



## Regular Council Meeting Agenda

November 2, 2020, 6:00 pm

County of Essex Council Chamber

360 Fairview Avenue West, Essex, Ontario

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at [clerks@essex.ca](mailto:clerks@essex.ca) or 519-776-7336 extension 1100 or 1101.

This meeting will be hosted and chaired from the Essex County Civic Centre Council Chambers. Due to the ongoing COVID-19 pandemic and the Essex County Civic Centre building not being open to the public at this time, this meeting can only be viewed by the public electronically via livestream on YouTube at [www.youtube.com/EssexOntario](http://www.youtube.com/EssexOntario)

Pages

1. **Call to Order**
2. **Closed Meeting Report**
3. **Declarations of Conflict of Interest**
4. **Adoption of Published Agenda**
  - 4.1. **Regular Council Meeting Agenda for November 2, 2020**

Moved by \_\_\_\_\_  
Seconded by \_\_\_\_\_  
**That** the published agenda for the November 2, 2020 Regular Council Meeting be adopted as presented / amended.
5. **Adoption of Minutes**
  - 5.1. **Regular Council Meeting Minutes for October 19, 2020** 1

Moved by \_\_\_\_\_  
Seconded by \_\_\_\_\_  
**That** the minutes of the Regular Council Meeting held October 19, 2020, be adopted as circulated.
  - 5.2. **Special Council Meeting Minutes for September 21, 2020** 10

Moved by \_\_\_\_\_  
Seconded by \_\_\_\_\_  
**That** the minutes of the Special Council Meeting held September 21, 2020 to receive an update on the Climate Change Adaptation Plan, be adopted as circulated.
6. **Public Presentations**
  - 6.1. **St. Vincent de Paul Essex Chapter** 13

RE: Centre Street Parking Signage Request

    - Map - Parking Request

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the presentation by Tim O'Hagan, St. Vincent de Paul Essex Chapter Member, asking Council to consider changing the two parking spaces on Centre Street, at the entrance to their drop off door to allow for quick merchandise drop offs and volunteers during store hours and days, Monday through Saturday 10:00 AM to 5:00 PM, be received.

**7. Unfinished Business**

**8. Reports from Administration**

**8.1. Parks and Facilities Report 2020-08**

16

RE: Results of Request for Tender - Supply and Install Roof Access Ladders at Harrow OPP Station

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Parks and Facilities Report 2020-12, entitled "Results of Request for Tender - Supply and Install Roof Access Ladders at Harrow OPP Station", prepared by John Olsen, Manager of Parks and Facilities, dated November 2, 2020 be received; and

**That** Council awards the Request for Tender - Supply and Install Roof Access Ladders at Harrow OPP Station to Gillett Roofing Inc. in the amount of \$36,521.66 including non-refundable harmonized sales tax; and

**That** Council approves the additional funding of \$6,521.66 above the allocated 2020 Roof Access Ladder Harrow OPP Station capital budget of \$30,000 with the additional funds coming from 2020 OPP Capital Contingency budget which currently has a \$25,000 balance.

**8.2. Legal and Legislative Services Report 2020-14**

23

RE: Animal Control By-Law 1606 Revisions to Dog Tag Requirements

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Legal and Legislative Services Report 2020-14, entitled "Animal Control By-Law 1606 Revisions to Dog Tag Requirements", prepared by Shelley Brown, Deputy Clerk, Legal and Legislative Services, dated November 2, 2020, be received; and

**That** Part 3 of By-Law 1606 - Licensing and Control of Dog, be amended to reflect the recommendations noted as follows:

- That one tag be issued for the lifetime of the dog;
- That there be one annual rate for all dogs whether they are spayed/neutered;
- That there be a flat-rate fee of \$20 for any tags purchased between January 1 and March 31 and a fee of \$40 for any dog tags purchased between April 1 and December 31, to be implemented in 2021;
- That an online electronic application be created and offered; and
- That Administration bring back for Council's consideration an

amended and consolidated Animal Control by-law to reflect the items and changes noted and recommended in this report.

- 8.3. Legal and Legislative Services Report 2020-15** 30
- RE: 2021 Regular Council Meeting Dates
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Legal and Legislative Services Report 2020-15, entitled "2021 Regular Council Meeting Dates", prepared by Shelley Brown, Deputy Clerk, Legal and Legislative Services, dated November 2, 2020, be received; and
- That** the Regular Meeting dates proposed therein, be approved.
- 8.4. Legal and Legislative Services Report 2020-16** 35
- RE: Cemetery By-Law Approval from the Bereavement Authority of Ontario (BAO)
- BAO Letter of Approval to Proposed Cemetery By-Law
  - By-Law 1812  
Being a by-law respecting the maintenance, management, regulation and control of any cemetery owned or operated by The Corporation of the Town of Essex
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Legal and Legislative Services Report 2020-16, entitled "Cemetery By-Law Approval from the Bereavement Authority of Ontario (BAO)", prepared by Shelley Brown, Deputy Clerk, dated November 2, 2020, be received; and
- That** By-Law 1812, being the "Cemetery By-Law" for the Town of Essex with the minor amendments required by the Bereavement Authority of Ontario (BAO), be read a third time and finally passed on November 2, 2020.
- 8.5. Legal and Legislative Services Report 2020-17** 56
- RE: Extension of Municipal Waste Collection Services Contract
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Legal and Legislative Services Report 2020-17, entitled "Extension of Municipal Waste Collection Services Contract", prepared by Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, dated November 2, 2020, be received; and
- That** Council agrees to extending the existing Contract with Windsor Disposal Services Ltd. to December 31, 2021.
- 8.6. Legal and Legislative Services Report 2020-18** 61
- RE: Court of Revision for North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2020D010
- By-Law 1964  
Being a by-law to provide for the North Rear Road Drain South

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Legal and Legislative Services Report 2020-18, entitled "Court of Revision for North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2020D010", dated November 2, 2020, be received; and

**That** the following three (3) members of the Drainage Board: Kirk Carter, Percy Dufour and Felix Weigt-Bienzle be appointed to sit as members of the Court of Revision to be convened for the North Rear Road Drain South Side (New Bridge for Grondin) Geographic Township of Colchester North, Project REI2020D010, pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Limited, dated September 24, 2020 (hereinafter the "Report"), and such Court of Revision be scheduled for 5:00 PM on November 25, 2020, via electronic meeting; and

**That** By-Law 1964 being a by-law to provide for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Project REI2020D010, Town of Essex, County of Essex be read a first and a second time and provisionally adopted on November 2, 2020.

8.7.

**Finance and Business Services Report 2020-04**

136

RE: COVID-19 Financial Impact as of September 30, 2020

- 2020 Operating Budget Summary Including only COVID-19 Related Groupings

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Finance and Business Services Report 2020-04, entitled "COVID-19 Financial Impact as of September 30, 2020", prepared by Katelynn Giurisovich, Manager, Finance and Business Services, dated November 2, 2020 be received.

9.

**Reports from Youth Members**

10.

**County Council Update**

11.

**Correspondence**

11.1.

**Correspondence to be received**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

That correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

11.1.1.

DWQMS Management Review - Meeting Minutes - July 28, 2020

153

RE: Essex Water Distribution System



11.1.2.	Ministry of the Environment, Conservation and Parks	157
	RE: Essex Drinking Water System - Essex (Union) DS Inspection Report, dated August 20, 2020	
11.1.3.	Dog Pound Committee Meeting Agenda	177
	October 28, 2020	
11.1.4.	Union Water Supply System - Board of Management	185
	RE: Minutes - September 16, 2020	
11.1.5.	Windsor Parade Corporation	191
	RE: Cancellation of 2020 Santa Claus Parade	
	Correspondence from the Windsor Parade Corporation, dated October 17, 2020 advising Council that they are unable to provide a COVID acceptable Santa Clause Parade in our community for 2020.	
11.1.6.	Town of Essex Media Release - October 27, 2020	192
	RE: Libro Rink at Essex Centre Sports Complex to Re-open on October 28, 2020	
11.2.	<b>Correspondence to be considered for receipt and support</b>	
11.2.1.	City of Clarence - Rockland	193
	Resolution - Cannabis Retail Stores	
	Correspondence from the City of Clarence - Rockland, dated October 22, 2020 to the Ministry of Finance and the Ministry of the Attorney General requesting a modification to the regulations governing the establishment of cannabis retail stores.	
	Moved by _____	
	Seconded by _____	
	<b>That</b> correspondence from the City of Clarence - Rockland, dated October 22, 2020, to the Ministry of Finance and the Ministry of the Attorney General requesting a modification to the regulations governing the establishment of cannabis retail stores, be (received/received and supported); and	
	If Council chooses to support Clarence-Rockland's resolution, a letter of support be sent to the Honourable Rod Phillips, Minister of Finance of Ontario and to the Honourable Doug Downey, Attorney General of Ontario requesting the Ministry to modify the regulations governing the establishment of cannabis retail stores to instruct the Alcohol and Gaming Commission to consider over-concentration as an evaluation criteria and provide added weight to the comments of a municipality concerning matters in the public interest when considering the application of new stores; and further	
	<b>That</b> a copy of the letter of support be sent to the City of Clarence-Rockland.	

RE: Unlicensed and Unmonitored Cannabis Grow Operations

Correspondence from the Township of Blandford-Blenheim, dated October 13, 2020 concerning loopholes in the Federal Cannabis legislation and regulations with respect to unlicensed and unmonitored cannabis grow operations.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the resolution from the Township of Blandford-Blenheim, dated October 13, 2020 urging the Federal Government to amend existing legislation that allows large scale cannabis grow operations to be established and operated without any of the regulations or protocol, to ensure the safety and rights of the local communities in which they are situated are respected, be (received/received and supported); and

If Council chooses to support Blandford-Blenheim's resolution, a letter of support be sent to the Federal Minister of Health, the Federal Minister of Justice and Attorney General, the Federal Minister of Public Safety and Emergency Preparedness, Essex MP Chris Lewis, Essex MPP Taras Natyshak and a copy of the letter be sent to the Township of Blandford-Blenheim.

11.2.3. Cameron Soucie

RE: Resignation Youth Council Member

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the message from Cameron Soucie, dated October 14, 2020 advising that he would no longer be able to continue as Youth Council Member for the Town of Essex, be received; and

**That** a letter be sent to Cameron thanking him for his time spent on Council and wishing him the very best in the future.

