Item	Assigned To	Comment	Description	Date
NEW BUSINESS	Anne Rota, Heidi Baillargeon	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	Frank Garardo, Antonietta Giofu	Administration is compiling information in alignment with the South End development and negotiations of the Force Main.	Resolution # 20191015-497 Prue/Simone That Administration BE DIRECTED to bring back a report regarding the finalization of the development of the north end of Boblo Island with the intent to enforce the by-law and development agreement relating to roads, sidewalks, curbs, and lighting, and to outline all municipal costs, if any.	15-Oct-19
Request for the Town of Amherstburg to Take Part in 'Green' Initiatives - Paul Hertel	Eric Chamberlain, Antonietta Giofu, Anne Rota, Frank Garardo, Heidi Baillargeon	Committee liaison has been appointed. Terms of Reference approved w/amendments on May 25, 2020. Committee member recruitment to begin June 10th. Parks and Tourism administration is organizing participation in the Great Global Cleanup - Detroit River event for April 25th, 2020 as a leading green festival initiative with the goal to build on the Detroit River Canadian Cleanup events and the 50th anniversary of Earth Day. These green festival initiatives will be re-scheduled during appropriate pandemic stages. Amherstburg supported the Lake Erie Challenge held August 21 and event of the Freshwater Alliance. Ongoing investigation into "green initiatives" for festival and events. good time to research during COVID while festivals are restricted at this time Green Fleet report to Council 2nd quarter 2021 Mr. Hertel's report has been sent to the consultant for the Official Plan	Resolution # 20191028-507 Prue/Courtney That: The delegation BE RECEIVED and Mr. Hertel's report BE SENT to the Manager of Planning Services for inclusion at the November 12, 2019 Official Plan meeting; A green review BE DEVELOPED on Town fleet; Green festivals BE INVESTIGATED; Green builds BE INVESTIGATED on all new housing and building developments, and existing commercial, industrial and residential assessed property; and, Administration BE DIRECTED to bring back a report on the feasibility of a Committee on the Environment inclusive of Terms of Reference.	28-Oct-19
Opposing SunParlour R/C Flyers Noise Exemption Request - Tom and Mary Bateman	Nicole Rubli, Rob Sassine	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, Rob Sassine	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
NEW BUSINESS	Antonietta Giofu, Eric Chamberlain	This will be addressed in a report to Council regarding an amendment to the Traffic Bylaw - report anticipated in 1st quarter 2021.	Resolution # 20200210-061 Simone/McArthur That Administration BE DIRECTED to look into prohibiting on-street parking during heavy snowfalls to assist snowploughs when clearing snow.	10-Feb-20
Economic Development Advisory Committee Minutes - 2020 02 06	John Miceli	Administration working with WEEDC on items 1 & 2. Item 3 will be addressed further to funding approval of a Transportation study at a future budget session.	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	Administration has had communication with Corporate partners on parking availability and will move forward with business consultation/education further to funding approval and completion of a parking study.	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

Agenda Item	Assigned To	Comment	Description	Date
NEW BUSINESS	Angelo Avolio, Nicole Rubli	Report on Agent of Change By-law will be included on the June 14th agenda. Vacant Building registries is under review.	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, Rob Sassine	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
NEW BUSINESS	Antonietta Giofu	Anticipate report to Council in Q2	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
NEW BUSINESS	Todd Hewitt, Antonietta Giofu	In progress - working with ERCA on design.	Resolution # 20200810-244 McArthur/Simone That Administration BE DIRECTED to erect a 'Welcome to Amherstburg' sign at the Greenway trail at Walker Road.	10-Aug-20
Mandatory Downspout Disconnection By-law	Antonietta Giofu, Dan Beaulieu	Administration working with EWSWA. Anticipate report for Q2.	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, Rob Sassine	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, Rob Sassine	Report to Council anticipated in 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
NEW BUSINESS	Frank Garardo	Administration is investigating the feasibility of a public art dedication fund and synergies with a Public Art Policy and other Town Guiding Documents.	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
Amherstburg Street Pass Program Proposal - Lauri Brouyette	John Miceli	Update on BIA - initial November meeting re-scheduled to 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
Crossing Guard Program - Yvette Erickson	Antonietta Giofu	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 2nd 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 # 20201109-358 Prue/Meloche That Administration BE DIRECTED to prepare a report to determine costs and impacts for all Town encroachments and that the report be brought back to Council for consideration.	09-Nov-20

