



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, April 25, 2022
6:00 PM**

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

MINUTES

PRESENT

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

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

CALL TO ORDER

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

NATIONAL ANTHEM

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Item # 7.1 and # 21.1 - Deputy Mayor Meloche advised that his brother's appointment as the Deputy Fire Chief is before Council for consideration.

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 # 20220425-03

Moved By Deputy Mayor Meloche

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:

6.1 Special In-Camera Council Meeting Minutes - Public - April 11, 2022

6.2 Regular Council Meeting Minutes - April 11, 2022

The Mayor put the Motion.

Motion Carried

RECOGNITIONS

Deputy Mayor Meloche vacated his seat for Item # 7.1 - Appoint Deputy Fire Chief.

The Fire Chief provided Council with a biography for both Ron Meloche and Dan Monk.

7.1 Appoint Deputy Fire Chief - Ron Meloche

7.2 Appoint Assistant Deputy Fire Chief - Dan Monk

Agenda Items # 21.1 and # 21.2 were moved forward.

Resolution # 20220425-04

Item # 21.1 - That By-law 2022-049 being a by-law to Appoint a Deputy Fire Chief for the Amherstburg Fire Department 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

Resolution # 20220425-05

Item # 21.2 - That By-law 2022-050 being a by-law to Appoint an Assistant Deputy Fire Chief for the Amherstburg Fire Department 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

DELEGATIONS

8.1 Request for Expansion of Pickleball Facilities - Richard White, Amherstburg Pickleball Association

Resolution # 20220425-06

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

8.2 Investment in Electric Vehicle Chargers - Ken Morrison, Felicia Cristofaro, and Eric Freeze, Thrive Amherstburg

Resolution # 20220425-07

Moved By Councillor McArthur
Seconded By Councillor Prue

That:

- 1. The delegation BE RECEIVED; and,**
- 2. That \$120,000 BE DEDICATED and BE FUNDED from either reserves or as a pre-commitment to the 2023 Capital Budget, whichever is deemed best by Administration after performing its due diligence, to allow the Town to apply for the available Federal grant which will offset the cost of the charging stations.**

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

8.3 Zoning By-law Amendment for Brunner Avenue and Sandwich Street - Rob Piroli, Piroli Group

Agenda Item # 12.4 was moved forward.

Resolution # 20220425-08

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

- 1. The delegation BE RECEIVED;**
- 2. The proposed Zoning By-law Amendment for lands located on the northeast corner of Brunner Avenue and Sandwich Street (File ZBA-05-22), owned by 1603941 Ontario Inc. BE APPROVED IN PRINCIPLE subject to:**
 - **Confirmation in writing from the applicant's soil consultant that all clauses in the Official Plan (sections 2.3, 2.8.2 and 4.4.3) relating to soil conditions have been complied with;**
 - **The applicant provides an updated site plan demonstrating that both phases of the development meet a minimum requirement of 1.25 parking spaces per apartment unit;**
- 3. All the above conditions BE MET prior to the passing of the amending zoning by-law. When the above noted conditions are met, the amending site specific zoning by-law will be placed on a future Council agenda for adoption;**
- 4. Prior to final site plan control approval being granted for the Phase 1 building the following items will need to BE INCORPORATED as part of the required site plan agreement:**
 - **That the applicant complies with the recommendations of the acoustical report.**
 - **That the applicant complies with the recommendations of the Heritage Committee.**
 - **That the applicant complies with the recommendations of the Essex Region Conservation Authority and obtain all necessary permits and/or approvals.**
 - **That the applicant complies with all other agency comments received by the Town.**
 - **That the applicant complies with the requirements of all municipal departments.**

- That the applicant has their biologist confirm in writing the mitigation measures that are required to ensure compliance with the Endangered Species Act.
- Install perimeter fencing adjacent to the industrial lands, the height and type to be determined as part of the site plan agreement.
- That the applicant complies with the traffic study to the satisfaction of the Town Engineer.
- That the applicant complies with all other applicable by-law/policies of the Town.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That Council recess for a break at 8:04 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That Council resume Regular session at 8:19 p.m.