**12. Committee Meeting Minutes**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the minutes listed in Agenda 12, together with any recommendations to Council noted therein, be received, approved and adopted as circulated.

**12.1. Arts, Culture and Tourism Committee - October 14, 2020** 199

**12.2. Drainage Board Meeting - July 9, 2020** 204

RE: Crystal Beach Drain: Repair and Improvement of Covered Drains

**12.3. Committee of Adjustment - September 15, 2020** 213

**12.4. Drainage Board Meeting - October 21, 2020** 237

RE: Consideration of Report - North Rear Road Drain South Side: New Bridge for Grondin

13. Financial

13.1. September 2020 Bank Payments Report

241

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the Bank Payments Report, including the September cheque register, cheque number 51855 to 52006 inclusive in the amount to \$5,667,144.23, the Preauthorized Payments for the month of September in the amount of \$333,527.86; and Payroll for month of September in the amount of \$468,441.24, be ratified as submitted.

14. New Business

15. Notices of Motion

15.1. That following Notices of Motions were presented at the October 19, 2020 Regular Council Meeting and are being presented this evening for Council's consideration:

15.1.1. Councillor Bondy

RE: Mileage for Committee of Adjustment Members

Moved by Councillor Bondy

Seconded by \_\_\_\_\_

**That** Council cover mileage for members of the Committee of Adjustment.

15.1.2. Councillor Bondy

RE: Opposition to further Amalgamation

Moved by Councillor Bondy

Seconded by \_\_\_\_\_

**That** the Town of Essex is strongly opposed to further amalgamation whereas we feel our residents are best served now by the current model in terms of dollars and services; and

**Whereas** we appreciate the municipal moderation grant and are working hard to ensure our municipal operations are more efficient internally and looking for possible efficiencies externally; and

**Whereas** we are opposed to further restructuring in the future, but we are not opposed to sharing some services where our service quality, safety and price to our residents is not comprised.

15.2. The following Notice of Motion is being presented this evening and will be brought forward at the November 16, 2020 Regular Council Meeting for Council's consideration:

15.2.1. Councillor Bondy

RE: Installation of a traffic light at the corner of Erie and King Street in 2021

**That** Council discuss the installation of a traffic light at the corner of Erie and King Street in 2021.

16. Reports and Announcements from Council Members

17. By-Laws

17.1. By-Laws that require a third and final reading

17.1.1. By-Law 1960 251

Being a by-law to confirm the proceedings of the October 19, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 1960, being a by-law to confirm the proceedings of the October 19, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally adopted on November 2, 2020.

17.2. By-Laws that require a first, second, third and final reading

17.2.1. By-Law 1961 253

Being a by-law to provide for the issue of debentures in the amount of \$182,518.95 for works completed for drainage

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 1961 being a by-law to provide for the issue of debentures in the amount of \$182,518.95 for works completed for drainage, be read a first, a second and a third time and finally passed on November 2, 2020.

17.2.2. By-Law 1962 257

A by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$12,550.00 towards the cost of the Shoreline Loan Program

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 1962 being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$12,550.00 towards the cost of the Shoreline Loan Program, be read a first, a second and a third time and finally passed November 2, 2020.

17.2.3. By-Law 1965 266

Being a by-law to authorize the execution of a lease assignment between the Town of Essex, Robbie Ross Klie carrying on business as South Shore Fitness and Mike Huston for rentable space within the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 1965, being a by-law to authorize the execution of a lease assignment between the Town of Essex, Robbie Ross Klie carrying on business as South Shore Fitness and Mike Huston for rentable space within the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario, be read a first, a second and a third time and finally passed on November 2, 2020.

**17.3. By-Laws that require a first and second reading**

**17.3.1. By-Law 1963 273**

Being a by-law to confirm the proceedings of the November 2, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 1963 being a by-law to confirm the proceedings of the November 2, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a first and a second time and provisionally adopted on November 2, 2020.

**18. Adjournment**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the meeting be adjourned at [TIME].

**19. Future Meetings**

**19.1. Monday, November 16, 2020 - 6:00 - 9:00 PM Regular Council Meeting**

Location: Hybrid Council Meeting

**19.2. November 23, 2020 - 5:00 - 7:00 PM - Special Council Meeting**

RE: Parkland Estates Subdivision

Location: Electronic Meeting (Zoom)

**19.3. Monday, November 30, 2020 - 6:00 - 9:00 PM - Special Council Meeting**

RE: 2020 Budget Introduction and Walkthrough

Location: Electronic Meeting (Zoom)



**The Corporation of the Town of Essex**

**Regular Council Meeting Minutes**

October 19, 2020, 6:00 PM

Essex County Civic Centre Council Chambers  
360 Fairview Avenue West, Essex

This meeting was hosted from the Essex County Civic Centre Council Chambers, 360 Fairview Avenue West, Essex. Due to the ongoing COVID-19 pandemic and the Essex County Civic Centre building not being open to the public at this time, this meeting was only available electronically to the public via livestream on YouTube with delegates as well only being able to participate electronically.

Present: Deputy Mayor Richard Meloche  
Councillor Joe Garon  
Councillor Morley Bowman  
Councillor Kim Verbeek  
Councillor Steve Bjorkman  
Councillor Chris Vander Doelen  
Councillor Sherry Bondy

Regrets: Mayor Larry Snively

Also Present: Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk  
Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Chris Nepszy, Chief Administrative Officer  
Doug Sweet, Director, Community Services/Deputy CAO  
Jeffrey Morrison, Director, Corporate Services/Treasurer  
Lori Chadwick, Director, Development Services  
Kevin Girard, Director, Infrastructure Services  
Alex Denonville, Manager, Strategic Communications

**1. Call to Order**

Deputy Mayor Meloche called the meeting to order at approximately 6:05 PM.

**2. Closed Meeting Report**

**3. Declarations of Conflict of Interest**

There were no declarations of conflict of interest noted at this time.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for October 19, 2020**

**R20-10-380**

Moved By Councillor Bjorkman

Seconded By Councillor Vander Doelen

**That** the published agenda for the October 19, 2020 Regular Council Meeting be adopted with the following addition:

1. Councillor Bondy has two Notices of Motions to be presented only this evening as Agenda items 15.2.1 and 15.2.2. and brought back for Council's consideration at the next Regular Meeting of Council.

**Carried**

**5. Adoption of Minutes**

**5.1 Regular Council Meeting Minutes for October 5, 2020**

**R20-10-381**

Moved By Councillor Bowman  
Seconded By Councillor Garon

**That** the minutes of the Regular Council Meeting held October 5, 2020, be adopted as circulated.

**Carried**

**5.2 Special Council Meeting Minutes for September 8, 2020**

**R20-10-382**

Moved By Councillor Garon  
Seconded By Councillor Verbeek

**That** the minutes of the Special Council Meeting held September 8, 2020, held for the purpose of a Statutory Public Meeting to present and obtain public feedback on a proposed Zoning By-Law Amendment, be adopted as circulated.

**Carried**

**6. Public Presentations**

**6.1 Essex Region Conservation Authority**

Claire Sanders, Climate Change Specialist from the Essex Region Conservation Authority, provided a power point presentation regarding the planning of the Essex County Regional Energy Plan (ECREP), and explained the steps being taken towards a successful implementation.

She advised Council that they are hopeful that a sustainable regional energy plan can be put into action early next year.

**R20-10-383**

Moved By Councillor Bjorkman  
Seconded By Councillor Bowman

**That** the presentation by Claire Sanders, Climate Change Specialist from the Essex Region Conservation Authority, providing an overview of the Essex County Regional Energy Plan, be received.

**Carried**

**7. Unfinished Business**

**8. Reports from Administration**

### **8.1 Economic Development Report 2020-18**

RE: Building Development Overview September 2020

- Development Overview
- Building Report

#### **R20-10-384**

Moved By Councillor Bondy

Seconded By Councillor Bowman

**That** Economic Development Report 2020-18, entitled "Building and Development Overview September 2020", prepared by Nelson Silveira, Economic Development Officer, dated October 19, 2020, be received.

**Carried**

### **8.2 Drainage Report 2020-11**

RE: Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the 10-11 Sideroad Drain

#### **R20-10-385**

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

**That** Drainage Report 2020-11, entitled "Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the 10-11 Sideroad Drain", prepared by Lindsay Dean, Drainage Superintendent, dated October 19, 2020 be received; and

**That** Council appoints Rood Engineering Incorporated under Section 78 of the Drainage Act for a replacement bridge on the 10-11 Sideroad Drain.

**Carried**

### **8.3 Drainage Report 2020-12**

RE: Abandonment of the top end of the Hamelin Drain

- By-Law 1958  
Being a by-law to provide for the Hamelin Drain (Abandonment of the north 15 metres)

#### **R20-10-386**

Moved By Councillor Verbeek

Seconded By Councillor Bjorkman

**That** Drainage Report 2020-12, entitled "Abandonment of the top end of the Hamelin Drain", prepared by Lindsay Dean, Drainage Superintendent, dated October 19, 2020 be received; and

**That** Council approves the abandonment of the most northerly 15 metres of the Hamelin Drain under Section 84 of the Drainage Act; and

**That** By-Law 1958, being a by-law to provide for the Hamelin Drain (Abandonment of the north 15 metres), be read a first, a second and a third time and finally passed on October 19, 2020.

**Carried**



#### **8.4 Drainage Report 2020-13**

RE: Results of Request for Tender - 5th Concession Road Bank Repairs on the Richmond Drain

##### **R20-10-387**

Moved By Councillor Bowman  
Seconded By Councillor Garon

**That** Drainage Report 2020-13, entitled "Results of Request for Tender - 5th Concession Road Bank Repairs on the Richmond Drain", prepared by Lindsay Dean, Drainage Superintendent, dated October 19, 2020, be received; and

**That** Council awards the Request for Tender - 5th Concession Road Bank Repairs on the Richmond Drain (RFT-ID-20-017) to Sterling Ridge Infrastructure Inc. in the amount of \$249,902.21 including non-refundable HST.