Agenda Item	Assigned To	Comment	Description	Date
2021 BUDGET DELIBERATIONS	Heidi Baillargeon	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	Rick Daly, Heidi Baillargeon	Administration is consulting with peer municipalities and will bring back a full report once all items are actioned.	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
UNFINISHED BUSINESS	Heidi Baillargeon	Council directed an interim solution on the set up of the Skate Park. Public Consultation on the permanent placement will be included in the Public Consultation on Jack Purdie Park, Centennial Park. A report will follow with recommendations based on the findings from both consultations and the Libro Secondary Plan.	Resolution # 20201214-480 Courtney/McArthur That: Administration BE DIRECTED to come back to the 2021 Budget with all costs associated with a new skate park; 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, The public BE CONSULTED on the 4 locations being considered.	14-Dec-20
NEW BUSINESS	Antonietta Giofu	Report anticipated in 2nd 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
Pending Playground Equipment Removal from Wigle and Briar Ridge Parks	Heidi Baillargeon	Anticipate consultation launch by early June 2021	Resolution 20210208-031 Prue/McArthur That Administration BE DIRECTED to immediately begin public consultation on Briar Ridge and Jack Purdie parks for playground equipment to be funded from the Reserve Fund General.	08-Feb-21
Proactive Committee Oversight	Paula Parker	report will brought forward as directed in 2022	Resolution # 20210222-053 Prue/Simone That: The report regarding Proactive Committee Oversight BE RECEIVED; and, Administration BE DIRECTED to prepare a report regarding the establishment of a striking committee prior to the end of the current term of Council so that it can be considered at the first meeting of the new term of Council.	22-Feb-21
Off-Road Vehicle Use on Amherstburg Roadways	Nicole Rubli, Rob Sassine	Will coordinate a meeting with the Essex County ATV Club	Resolution # 20210308-070 McArthur/Simone That Administration BE DIRECTED to consult with the applicants as to the feasibility and desire to allow off-road vehicles on Amherstburg roads knowing that they won't be able to access County roads.	08-Mar-21
NEW BUSINESS	Antonietta Giofu, Eric Chamberlain	Anticipate report to Council in late Q3 or early Q4 2021	Resolution # 20210308-077 Prue/Meloche That Administration BE DIRECTED to look into the feasibility of a 3-way stop at Ramsay Street and Gore Street due to possible sight line concerns.	08-Mar-21
Request for Street Named after Grandfather - Denise Spearing	Frank Garardo	This will be addressed with Resolution #20210322-099, a report to come back late 3rd quarter 2021	Resolution # 20210322-085 Prue/Simone That: The delegation BE RECEIVED; and, Harry V. Spearing's name BE ADDED to the street naming list and be properly vetted through the Marsh Historical Collection and the Heritage Committee, if necessary, and a report be brought back to Council.	22-Mar-21

Agenda Item	Assigned To	Comment	Description	Date
Request for Fence Variance - Scott Renaud and Lynn Nadeau	John Miceli	Mediation underway. An email to Council on the final outcomes will follow once complete.	Resolution # 20210322-086 Prue/Simone That: The Chief Administrative Officer BE DIRECTED to meet with the parties to the fence variance request to broker a deal and mediate a settlement; and, The current application BE TABLED until a settlement is reached.	22-Mar-21
NEW BUSINESS	Frank Garardo	This will be addressed with Resolution #20210322-085, a report to come back late 3rd quarter 2021	Resolution # 20210322-099 Renaud/Prue That Administration BE DIRECTED to explore long term Town volunteers who can potentially be added to the street naming list after being vetted through the Marsh Collection Society and the Heritage Committee, if necessary; and, A report be brought back with the list of names.	22-Mar-21
NEW BUSINESS	Nicole Rubli	A letter has been sent the week of May 17th, 2021	Resolution # 20210510-158 Courtney/Simone That Administration BE DIRECTED to send correspondence to the Windsor-Essex County Health Unit regarding additional education for local businesses in the Windsor-Essex region on the enforcement of and exemptions to wearing a face mask listed under O.Reg. 364-20 with emphasis added to the education of the exemptions to the Regulation and how they should and should not be enforced.	10-May-21
NEW BUSINESS	Heidi Baillargeon, Antonietta Giofu, Kevin Fox	Policy Work Underway	Resolution # 20210510-TBD McArthur/Renaud That Administration BE DIRECTED to look into a Crosswalk Art policy for the Town of Amherstburg similar to the streetscape initiative in the City of Windsor.	10-May-21
Solar Power Grant Funding, Green Inclusive Community Building Program - Daren Crawford, Otter Energy	Heidi Baillargeon		Resolution # 20210614-TBD Prue/Meloche That: The delegation BE RECEIVED; The presentation BE SENT to the Environmental Advisory Committee; Administration BE DIRECTED to review the feasibility of rooftop solar, with cost savings, and a report be brought back to Council for consideration.	14-Jun-21
Indigenous Peoples Flag Proposal - Linden Crain, Amherstburg Resident	Heidi Baillargeon		Resolution # 20210614-TBD Prue/Meloche That: The delegation BE RECEIVED; and, Administration BE DIRECTED to convene a meeting with First Nations representatives, both on and off the Reserve, to seek input on an Indigenous flag to be raised in the Town of Amherstburg with the costs to BE INCLUDED in the 2022 Budget.	14-Jun-21
Agent of Change Policies	Nicole Rubli, Frank Garardo		Resolution # 20210614-TBD Prue/Courtney That Administration BE DIRECTED to prepare an Agent of Change policy as soon as possible.	14-Jun-21

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2021-044

**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 June 28th, 2021, meetings of Council, are hereby adopted and confirmed, as if the same were expressly contained in this By-law;
2. THAT the Mayor and proper officials of the Corporation of the Town of Amherstburg are hereby authorized and directed to do all things necessary to give effect to the action(s) of the Council of the Corporation of the Town of Amherstburg during the said meetings referred to in paragraph 1 of this By-law;
3. THAT the Mayor and Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Town of Amherstburg to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 28th day of June, 2021.

MAYOR – Aldo DiCarlo

CLERK – Paula Parker