The Mayor put the Motion.

Motion Carried

REPORTS - PARKS, FACILITIES, RECREATION & CULTURE

10.1 Dog Park in Amherstburg

Resolution # 20220425-09

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

- 1. The Dog Park in Amherstburg report dated April 11, 2022 BE RECEIVED;**
- 2. Council APPROVE the installation of a Dog park at the Libro Centre located at 3295 Meloche Road in the expansion lands south of the Libro Complex; and,**
- 3. Council DIRECT Administration to proceed with the installation of a Dog Park at the above noted location as approved in the Capital Budget in the amount of \$166,000.**

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

10.2 State of Tennis Courts at Malden Park

Resolution # 20220425-10

Moved By Councillor Courtney
Seconded By Councillor Prue

That:

- 1. The report on the state of tennis courts at Malden Park BE RECEIVED; and,**

2. Funding BE DEFERRED to the 2023 Capital Budget for the replacement of 2 tennis/pickle ball courts in central Amherstburg in the amount of \$550,000.

The Mayor put the Motion.

Motion Carried

REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

11.1 2022 Mill and Pave Program – Tender Results

Resolution # 20220425-11

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That:

1. The 2022 Mill and Pave Program Tender BE AWARDED to Armstrong Paving and Materials Group Ltd. for an amount not to exceed \$661,258.62 plus H.S.T to complete rehabilitation works for Wilkinson Court, Hamilton Drive, Victoria Street South (Pickering to Simcoe), Victoria Street South (Alma to Hamilton) and Point West Drive (east side);
2. An over-expenditure not to exceed \$75,030 for the 2022 Mill and Pave Program for a total cost not to exceed \$675,030 including net HST BE APPROVED to be funded as outlined in the report from the Manager of Engineering dated April 7, 2022; and,
3. The Mayor and Clerk BE AUTHORIZED to execute an agreement with Armstrong Paving and Materials Group Ltd. for the 2022 Mill and Pave program.

The Mayor put the Motion.

Motion Carried

REPORTS - DEVELOPMENT SERVICES

12.1 24 Sandwich Street South - Notice of Intent to Designate

Resolution # 20220425-12

Moved By Councillor Prue

Seconded By Councillor McArthur

That:

1. **Notice of Intent to Designate 24 Sandwich Street South BE GIVEN to designate the property by municipal bylaw in accordance with the *Ontario Heritage Act* and;**
2. **The Notice of Intent to Designate 24 Sandwich Street South CONTAIN the Statement of Cultural Heritage Value or Interest and the list of Heritage Attributes as recommended by the Heritage Committee.**

The Mayor put the Motion.

Motion Carried

12.2 Addition to the Heritage Register

Resolution # 20220425-13

Moved By Councillor Prue

Seconded By Councillor Simone

That the property at 355 Dalhousie Street BE LISTED on The Town of Amherstburg's Heritage Register as a non-designated property of cultural heritage value or interest in accordance with section 27(3) of the *Ontario Heritage Act*.

The Mayor put the Motion.

Motion Carried

12.3 Amending By-law to Update the Site Plan Control Area By-law

Resolution # 20220425-14

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That By-law 2022-045 being a by-law to Designate a Site Plan Control Area for the Town of Amherstburg be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

12.4 Zoning By-law Amendment for Brunner Avenue and Sandwich Street

As dealt with in Item # 8.3

REPORTS - CAO's OFFICE

13.1 Electronic Meeting Participation for Members

Resolution # 20220425-15

Moved By Councillor Prue
Seconded By Councillor Courtney

That By-law 2022-047, as amended to include a requirement that any electronic participation must take place from inside Canada, being a by-law to Amend By-law 2014-91 to Permit Electronic Participation 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

13.2 Next Generation 911 Authority Agreement

Resolution # 20220425-16

Moved By Councillor Renaud
Seconded By Councillor Simone
That:

- 1. The Report - Next Generation 911 Authority Agreement dated April 8, 2022 BE RECEIVED; and,**

2. **The Mayor and Clerk BE AUTHORIZED to execute the Next Generation Authority Agreement with Bell Canada.**

The Mayor put the Motion.