**Carried**

#### **8.5 Communications Report 2020-02**

RE: Update on EssexWorks System

- EssexWorks Summary March to September 2020

Alex Denonville, Manager, Communications provided Council with an overview of the report.

##### **R20-10-388**

Moved By Councillor Bjorkman  
Seconded By Councillor Garon

**That** Communications Report 2020-02, titled "Update on EssexWorks System", prepared by Alex Denonville, Manager, Communications, dated October 19, 2020, be received.

**Carried**

### **9. Reports from Youth Members**

### **10. County Council Update**

### **11. Correspondence**

#### **11.1 Correspondence to be received**

##### **R20-10-389**

Moved By Councillor Garon  
Seconded By Councillor Bowman

**That** correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

**Carried**

11.1.1 Jacki Durocher

Email dated October 7, 2020  
RE: COVID Pandemic

11.1.2 AMCTO October 2020 Blog Post

RE: COVID-19 Updates: Pre-Screening and Province's Plan for the Second Wave

11.1.3 AMCTO October 13, 2020

RE: AMCTO Advocacy Update  
Bill 204, Helping Tenants and Small Businesses Act, 2020 receives royal assent

**11.2 Correspondence to be considered for receipt and support**

11.2.1 Lake of Bays

RE: Reform to the Municipal Insurance Policy

Correspondence dated October 9, 2020 to Premier Doug Ford requesting a reform to the Municipal Insurance Policy

**R20-10-390**

Moved By Councillor Bjorkman  
Seconded By Councillor Bondy

**That** the copy of correspondence from Lake of Bays to Premier Doug Ford, dated October 9, 2020 expressing their concerns and requesting a reform to the Municipal Insurance Policy, be received and supported; and

**That** a letter of support be sent to the Honourable Doug Ford, Premier of Ontario, MP Chris Lewis, MPP Taras Natyshak, and to the Township of Lake of Bays.

**Carried**

11.2.2 Township of Asphodel-Norwood

RE: Cannabis Production

Correspondence dated October 7, 2020 to the Ministers, Members of Parliament and Members of Provincial Parliament requesting that legislation be enacted to support local governments with land use management and enforcements issues relating to cannabis production.

**R20-10-391**

Moved By Councillor Vander Doelen  
Seconded By Councillor Bowman

**That** the copy of correspondence, dated October 7, 2020 from the Town of Asphodel-Norwood to the Ministers of Members of Parliament and Members of Provincial Parliament, requesting that they enact legislation to support local governments with land use management and enforcements issues, be received and supported; and

**That** a letter of support be sent to the Minister of Agriculture, Food and Rural Affairs, the Minister of Agriculture and Agri-Food, Taras Natyshak, MPP Essex, Chris Lewis, MP Essex and the Township of Asphodel-Norwood.

**Carried**

## **12. Committee Meeting Minutes**

### **12.1 Essex Accessibility Advisory Committee - September 25, 2020**

- Recommendation to Council (EAAC20-09-010) That Council support a letter being sent to ERCA regarding the accessibility issues as it pertains to the John R. Park Homestead and the new visitor's centre with a request that either paved or packed stone walkways be laid throughout the Homestead grounds to better accommodate those with accessible needs and requirements as well as the designated handicap parking spot.
- Recommendation to Council (EAAC20-09-011) That Council support a letter being sent to the County of Essex asking for paved sidewalk access on County Road 8 from Talbot Street to Highway 3 to better facilitate accessing the local restaurants and businesses by those walking, in particular, those with an accessible challenge or difficulties.

#### **R20-10-392**

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

**That** the Essex Accessibility Advisory Committee Meeting minutes of September 25, 2020, be received and the recommendations contained in the minutes, be approved and adopted as circulated.

**Carried**

### **12.2 Essex Police Services Board (EPSB)**

- May 7, 2020
- September 3, 2020

#### **R20-10-393**

Moved By Councillor Garon

Seconded By Councillor Verbeek

**That** the minutes for the Essex Police Services Board (EPSB) for the May 7, 2020 and September 3, 2020 meetings, be received and adopted as circulated.

**Carried**

## **13. Financial**

### **13.1 2020 Capital Variance (as at August 31, 2020)**

Jeffrey Morrison, Director, Corporate Services/Treasurer provided Council with a summary of the report.

**R20-10-394**  
Moved By Councillor Garon  
Seconded By Councillor Bowman

**That** the 2020 Capital Variance Report (as at August 31, 2020), as prepared by Corporate Services Department, be received.

**Carried**

- 14. **New Business**
- 15. **Notices of Motion**

**15.1 The following Notice of Motion was presented at the October 5, 2020 Regular Council Meeting and is being brought forward this evening for Council's consideration:**

15.1.1 Councillor Bondy  
  
RE: Diversity Training Program for Council

**R20-10-395**  
Moved By Councillor Bondy  
Seconded By Councillor Verbeek

**That** Administration be directed to come back with a diversity training program for Council which includes AODA customer services standard training to ensure Council is up to date with requirements under accessibility legislation and the human rights code.

Councillor Bondy asked for a recorded vote.

	<b>Support</b>	<b>Opposed</b>
Deputy Mayor Meloche	X	
Councillor Garon	X	
Councillor Bowman	X	
Councillor Verbeek	X	
Councillor Bjorkman	X	
Councillor Vander Doelen	X	
Councillor Bondy	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

**15.2. The following Notices of Motions are being presented this evening and will be brought forward at the November 2, 2020 Regular Council Meeting for Council's consideration:**

15.2.1 Councillor Bondy  
  
RE: Mileage for Committee of Adjustment Members

That Council cover mileage for members of the Committee of Adjustment

#### 15.2.2 Councillor Bondy

RE: Opposition to further Amalgamation

That the Town of Essex is strongly opposed to further amalgamation whereas we feel our residents are best served now by the current model in terms of dollars and services; and

Whereas we appreciate the municipal modernization grant and are working hard to ensure our municipal operations are more efficient internally and looking for possible efficiencies externally; and

Whereas we are opposed to further restructuring in the future, but we are not opposed to sharing some services where our service quality, safety and price to our residents is not compromised.

### 16. Reports and Announcements from Council Members

Each Council member was provided an opportunity to discuss their latest news and activities in the municipality.

### 17. By-Laws

#### 17.1 By-Laws that require a third and final reading

##### 17.1.1 By-Law 1956

Being a by-law to acquire and assume lands for the purpose of dedication as a public highway

##### **R20-10-396**

Moved By Councillor Bondy

Seconded By Councillor Bjorkman

**That** By-Law 1956 being a by-law to acquire and assume lands for the purpose of dedication as a public highway, be read a third time and finally passed on October 19, 2020.

**Carried**

##### 17.1.2 By-Law 1957

Being a by-law to confirm the proceedings of the October 5, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

##### **R20-10-397**

Moved By Councillor Bowman

Seconded By Councillor Verbeek

**That** By-Law 1957 being a by-law to confirm the proceedings of the October 5, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally adopted on October 19, 2020.

**Carried**

## **17.2 By-Laws that require a first, second, third and final reading**

### **17.2.1 By-Law 1959**

Being a by-law to amend By-Law 224, the by-law to regulate parking  
(Houghton Street north easterly limit)

#### **R20-10-398**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** By-Law 1959 being a by-law to amend By-Law 224, the by-law to regulate parking, be read a first, a second and a third time and finally passed on October 19, 2020.

**Carried**

## **17.3 By-Laws that require a first and second reading**

### **17.3.1 By-Law 1960**

Being a by-law to confirm the proceedings of the October 19, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

#### **R20-10-399**

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

**That** By-Law 1960 being a by-law to confirm the proceedings of the October 19, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex, be read a first and a second time and provisionally adopted on October 19, 2020.

**Carried**

## **18. Adjournment**

### **R20-10-400**

Moved By Councillor Garon

Seconded By Councillor Verbeek

**That** the meeting be adjourned at 7:30 PM.

**Carried**

---

Mayor

---

Clerk



**The Corporation of the Town of Essex**  
**Special Council Meeting Minutes**

September 21, 2020, 4:30 pm  
Location: Zoom Video Conferencing

Present: Mayor Larry Snively  
Councillor Joe Garon  
Councillor Morley Bowman  
Councillor Kim Verbeek  
Councillor Steve Bjorkman  
Councillor Sherry Bondy  
Councillor Chris Vander Doelen

Regrets: Deputy Mayor Richard Meloche

Also Present: Chris Nepszy, Director, Infrastructure Services  
Doug Sweet, Director, Community Services/Deputy CAO  
Jeffrey Morrison, Director, Corporate Services/Treasurer  
Lori Chadwick, Director, Development Services  
Kevin Girard, Director, Infrastructure Services  
Robert Auger, Clerk, Legal and Legislative Services/Town Solicitor  
Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Niharika Bandaru, Climate Change Analyst

**1. Call to Order**

The Mayor called the meeting to order at 4:30.

**2. Declarations of Conflict of Interest**

There were no declarations of conflict of interest.

**3. Adoption of Published Agenda**

**3.1 Special Council Meeting Agenda for September 21, 2020**

**SP20-09-001**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** the published agenda for the September 21, 2020 Special Council Meeting be adopted as presented.

**Carried**

#### **4. Reports from Administration**

##### **4.1 Council Update on the Climate Change Adaptation Plan**

a) Lori Chadwick, Director, Development Services provided Council with an overview of the presentation outlining the status and next steps of the Climate Change Adaption Plan.

b) Niharika Bandaru, Climate Change Analyst presented a PowerPoint presentation to Council that provided a background of the Climate Adaption Plan (CCAP). Ms. Bandaru explained the Vision Statement for the CCAP and how the Plan assesses climate impacts. Ms. Bandaru outlined the tasks that have been completed to date including impact, vulnerability and risk assessments. Ms. Bandaru explained the current tasks for the Plan that include finalizing objectives, setting goals and action items and assigning tools and program. Ms. Bandaru detailed what the next steps are stating that a reporting system, gap analysis and prioritization schedule will be developed resulting in a draft Climate Change Adaptation Plan (CCAP). Ms. Bandaru explained the timeline for implementation that commences in January 2021 where the CCAP will be presented to Council, subsequently followed by adoption of the Plan by Council. Once adopted, the Plan will be implemented and ongoing updates will be provided through a reporting system.

c) Councillor Bjorkman stated that as we are in the stage of identifying solutions and objectives he would like to know what the timeline is once the objectives are isolated and the next steps are identified. Councillor Bjorkman further stated that he would like to be included in the communication prior to going to the final report so he can add his comments and suggestions prior to the draft plan. Councillor Bjorkman suggested that comments and suggestions be submitted through Councillor Verbeek.

d) Councillor Vander Doelen stated that he too would like to be included so he could make comment and suggestions.

e) Councillor Verbeek clarified that council will be asked to review in January prior to the final report in February.

f) Lori Chadwick, Director, Infrastructure Services stated that Council will have opportunity to look at what budget impacts will be and that there will be nothing included in the upcoming budget as they need to find out what are the action items and then they will figure out what the costs of the implications will be and in 2022 they will be able to roll that potentially into some short-term and long-term solutions and find out what those implications are. The plan will be presented in January and if not ready for adoption in February it will wait for final revisions.

##### **R20-09-002**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** the presentation entitled "Council Update on the Climate Change Adaptation Plan" be received.

**Carried**



5.     **Adjournment**

**SP20-09-003**

Moved By Councillor Vander Doelen

Seconded By Councillor Verbeek

That the meeting be adjourned at 5:02 pm.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Please add Mr. Tim O'Hagan as a delegate for the November 16th regular council meeting. The particulars are below.

Shelley Brown, Dipl. M.M., Dipl. M.A. | Deputy Clerk Town of Essex | Legal and Legislative Services  
33 Talbot Street South, Essex, ON, N8M 1A8  
519-776-7336 ext 1129 | 519-890-6661  
Learn more online at the links below:

-----Original Message-----

From: Tim [<mailto:ohagantim@hotmail.com>]  
Sent: Thursday, October 22, 2020 10:26 PM  
To: Brown, Shelley <[sbrown@essex.ca](mailto:sbrown@essex.ca)>  
Subject: Re: St. Vincent de Paul parking update request

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Shelly,  
Can make November 16th meeting. Please advise details.  
Tim

Sent from my iPad

> On Oct 20, 2020, at 2:21 PM, Brown, Shelley <[sbrown@essex.ca](mailto:sbrown@essex.ca)> wrote:  
>  
> Good afternoon Mr. O'Hagan,  
> I circulated your request to our staff for review and it is recommended that you or a representative of your organization come to council as a delegate as they may have questions given the fact that the spots you are asking for will affect parking for the businesses in the downtown core.  
> Please let me know if you can attend. Our next regular council meetings are November 2nd and November 16th. Should you wish to be on the November 2nd council agenda we would need to know no later than October 27th.  
> I await your response.  
>  
>  
> Shelley Brown, Dipl. M.M., Dipl. M.A. | Deputy Clerk Town of Essex |  
> Legal and Legislative Services  
> 33 Talbot Street South, Essex, ON, N8M 1A8  
> 519-776-7336 ext 1129 | 519-890-6661  
> Learn more online at the links below:  
>  
>  
>  
>

> -----Original Message-----

> From: Tim [<mailto:ohagantim@hotmail.com>]

> Sent: Wednesday, October 14, 2020 4:04 PM

> To: Brown, Shelley <[sbrown@essex.ca](mailto:sbrown@essex.ca)>

> Subject: St. Vincent de Paul parking update request

>

> CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

>

>

> At a September 20th, 2020 meeting of the Essex Chapter (SVDP), it was decided to ask Essex Council to reconfigure the stores existing Centre Street parking signage.

>

> Currently the donation drop off and food storage section doors have 2 parking spots designated as two hour, 7am to 6pm, Monday through Saturday. The store hours are 10am to 5pm, Monday through Saturday.

>

> Society members use the food section doors for delivery and pick up for clients. Windsor head office and donors use the drop off door. The head office truck is a large commercial vehicle which serves area stores.

>

> Past experience is that the general public use these locations to both drop off donations, quickly leave or stay and shop throughout town. The latter creates a situation where the parking area is always full. This results in volunteers having to carry heavy containers for long distances from the store doors and the society truck being unable to park.

>

> It is requested that these locations be made available only for quick merchandise drop offs and volunteers during stores hours and days.

>

> If approved all SVDP members will be given identification cards to be placed in their vehicles.

>

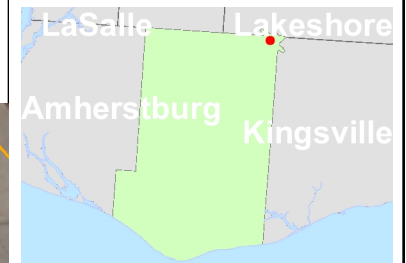
> Thank you

> Tim O'Hagan

> 519-560-1848

> SVDP Essex Chapter Member

# St. Vincent de Paul Parking Request



## Legend

- Essex Assessment
- Essex Assessment\_light
- Water
- Essex County Municipalities

## Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Copyright the Corporation of the Town of Essex, 2019. Data herein is provided by the Corporation of the Town of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 475



10/29/2020



## Report to Council

Department: Community Services  
Division: Parks and Facilities  
Date: November 2, 2020  
Prepared by: John Olsen, Manager of Parks and Facilities  
Report Number: Parks and Facilities-2020-08  
Subject: Results of Request for Tender – Supply and Install  
Roof Access Ladders at Harrow OPP Station  
Number of Pages: 4

### Recommendation(s)

That Parks and Facilities 2020-12 entitled Results of Request for Tender – Supply and Install Roof Access Ladders at Harrow OPP Station prepared by John Olsen, Manager of Parks and Facilities dated November 2, 2020 **be received**; and

That Council **award** the Request for Tender – Supply and Install Roof Access Ladders at Harrow OPP Station to Gillett Roofing Inc. in the amount of \$36,521.66 including non-refundable harmonized sales tax; and further

That Council **approve** the additional funding of \$6,521.66 above the allocated 2020 Roof Access Ladder Harrow OPP Station capital budget of \$30,000 with the additional funds coming from 2020 OPP Capital Contingency budget which currently has a \$25,000 balance.

## **Purpose**

To obtain Council approval for additional funding to award and complete the project to install roof access ladders on the Harrow OPP station in 2020.

## **Background and Discussion**

In 2020, Council approved in the OPP Capital Budget project PD-20-0002 for the installation of roof access ladders at the Harrow OPP station in the amount of \$30,000. This item has been identified by the Town's Joint Health and Safety committee as a safety concern for any staff or contractor to access the roof at the Harrow OPP station and proper access needs to be installed (see appendix A).

A Request for Quotation following the guidelines as set out in the Town's Procurement By-Law Number 1043 for supply and installation of roof access ladders at the Harrow OPP station was posted both on the Town's website and Merx, and closed on May 27, 2020 at 3:00:00 PM.

Administration reviewed the Tender submissions for specification compliance and found it to be complete. The results of the submitted tender prices are noted in Table below:



Name of Tenderer	Total Tender price including Harmonized Sales Tax (13%)	Total Tender price including Non-refundable Tax (1.76%)
Gillet Roofing Inc.	\$40,555.70	\$36,521.66
Horizon Roofing Ltd	\$44,027.06	\$39,647.73
Vince Ferro Construction Ltd.	\$44,514.09	\$40,086.32

Based on the pricing provided in the submissions, it is recommended that the lowest tender submitted by Gillett Roofing Inc. be accepted.

## Financial Impact

During the 2020 budget deliberations Council approved project PD-20-0002 for the supply and installation of roof access ladders at the Harrow OPP station in the amount of \$30,000. The project has been tendered and the lowest price from Gillet Roofing Inc. was for \$36,521.66 including the non-refundable tax. The approved capital budget for this project is \$30,000 which leaves a deficit of \$6,521.66. Administration is requesting that the additional funds to supply and install the roof access ladders at the Harrow OPP station in the amount of \$6,521.66 be transferred from the approved 2020 capital project PD-20-0001 Harrow OPP Capital Contingency fund which has a current balance of \$25,000.

## **Consultations**

Finance Division

Assistant Manager of Business Services



## Appendix A – Harrow OPP Roof Ladder Locations



## **Link to Strategic Priorities**

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

### Report Approval Details

Document Title:	CS-Parks and Facilities-2020-08 RFT - Supply Access Ladders at Harrow OPP Station.docx
Attachments:	
Final Approval Date:	Oct 26, 2020

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

A handwritten signature in black ink, appearing to read "Chris Nepszy".

**Chris Nepszy, Chief Administrative Officer - Oct 26, 2020 - 5:20 PM**



## Report to Council

Department: Department: Office of the CAO  
Division: Legal and Legislative Services  
Date: November 2, 2020  
Prepared by: Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Report Number: Legal and Legislative Services-2020-14  
Subject: Animal Control By-Law 1606 Revisions to Dog Tag Requirements  
Number of Pages: 7

### Recommendation(s)

**That** Legal and Legislative Services 2020-14 report entitled Animal Control By-Law 1606 Revisions to Dog Tag Requirements prepared by Shelley Brown, Deputy Clerk dated November 2, 2020 be received, and

**That** Part 3 of by-law 1606 – Licensing and Control of Dog, be amended to reflect the recommendations noted as follows:

- That one tag be issued for the lifetime of the dog;
- That there be one annual rate for all dogs whether they are spayed/neutered;
- That there be a flat-rate fee of \$20 for any dog tags purchased between January 1 and March 31 and a fee of \$40 for any dog tags purchased between April 1 and December 31 implemented in 2021;
- That an online electronic application be created and offered; and
- That Administration bring back for Council's consideration an amended and consolidated Animal Control by-law to reflect the items and changes noted and recommended in this report;

## **Purpose**

Sections 9 and 11 of the Municipal Act, 2001, S.O. 2001, C.25 provides that a municipality may pass by-laws respecting matters including Animals (Section 11(3)(9)).

The Town of Essex, through its Animal Control By-Law, ensures that animals are kept and treated in a humane manner and that owners of animals provide good quality care to them.

## **Background and Discussion**

In 2013 Council passed By-law 1236 which brought about major changes to the previous Animal Control By-law. In 2017 By-Law 1606 was passed to consolidate all of the amendments to date.