Motion Carried

13.3 Multiple Fire Services By-law Updates

Resolution # 20220425-17

Councillor Courtney moved the motion with an amendment to grandfather any of the current active Amherstburg Fire Department Firefighter Officers who are over the age of 60 to continue their service until December 31, 2022, and after that time, any active Firefighter Officer would be required to retire in the month of their 60th birthday.

Moved By Councillor Courtney

Seconded By Councillor Prue

That:

1. **The following amended by-laws BE APPROVED:**
 - **Fire Department Establishing and Regulating Bylaw**
 - **By-law to Impose Fees for False Fire Alarms**
 - **By-law to Regulate Open Air Burning within the Town of Amherstburg**
 - **By-law Respecting the Sale and Setting Off of Fireworks in the Town of Amherstburg**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20220425-18

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That the following information reports BE RECEIVED:

14.1 Building Activity Report for January to March 2022

**14.2 1st Quarter Fire Department Activity Report
January, February & March 2022**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20220425-19

Moved By Councillor Courtney

Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

**15.1 County Participation in the Regional Food and Organics Waste Program -
County of Essex**

**15.2 Comprehensive Zoning By-law Review - Municipality of Clarington
Resolution**

**15.3 HST Rebate for New Homes in Ontario - Municipality of Grey Highlands
Resolution**

15.4 Russian Sanctions - Town of Gravenhurst Resolution

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

16.1 Fibromyalgia Awareness Day - May 12, 2022

Resolution # 20220425-20

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

1. **The correspondence dated April 13, 2022 from Fibromyalgia Association Canada regarding Fibromyalgia Awareness Day BE RECEIVED;**
2. **May 12, 2022 BE PROCLAIMED as Fibromyalgia Awareness Day in the Town of Amherstburg; and,**
3. **The Amherstburg sign in the Kings Navy Yard Park BE ILLUMINATED in purple on May 12, 2022.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20220425-21

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the following minutes BE RECEIVED:

17.1 Committee of Adjustment Meeting Minutes- March 1, 2022

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

1. Resolution # 20220425-22

Moved By Councillor Courtney
Seconded By Councillor Prue

That the 2 hour parking signs on Laird Street behind General Amherst High School BE REMOVED until the the completion of the school year.

The Mayor put the Motion.

Motion Carried

2. Councillor McArthur asked for an update with respect to the skate park.

The Director of Parks, Facilities, Recreation and Culture advised that Administration has been designing the RFP, looking at the survey results, and gathering the concepts to be presented for public engagement. She advised that there will be consultation with the skate community so that all the important elements are captured in the concepts. She further advised that she is targeting mid to late June to get the pad down in order to house the existing equipment that has been refurbished.

3. Councillor Prue advised that he attended the OGRA Conference and noted interesting presentations from the keynote speakers.

4. Councillor Courtney advised of the risk of losing the Miracle League due to the lack of volunteers available and asked if there is anything that can be done to save the League.

The Director of Parks, Facilities, Recreation and Culture advised there was a media blitz done by AM800 which has drummed up interest and there are members of the community who are willing to step up.

The Mayor advised that Administration is communicating with League representatives.

5. Councillor Simone thanked the staff, sponsors, and volunteers who participated in the Earth Day celebration.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

21.1 By-law 2022-049 - To Appoint a Deputy Chief for the Amherstburg Fire Department

As dealt with above in Item # 7.1

21.2 By-law 2022-050 - To Appoint An Assistant Deputy Chief for the Amherstburg Fire Department

As dealt with above in Item # 7.2

21.3 By-law 2022-051 - Confirmatory By-law

Resolution # 20220425-23

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That By-law 2022-051 being a by-law to Confirm the Proceedings of the Council of the Corporation of the Town of Amherstburg be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 9:30 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – VALERIE CRITCHLEY