By-Law 1618 was enacted in 2017 to further amend By-Law 1606 to add a provision that permitted tags issued by another municipality to be recognized as valid by the Town of Essex. In 2019 Resolution R19-12-484 further changed the tethering restriction in the by-law from ten (10) hours per day to four (4) hours per day.

As a result of these minor amendments it is proposed that By-Law 1606 be consolidated into one by-law together with the proposed recommendations contained in this report.

The amendments proposed in this report address recommended measures arising out of the COVID-19 pandemic that will hopefully streamline the dog tag process by reducing the number of touch points and steps in the annual transaction thereby reducing the frequency of resident in-person contacts while also further promoting the availability of this transaction as an on-line service going forward. The intention of the proposed recommendations is to enhance the current level of customer service and improve the administrative operations of this tax subsidized program.

Accordingly the following recommended amendments to Part 3 – Licensing and Control of Dog are presented for Council's consideration:

## **Recommended Amendment Number 1: One Tag for the Life of Dog**

### Our Current Process

Each year the Town issues and provides a new dog tag for every dog licensed. In 2020 there were 3000 tags purchased at a cost of \$949.15. Dog tag renewal invoices are mailed out in January of each year. Once received, residents have until March 31 to purchase their tags at a discounted rate. If residents purchase their dog tags after March 31 they are subject to a fee that doubles and if purchased after June 30 they are subject to a fee that triples.

Residents can either come to the Main Office or the Harrow Arena to pay for and pick up their tag each year. Alternatively, residents can make their payment through their financial institution, Virtual City Hall or by mailing a cheque. Once payment is received, the tags are provided in person or are mailed to their home.

For residents that have not paid for their dog tag renewal by the beginning of June, the fee is tripled and then placed on their final tax bill. Anyone whose dog tag renewal was added to their tax account will then have their tag mailed to them directly.

With respect to postage to mail dog tags, it should be noted that in 2020 the cost to mail one dog tag was \$2.68 (\$1.83 per stamp plus approximately \$0.85 per envelope required by Canada Post). It is estimated that there are approximately 500 tags in total that are mailed each year.

### Other Municipality's Processes

Currently most local municipalities in the county follow the same traditional approach and issue annual physical dog tags. At this time Leamington is the only local municipality that issues one tag for the life of the dog.

The following schedule outlines the timelines and fees for dog tags by municipality:

	Jan to Mar Spay/Neuter	Jan to Mar Not Spay/Neuter	Apr to Dec Spay/Neuter	April to Dec Not Spay/Neuter	Tag Issued
Essex	\$15.00	\$25.00	\$30.00/\$45.00	\$50.00/\$75.00	Yearly
LaSalle	\$18.00	\$22.00	\$36.00	\$44.00	Yearly
Tecumseh	\$20.00	\$20.00	\$35.00	\$35.00	Lifetime
Kingsville	\$20.00	\$20.00	\$40.00	\$40.00	Yearly
Lakeshore	\$20.00	\$20.00	\$30.00	\$30.00	Yearly
Leamington	\$20.00	\$20.00	\$40.00	\$40.00	Yearly
Amherstburg	\$15.00	\$25.00	\$25.00	\$35.00	Yearly

Our Proposed Process:

It is proposed that there be one tag issued for the life of the dog. Residents will continue to receive an invoice in January of each year. Only in the initial year of the new proposed process (2021) or when a new dog is first registered will residents be required to obtain their new one-time dog tag. This is the tag that they will keep for the remainder of the dog's life. Each year when they receive their renewal invoice they will simply need to make the payment by March 31 to receive the discounted price. Please note the majority of payments are received prior to March 31<sup>st</sup>. After March 31<sup>st</sup> residents will be required to pay the increased rate and invoices not paid by the beginning of June each year will continue to be added to their tax account (excluding tenants). It is the responsibility of the dog owner to notify the Town once the dog is deceased. If the owner fails to notify the Town when the dog is deceased, the fee will be added to their tax account (excluding tenants).

Based on the above administrative and financial savings, it is recommended that the Town issue one tag for the lifetime of the dog and only issue tags for new registrations or when replacing lost tags at the current fee of \$5.00.

## **Recommended Amendment Number 2: One Fee for all Dogs with One Fee Increase Annually**

Prior to 2012 the fee for dog tags was \$10.00 (Spayed/Neutered) and \$20.00 (Not Spayed/Neutered) regardless of the time of year the tag was purchased. In 2012 the fee structure changed to \$15.00 (Spayed/Neutered) and \$25.00 (Not Spayed/Neutered) with a 3-tier structure of increasing prices depending on the time of the year the tag is purchased and whether the dog is spayed or neutered. There has been no fee increase since 2012.

While the Town of Essex has had great success with its spay/neuter voucher system as it relates to cats and efforts to control the feral cat population, the same concerns relating to feral dog populations do not appear to exist to the same extent or level at this time. The decision to spay or neuter a dog remains the decision of a responsible dog owner but certainly the Town in its Animal Control role, will continue with public education efforts that promote the value of spay/neutering and the importance and value of having a dog tag system.

For dog owners to receive the reduced rate for a spayed or neutered dog, the owner must provide evidence in writing to the Town. This verification process is cumbersome at times and most residents come into the office to provide the documentation. Eliminating this part of the process will make it easier for residents as they will no longer have to obtain proof from their veterinarian that their dog is spayed/neutered and drive to the office to provide such documentation to purchase and obtain their tags.

As indicated in the table, all of the local municipalities use a pricing model that provides for a one-time increased "late fee" if payment is not made for the tag by the end of March and the majority charge one rate whether the dog is spayed or neutered. To be consistent with local municipalities, it is recommended that one dog tag fee of \$20.00 be charged and that there be one fee increase to \$40.00 if not paid by the end of March as follows:



	<b>If purchased between January 1 to March 31</b>	<b>If purchased between April 1 and December 31</b>
Dog Licence Fee (per dog)	\$20.00	\$40.00

### **Online Application and Payments**

COVID-19 has brought about many changes to how businesses operate. Reducing touch points and in-person contact has helped to prevent or slow the spread of the virus.

With the recommendation to have one dog tag for the life of the dog, residents no longer need to come into the office annually to pick up their tag and can make payments through their bank, Virtual City Hall or cheque in the mail.

To further reduce contact points and the need for residents to come into the office, it is recommended that an online application form for new dog tags be implemented so residents can complete and submit the form online. Town staff would process the application and create an invoice for the resident to pay either at their bank, through Virtual City Hall or by cheque via mail. Once payment is received, the dog tag would be mailed to the resident.

Regardless of the method chosen, an online application together with electronic payment methods will improve customer service provided to our residents as they will no longer be required to obtain their dog tag in person.

### **Summary of Recommendations**

- That one tag be issued for the lifetime of the dog.
- That there be one rate of for all dogs.
- That a fee of \$20 for dog tags purchased between January 1 and March 31 and \$40 for dog tags purchased late (after March 31) be implemented starting in 2021.
- That an online electronic application be created.

## **Financial Impact**

There will be no negative financial impacts.

## **Consultations**

Jeffrey Morrison, Director, Corporate Services/Treasurer

## **Link to Strategic Priorities**

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☒ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☒ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.



## Report to Council

Department: Office of the CAO  
Division: Legal and Legislative Services  
Date: November 2, 2020  
Prepared by: Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Report Number: Legal and Legislative Services-2020-15  
Subject: 2021 Regular Council Meeting Dates  
Number of Pages: 3

### Recommendation(s)

**That** Legal and Legislative Services 2020-15 Report entitled 2021 Regular Council Meeting Dates prepared by Shelley Brown, Deputy Clerk dated November 2, 2020 be received, and

**That** the Regular Meeting dates proposed herein be approved.

### Purpose

To establish 2021 regular council meeting dates.

### Background and Discussion

As per Section 3.2.1 of Procedural By-Law 1926, regular council meetings will be held on the first and third Mondays of each month unless otherwise decided by a majority of its members.

Section 3.2.2 of Procedural By-Law 1926 states that when a regular meeting falls on a Monday that is a civic or public holiday or on a day when Town Hall is closed for business, the Regular

meeting shall be held on the next following date that is not a public holiday or on a date agreed to by Council.

Section 3.2.3 of Procedural By-Law 1926 states further that, when deemed necessary, Council may change the date, time and location of a regular meeting by majority vote of Council.

The final regular council meeting for 2020 is scheduled for December 21. The municipal office will be closed for the holidays commencing at day's end on Wednesday, December 23 and will re-open on Monday, January 4, 2020. Due to the timing of the deadline for agenda items and the timing of the return of various staff to the office from the holiday season, it is recommended that Council defer the scheduling of the first regular meeting of 2021 to January 18, 2020.

Therefore, the proposed 2021 regular council meeting dates are as follows:

- Monday, January 18
- Monday, February 1 and Tuesday, February 16 (moved to allow observation of Family Day on February 15)
- Monday, March 1 and 15
- Tuesday, April 6 (moved to allow observation of Easter Monday on April 5) and Monday, April 19
- Monday, May 3 and 17
- Monday, June 7 and 21
- Monday, July 5 and 19
- Tuesday, August 3 (moved to allow observation of Civic Holiday on August 2) and Monday, August 23\*
- \* Please note that the 2020 AMO Conference is scheduled for August 15-18
- Tuesday, September 7 (moved to allow observation of Labour Day on September 6) and Monday, September 20
- Monday, October 4 and 18

- Monday, November 1 and 15
- Monday, December 6 and 20

## **Financial Impact**

None.

## **Consultations**

None.

## Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☒ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☒ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

## Report Approval Details

Document Title:	2021 Regular Council Meeting Dates - Legal and Legislative Services-2020-15.docx
Attachments:	
Final Approval Date:	Oct 27, 2020

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



**Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk - Oct 27, 2020  
- 9:01 AM**



**Chris Nepszy, Chief Administrative Officer - Oct 27, 2020 - 10:48 AM**



## Report to Council

Department: Office of the CAO

Division: Legal and Legislative Services

Date: November 2, 2020

Prepared by: Shelley Brown, Deputy Clerk, Legal and Legislative Services

Report Number: Legal and Legislative Services-2020-16

Subject: Cemetery By-Law Approval from the Bereavement Authority of Ontario (BAO)

Number of Pages: 3

### Recommendation(s)

**That** Legal and Legislative Services 2020-16 report entitled Cemetery By-Law Approval from the Bereavement Authority of Ontario (BAO) prepared by Shelley Brown, Deputy Clerk dated November 2, 2020 be received, and

**That** By-Law 1812 "Cemetery By-Law" with the minor amendments required by the Bereavement Authority of Ontario (BAO) be read a third time and finally passed on November 2, 2020.

### Purpose

For Council to give third reading to By-Law 1812 Being a by-law respecting the maintenance, management, regulation and control of any cemetery owned or operated by the Corporation of the Town of Essex that was provisionally adopted at its regular meeting on July 20<sup>th</sup>, 2020.



## **Background and Discussion**

At its July 20<sup>th</sup>, 2020 Regular Meeting Council provisionally adopted By-Law 1812 Being a by-law respecting the maintenance, management, regulation and control of any cemetery owned or operated by the Corporation of the Town of Essex. The By-Law was submitted to Council for provisional adoption as it was subject to approval from the Bereavement Authority of Ontario (BAO).

In a letter dated October 20, 2020, the Bereavement Authority of Ontario (BAO) approved the provisional by-law with minor required changes to reflect current legislation and regulations.

The by-law subject to Council's final reading is deemed approved and filed effective October 20, 2020 by the Bereavement Authority of Ontario.

## **Financial Impact**

None.

## **Consultations**

None.

## Link to Strategic Priorities

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☒ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☒ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

## Report Approval Details

Document Title:	Cemetery By-Law Approval from the BAO - Legal and Legislative Services-2020-16.docx
Attachments:	<ul style="list-style-type: none"><li>- Essex - 3268656 Bylaw Approval from BAO.pdf</li><li>- Town of Essex - 3268656 Letter from BAO Bylaw Approval.pdf</li></ul>
Final Approval Date:	Oct 27, 2020

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



**Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk - Oct 27, 2020  
- 9:25 AM**



**Chris Nepszy, Chief Administrative Officer - Oct 27, 2020 - 10:50 AM**

**The Corporation of the Town of Essex**

**By-Law Number 1812**

**Being a by-law respecting the maintenance, management, regulation and control of any cemetery owned or operated by The Corporation of the Town of Essex**

Whereas, the Corporation of the Town of Essex (the “Town”) is the owner or operator of certain cemeteries within the boundaries of the Town as listed in Schedule “C” attached hereto and forming part of this By-Law (the “Cemeteries”);

And Whereas section 151(1) of the Regulations provides that no cemetery by-law is effective until the cemetery operator has filed it with the registrar appointed under section 3 of the Act (the “Registrar”) in an approved form and manner; provided notice of the filing in accordance with subsection 151(3) of the Regulations; and the Registrar has approved it;

And Whereas Section 150 of the Funeral, Burial and Cremation Services Act, 2002 permits the owner to make by-laws affecting the operation of the cemetery upon approval of the Registrar, Bereavement Authority of Ontario;

And Whereas Council deems it necessary to update the rules and regulations pertaining to cemetery lots and services;

Now therefore the Council of the Corporation of the Town of Essex enacts as follows:

- 1. That the Corporation of the Town of Essex shall maintain, manage, regulate and control the cemeteries it presently owns and that the regulations attached hereto as Schedule “A” and forming part of this By-Law shall apply to the said cemeteries;
- 2. That the Tariff of Rates attached hereto as Schedule “B” (as may be amended from time to time) and forming part of this By-Law shall apply to the said cemeteries;
- 3. This By-Law shall come into effect upon approval by the Bereavement Authority of Ontario and upon third and final reading; and
- 4. Whereas it is expedient to hereby repeal By-Law 1186 and any amendments thereto.

**Read a first and a second and provisionally adopted on July 20, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## By-Law 1812 Schedule "A" Cemetery Regulations

These by-laws are the rules and regulations that govern the Town of Essex and its cemeteries and which have been approved by the Registrar, *Funeral, Burial and Cremation Services Act, 2002* (FBCSA), Bereavement Authority of Ontario (BAO). This by-law and all procedures will comply with the FBCSA and O. Reg. 30/11 and 184/12 which may be amended periodically.

### Part I. Preamble and Defined Terms

#### Short Title

1. This by-law may be referred to as the "Cemetery By-Law"

#### Purpose

2. This by-law has been enacted to establish a policy and procedures regulating the management and control of the Town of Essex Cemeteries as listed in Schedule C.

#### Heading

3. The division of this by-law into parts and the insertion of headings are for convenient reference only and shall not affect interpretation of the by-law.

#### References to Applicable Law

4. All references to applicable law are ambulatory and apply as amended from time to time.

#### Interpretation

5. For the purposes of this by-law:

**Burial/Interment.** The opening of a lot and then the placing of dead human remains and cremated human remains in that lot, followed by closing the lot. The lot may be in a grave in the ground, a crypt in the ground, a crypt in a mausoleum or a niche in a columbarium.

**Care and Maintenance Fund.** It is a requirement under the FBCSA and O. Reg. 30/11 and 184/12 that a prescribed amount or percentage of the purchase price (excluding tax) of all interment and scattering rights sold, transferred, assigned or permitted; and prescribed amounts for monuments and markers, is contributed into the care and maintenance fund. If no scattering rights are sold but scattering is permitted a prescribed amount must be contributed to the fund when the scattering is conducted. Interest earned from this fund is used to provide care and maintenance of lots, plots, markers and monuments at the cemetery.

**Caretaker.** The person who maintains the cemetery grounds, opens and closes graves; and represents the municipality for all interments in accordance with By-Law 1804.

**Cemetery Manager.** The Clerk or his/her designate appointed to oversee the operations of the cemeteries.

**Cemetery Operator.** The Corporation of the Town of Essex. Municipal office is located at 33 Talbot Street South, Essex, Ontario. N8M 1A8 (the "Corporation" or the "Town").

**Columbarium.** A structure designed for the inurnment of cremated human remains in sealed compartments above ground.

**Contract.** For purposes of this by-law, all purchasers of interment or scattering rights, or other cemetery supplies and services must receive a copy of the contract they and the cemetery operator have both signed detailing the rights and obligations of both parties, and

acknowledging receipt and acceptance of the cemetery by-laws, a copy of the Consumer Information Guide and the Price List.

**Corner Posts/Marker.** Any stone or other land markers which shall be set flush with the surface of the ground and used to indicate the location of a lot or plot.

**Cremated Remains.** The residue after cremation of the body or the casket or container in which it was received.

**Disinterment.** The removal of human remains or cremated human remains.

**Enforcement Officer.** A police officer or an employee of the Corporation who has been designated as a municipal by-law enforcement officer by by-law.

**Foundation.** The below-ground concrete structure upon which rests the base of stone of a monument.

**Grave.** (Also known as a Lot) Any in-ground burial space intended for the interment of a child, adult or cremated human remains.

**Interment Rights.** The right to require or direct the interment of human remains or cremated human remains in a grave, lot, niche, or crypt and to authorize the installation of a monument or marker.

**Interment Rights Certificate.** The document issued by the cemetery operator to the purchaser once the interment rights to a specific lot have been paid in full, identifying ownership and authority over those specific interment rights.

**Interment Rights Holder.** The person(s) authorized or entitled to inter human remains in a specified lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.

**Inurnment.** The placing of cremated human remains in a niche.

**Lot.** For the purposes of this By-Law, a lot is a single grave space.

**Monument/Marker.** Shall mean any permanent memorial structure – monument, plaque, headstone, cornerstone or other structure or ornament affixed or intended to be affixed to a burial lot, mausoleum crypt, columbarium niche or other structure or place intended for the deposit of human remains and may be used to indicate the location of a burial.

**Niche.** An individual compartment in a columbarium for the entombment of cremated human remains.

**Plot.** For the purposes of this By-Law, a plot means two or more lots in respect of which the rights to inter have been sold as a unit.

**Trust Funds.** The funds in which a trustee may invest, which are defined in the *Trustee Act, R.S.O. 1980*.

**Urn.** Any container used to hold cremated remains.

## Scope

6. This by-law shall apply to all activities, business, interments, inurnments, Cemetery staff and all persons visiting the Cemetery.

## Part II. Cemetery Rules

### General

7. The Town reserves full and complete control and management of the land, buildings, plantings, roads, utilities, books and records of its cemeteries and complete authority to administer this By-Law in accordance with the Act.
8. The Clerk shall be authorized to execute on behalf of the Town, those documents necessary to undertake the daily operations of its cemeteries.
9. The purchase of interment rights for the sole purpose of reselling the rights to make a profit i.e. financial gain, is prohibited.
10. The Corporation recommends interment rights holders to bequeath their plots and to reference their plot number in their will. Rights holders, or their legal heirs or representatives, only are allowed to sign for any interment in the plot. In the event of the death of a rights owner, the Corporation will require that letters of probate, of administration or other sufficient proof of inheritance be submitted to the Corporation by the estate of the deceased before the Ownership of the Rights is assigned or transferred to any beneficiary, heir or next of kin of the deceased Rights Owner.
11. No person shall disturb the quiet or good order of the cemetery with excessive noise or other nuisance or inappropriate conduct. Persons causing such a disturbance may be expelled from the ground.
12. No person shall cause any litter, refuse, wrapper, container, waste or garbage to be thrown out on roads, walks or any part of the cemetery grounds.
13. No person shall possess any alcoholic beverage on cemetery property.
14. The Town reserves full control over the cemetery operations and management of land within the cemetery grounds.
15. The Town will not be held liable for any loss or damage, without limitation (including damage by the elements, Act of God, or vandals) to, any lot, plot, columbarium niche, monument, marker, or other article that has been placed in relation to an interment right, save and except for direct loss or damage caused by gross negligence of the cemetery.
16. Children under the age of 12 years of age are not admitted to the grounds, except in the charge of an adult, who shall remain responsible for their good conduct and shall see that they do not run over lots and graves.
17. Parades and Processions. No person shall, within a cemetery take part in any parade or procession, except a funeral procession unless approved by the Caretaker.
18. All persons are prohibited from writing upon, defacing or injuring any monument, marker, fence, or other structure in or belonging to the cemetery or from making any paths or short cuts across any part of the cemetery.

### Visitation Times

19. Cemeteries are open for visitation from dawn to dusk or otherwise by appointment.

### By-Law Amendments

20. The cemetery shall be governed by these by-laws, and all procedures will comply with the Funeral, Burial and Cremation Services Act and O. Reg. 30/11 and 184/12, which may be amended periodically.
21. Any By-law amendments must be:
  - a. Published once in a newspaper with general circulation in the locality in which the cemetery is located;
  - b. Conspicuously posted on a sign at the entrance of the cemetery; and
  - c. Delivered to each supplier of markers who has delivered a marker to the cemetery during the previous year, if the by-law or by-law amendment pertains to markers or their installation.

22. All by-laws and by-law amendments are subject to the approval of the Registrar, FBCSA, and Bereavement Authority of Ontario.

### **Vehicular Parking and Traffic**

23. Vehicles within a cemetery shall not be driven at a speed of more than 10 (ten) kilometers per hour, or elsewhere than upon the roadways provided for vehicles. Owners of vehicles and their drivers shall be held responsible for any damage done by them.

### **Lot Alteration**

24. Without written authorization from Cemetery staff, no person shall:
- a. Change the grade of a lot;
  - b. Cut any sod;
  - c. Move corner posts, markers or monuments; or
  - d. Remove any flower, shrub or planter from a lot other than their own.
25. In the event that a person alters a lot contrary to section 22 of this by-law, the cost of any work undertaken by Cemetery staff to restore the lot to its original condition shall be paid for by the person who contravened section 22 or the owner of the lot.

### **Staff Exempt**

26. While performing the duties of their job, Cemetery staff are exempt from Part 2 of this by-law.

## **Part III. Interment Rights**

### **Sale by Town**

27. The Town may sell Interment Rights for lots for a fee prescribed by Schedule A: Tariff of Rates of this By-law.
28. The payment of all fees owed to the Town shall be made directly to the Town.
29. Extra depth Interment rights shall no longer be sold.
30. All person purchasing Interment Rights shall be required to sign a contract with the Town agreeing to follow all obligations of an Interment Rights Holder and all policies, rules and regulations of the Cemetery.

### **Notice of Resale and Transfer of Interment Rights**

31. The Town of Essex permits the Interment rights holder to sell or transfer their interment rights to a third party, as at no more than the current price listed on the cemetery price list, so long as the sale or transfer is conducted through the cemetery operator and the interment rights holder and purchaser meet the qualifications and requirements as outlined in the Town of Essex By-Laws.
32. The interment rights holder(s) who intends to sell their rights shall provide the following documents to the cemetery operator so that the operator can be satisfied with the authority and identity of the seller, confirm the ownership of the rights and provide the third-party purchaser with the required certificate etc.:
- a. An interment rights certificate endorsed by the current rights holder.
  - b. A written statement of the number of lots that have been used in the plot and the number of lots that remain available.
  - c. Any other documentation in the interment rights holder(s) possession relating to the rights.
33. The original Interment Rights Certificate that was issued to the interment rights holder(s) must be returned.



34. A new Interment Rights Certificate will be issued to the third party purchaser upon receiving the transfer fee and registration of the transfer.
35. The cemetery operator will require:
  - a. A statement signed by the rights holder(s) selling the interment rights acknowledging the sale of the interment rights to the third-party purchaser.
  - b. Require confirmation that the person selling the interment rights is the person registered in the cemetery records and that they have the right to re-sell the interment rights.
  - c. Record the date of transfer of the interment rights of the third party.
  - d. The name and address of the third-party purchaser(s).
  - e. A statement of any money owing to the cemetery operator in respect to the interment rights.
36. Once the endorsed certificate and all required authorization and information has been received by the cemetery operator from the rights holder(s), the cemetery operator will issue a new interment rights certificate to the third-party purchaser.
37. Upon completion of the above listed procedures, and upon the issuance of the new interment rights certificate, the third-party purchaser(s) or transferee(s) shall be considered the current interment rights holder(s) of the interment rights, and the resale or transfer of the interment rights shall be considered final in accordance with the cemetery by-laws and the FBCSA.

### **Rights and Privileges**

38. The purchase of interment rights in accordance with this by-law:
  - a. May be at any time prior to need or use;
  - b. Provides the purchaser with the right and privilege to:
    - i. The interment of human remains; and
    - ii. Install monuments or markers, subject to the provisions of this by-law.
39. The purchase of Interment Rights in accordance with this by-law, does not permit the Interment Rights Holder to:
  - a. Resell any Interment Rights which have been used; and
  - b. Sub-divide any Interment Rights.
40. If any portion of the interment rights has been exercised, the purchaser or the interment rights holder(s) are not entitled to cancel the contract or re-sell the interment rights.
41. The purchase of interment rights is not a purchase of Real Estate or real property.
42. Pets or other lower animals, including cremated animal remains, are not allowed to be buried on cemetery grounds.

### **Service Fees**

43. The sale of Interment Rights by the Town shall include:
  - a. Conducting an interment;
  - b. Mowing and trimming of the grass in the cemetery and around monument and markers;
  - c. Refilling of sunken lots; and
  - d. General upkeep of lots conducted at the discretion of the Caretaker.
44. Schedule A: Tariff of Rates may prescribe additional fees for:
  - a. Care and maintenance and Interment services where Interment Rights have been sold without said provisions;
  - b. Interments conducted on weekends or statutory holidays; and
  - c. Other requested services which are performed by the Caretaker.

### **Cancellation of Interment Rights within 30 Day Cooling Off Period**

45. A purchaser has the right to cancel an interment rights contract within thirty (30) days of signing the interment rights contract, by providing written notice of the cancellation to the cemetery operator.
46. The Interment Rights Certificate shall be returned to the Town along with the written notification of cancellation.
47. Within 30 days of receipt of the written notice of cancellation, the Town shall refund to the purchaser all money received under the contract, any income earned on that money and any other amount prescribed by law.
48. If a portion of the Interment Rights has been exercised, no cancellation or refund will be permitted.

### **Interment Documentation Proof Required**

49. The Town has the authority to make decisions regarding situations which do not clearly fall within one of the fact situations described in this document.
50. Where there is more than one owner of interment rights, the required proof must be obtained in relation to each Registered Interment Rights Holder.
51. All documents must be original documents, and retained by the Municipality, save for a Certificate of Appointment of Estate Trustee, where the original must be viewed by the staff and a copy retained and initialed by staff after review of the original.
52. Where a letter of permission has been submitted by an original Interment Rights Holder, that letter of permission continues to be binding and enforceable unless revoked by the original Registered Interment Rights Holder. A subsequent individual who becomes an Interment Rights Holder by virtue of this policy, does not have authority to revoke an existing letter of permission.
53. If, despite individuals being able to meet the proof required by the Town, another person or person assert(s) a right to the interment rights or raises an objection to the Cemetery staff regarding the proof being provided, the matter must be referred to the Town.
54. The Town of Essex may require an indemnity agreement be provided by anyone other than the Registered Interment Rights Holder at any time.
55. The interment rights holder(s) must provide written authorization prior to burial taking place. Should the interment rights holder(s) be deceased, authorization must be provided in writing by the person authorized to act on behalf of the interment rights holder(s) in keeping with the *Succession Law Reform Act* i.e. Personal Representative, Estate Trustee, Executor or next of kin.
56. In accordance with the FBCSA and O. Reg. 30/11 and 184/12 the purchaser of interment rights must enter into a cemetery contract, providing such information as may be required by the cemetery operator for the completion of the contract and the public register prior to each burial of human remains or cremated human remains.

## **Part IV. Interment Procedures**

### **Conditions Required Prior to Interment**

57. The Caretaker shall be in attendance at each Interment and Disinterment.
58. Prior to conducting any Interment, all of the following preconditions shall be met:
  - a. Notice given to Caretaker at least three (3) business days prior to the proposed Interment;
  - b. Submission of the Burial Permit or Cremation Certificate to the Town;
  - c. Submission of the Interment Request/Authorization and Payment form;
  - d. Payment of all fees and service charges owed to the Town;

- e. Verification that all caskets, cement vaults/liners (where required) and urns will fit the Interment space provided; and
- f. Written authorization from the Interment Rights Holder to proceed and confirmation of purchase of Interment Rights by:
  - i. a executed Interment Rights Certificate (Deed) and contract indicating the rightful owner of the Interment Rights; or
  - ii. such other documentation reasonably required by the Town.
- g. Where orders are given by telephone for interment, the Town will not be responsible for any errors or misunderstanding that may arise.

### **Public Register**

59. Section 110 of Ontario Regulation 30/11 requires all cemeteries to maintain a public register that is available to the public during regular business hours.

### **Right to Re-Survey**

60. The municipality has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove planting, grade, close pathways or roads, alter in shape or size, or otherwise change alter any part of the cemetery, subject to approval of the appropriate authorities.

## **Ownership of Lots**

### **Charges**

- 61. All prices for cemetery lots and services shall be as set out in the most recent Schedule B: Tariff of Rates. Prices for lots shall include the applicable portion for deposit to the cemeteries Care and Maintenance Fund.
- 62. Unless the full purchase price of the contract is paid in full within 30 days after the application for purchase is made, the contract shall be null and void and no further effect and all monies paid by the applicant shall be refunded by the Corporation unless other satisfactory arrangements have been approved by the Town.
- 63. The deposit to Care and Maintenance Fund shall be as specified in the regulations made under the *Funeral, Burial and Cremation Services Act, 2002*:
  - a. In the case of an in-ground grave that is 2.23 square metres or 24 square feet or larger, the greater of 40 per cent of the price of the interment rights as set out in the price list and \$250;
  - b. In the case of an in-ground grave that is smaller than 2.23 square metres or 24 square feet, the greater of 40 per cent of the price of the interment rights as set out in the price list and \$150;
  - c. In the case of a tomb, crypt or compartment in a public mausoleum, the greater of 20 per cent of the price of the interment rights as set out on the price list and \$500;
  - d. In the case of a niche or compartment in a public columbarium, the greater of 15 per cent of the price of the interment rights as set out on the price list and \$100;
  - e. In the case of a scattering ground for which there will be only one scattering rights holder, the greater of 40 per cent of the price of the scattering rights as set out on the price list and \$100;
  - f. In the case of a scattering ground for which there will be more than one scattering rights holder, the greater of 15 per cent of the price of the scattering rights as set out on the price list and \$25;
  - g. In the case of a scattering ground for which there will be no scattering rights holder, \$25.

64. In accordance with Section 30 of the *Act* and Regulations, a prescribed amount shall be paid into the Care and Maintenance Fund of the cemetery upon the installation of a marker;
- a. \$0, in the case of a flat marker measuring less than 1,116.13 square centimeters (173 square inches);
  - b. \$50, in the case of a flat marker measuring at least 1,116.13 square centimeters (173 square inches);
  - c. \$100, in the case of an upright marker measuring 1.22 meters (four feet) or less in height and 1.22 meters (four feet) or less in length, including the base;
  - d. \$200, in the case of an upright marker measuring more than 1.22 meters (four feet) in either height or length, including the base.

### **Interment (Burial) Rights**

65. Interment Rights (lot/plot) may be sold only by the Town or an appointed designate.
66. Right holders are required to provide timely written advisement to the Town of a change of mailing address.
67. The Town shall provide each right (lot/plot) owner at the time of the same with a copy of the Contract.
68. No interment will be made until payment in full is received. Once payment in full is made, the Certificate of Interment Rights will be issued.
69. An interment is not permitted without the approval of the Town and only after the Caretaker conducts an on-site meeting and completes in full and submits the appropriate forms.
70. In the event the rights holder(s) no longer possess the Certificate of Interment Rights, a new may be issued for a nominal fee as shown on Schedule A: Tariff of Rates.
71. No interment will be made without the written permission of the rights holder or his/her authorized representative. The Town reserves the right to request documentation to verify identity.
72. The Caretaker of the cemetery or designate, shall be in attendance at each interment.
73. A burial permit issued by the Division Registrar or cremation certificate, showing that a death has been registered, shall be deposited with the Town or Caretaker before an interment shall be permitted.
74. No interment will be permitted in a lot on which care and maintenance has not been paid. There is a one-time care and maintenance charge for lots purchased prior to January 1, 1955.
75. No interment will be permitted in a lot without the written order of the lot owner or if more than one joint owner, one of them, or the legal representative of the lot owner, showing the exact location of the grave on the lot.
76. At least 3 days (seventy-two hours) (excluding weekends and holidays) notice shall be given to the Caretaker during business hours, of the date and time desired for a burial and unless such notice is in writing using the prescribed form, the Town shall not be responsible for errors.
77. No interment shall be made on Sunday or holiday except on a Medical Certificate that burial must be made within twenty-four (24) hours of death, in accordance with the regulations of the Ontario Ministry of Health for the control of communicable diseases.
78. No funeral shall be permitted in a cemetery except between the hours of 10:00 in the forenoon and 5:00 in the afternoon. No interment/inurnment shall commence after 2:00 in the afternoon.
79. Funeral corteges in the cemetery shall follow the route indicated by the Caretaker.
80. The Caretaker shall have the authority to restrict the number and kind of vehicles and the roadways, which may be used within the cemetery.

81. Only one (1) non-cremated interment shall be permitted in a grave (except in the case of a mother/father and infant or two children in one casket) and the ashes of two (2) persons or the ashes of three (3) persons (subject to availability of space in the lot). The Interment Rights Holder can pre-authorize who will be buried in each lot using the Grave Allocation Form.
82. Human remains may be disinterred from a lot provided that the written consent (authorization) of the interment rights holder has been received by the cemetery operator and the prior notification of the medical officer of health. A certificate from the local medical officer of health must be received at the cemetery office before the removal of casketed human remains from the cemetery may take place. A certificate from the local medical officer of health is not required for the disinterment of cremated remains from a lot or the removal of cremated remains from the cemetery.
83. No interment shall be permitted in any lot against which charges are due and unpaid.
84. Charges for interments and disinterments shall be in accordance with the tariff as filed with the Ministry.
85. The Town, in its sole discretion, may remove from the Cemetery, Lot or Plot:
  - a. Anything that is not authorized under this By-Law;
  - b. Any article that may not be left on a Lot or Plot after a certain date if that date has passed;
  - c. Any article that is not cared for or maintained, including, but not limited to dead plants or flowers and pots or urns not filled with plants or flowers;
  - d. Any trees or shrubs situated in any Lot or Plot that have become, by means of their roots or branches or in any other way detrimental to the adjacent Lot, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public; and
  - e. Any article, such as nails, wires, glass, or pottery, which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or does not conform with the natural beauty or design of the Cemetery.

### **Replacement of Interment Rights Certificate or Deed**

86. In the event that the Interment Rights Certificate and/or Deed have been misplaced, the rights holder(s) can apply for a replacement.
87. The Town shall require proof of identity and other document as deemed necessary to satisfy the Town that the application is entitled to the Interment Rights and/or Deed.
88. In the event that the rights holder(s) has died, the future interest in the interment rights then automatically go to the remaining surviving owners.
89. When the last surviving Rights Holder dies, his or her estate must be cleared with the Town as follows:
  - a. If the death occurred within the last 3 years and there is a Will, the Executor (or co-Executors) will have signing authority for the interment rights until the estate has been probated and distributed, or the third anniversary of the date of death, whichever comes first.
  - b. After 3 years or if there is no Will, succession laws apply and any new rights holders (minimum of 18 years of age) will be established at no charge in the following order:
    - i. Children – if no children, then
    - ii. Grandchildren – if no grandchildren, then
    - iii. Great-Grandchildren – if no great-grandchildren, then
    - iv. Parent – if no parents, then
    - v. Brothers and Sisters – if no brothers and sisters, then
    - vi. Grandparents – if no grandparents, then

vii. Aunts, Uncles, Nieces, Nephews.

90. The Town reserves the right to require rights holder(s) to sign an affidavit declaring their interest.

### **Columbariums**

91. Each niche may hold one single, two single or one double container of remains.
92. Interior dimensions of a niche are 12"x12"x12".
93. Urns or containers placed in a niche must be made of a solid substance such as plastic, marble, pewter or ceramic. Wooden or cardboard containers are not permitted.
94. No person shall place any mementos of monetary value in the niche.
95. Only authorized staff may open and seal niches for inurnments.
96. Payment in full must be made before an inurnment may take place.
97. Any person or company contracted to place an inscription on the face of the columbarium niche must:
  - c. Have approval by the Town prior to installation
  - d. All lettering shall be chiselled
  - e. Painted lettering will not be permitted
  - f. The removal of the face plate for lettering must not be for a period of longer than three (3) days, Monday to Friday, inclusive.
  - g. No person other than cemetery staff shall remove or alter niche fronts.
98. No disinurnment shall be allowed without the prior approval of the Town.

### **Care of Lots**

99. No fence, coping, ditching, hedge, iron trellis, post, chain, railing, step, boxing, border, stone or stone chips, shells, toys, wire arches, watering pots, crockery, glassware or other objects, advertisements in any form, a vehicle of any character, glass case, covering, box containing artificial wreath or enclosure of any kind shall be put or placed upon any lot. Grave mounds will not be allowed and shall not be raised above the established grade.
100. The Municipality and/or the Caretaker will not be held liable for any damage to unauthorized articles near the markers.
101. Upon special days such as Easter Sunday, Mother's Day, Victoria Day, Christmas Day, baskets of cut flowers and potted plants will be permitted but must be removed before they become withered, soiled or unsightly. In case of the failure of the owner of any lot to remove such flowers or other unsightly objects, the Caretaker shall have the right to remove it.
102. Artificial wreaths standing not more than eighteen (18) inches around the ground and grave blankets are allowed during the winter season only and must be removed by April 1<sup>st</sup>. In case of the failure of the owner to remove wreaths or blankets by such date, the Caretaker shall have the right to remove it.
103. No flowers shall be planted on any lot at any time. Only portable containers, which may be moved for maintenance purposes will be permitted with one container per lot. If the owner fails to remove it before they become withered or unsightly, the Caretaker shall have the authority to remove them.
104. Hereafter no trees, shrubbery or plants shall be planted on any lot. Only the Caretaker, acting in the best interest of the cemetery, shall have the authority to prune, remove or transplant any tree, shrub, plant or anything upon any lot when it may be deemed necessary or advisable.
105. No person shall change the grading of a lot, cut any sod or remove any corner post or markers in the cemetery.

### **Use of Lots**

106. The Certificate of Interment Rights on a lot or single grave shall convey only the right of burial of human remains therein and of erecting a monument or marker and such rights shall be subject to the provisions of the *Funeral, Burial and Cremation Services Act, 2002*, the regulations thereunder and of the regulations all as amended from time to time.
107. No interment will be made without the written permission of the rights holder or his/her authorized representative.
108. The Council or Caretaker shall not be responsible for loss or damage to any portable articles left upon any lot or grave.

### **Sale of Unused Portion of Lots**

109. Where no interment has been made in a plot for more than twenty (20) years, the cemetery operator may apply pursuant to the provisions of Section 49 and 50 of the Funeral, Burial and Cremation Services Act, 2002 for a declaration of abandonment and upon receipt of same, may sell the abandoned interment rights and apply the proceeds as therein authorized.

### **Monuments and Markers**

110. No monument shall be permitted to be erected in the Colchester Memorial Cemetery and every memorial shall be the type defined as "marker".
111. No marker shall be erected or permitted on a lot until accrued charges have been paid in full.
112. Marker to be erected by or for lot owners shall be set upon adequate concrete bases. The upper surface of the foundation shall extend four (4) inches beyond monument base on all sides and be flush with the ground.
113. Not more than one marker shall be installed on any one lot and this must be placed in the space reserve for it. Typically this is at the head of the grave.
114. All markers shall be constructed of bronze or granite. The bottom bed of all bases and markers shall be cut level and true.
115. No inscription shall be placed on any marker, which in the opinion of the Town, is not in keeping with the dignity and decorum of the cemetery.
116. Marker or footstone of bronze or granite are permitted but must not exceed twelve (12) by eighteen (18) inches with a depth of three (3) to five (5) inches. The upper surface must be flat with no projections and shall be set level with the ground surface. All markers must be approved by the Caretaker.
117. The owner may on the receipt of his/her deed, at his/her own expense, place bronze, stone or concrete land marks between six (6) and seven (7) inches square and not less than six (6) inches deep, dressed on all sides and bearing the lot and section number legibly and permanently marked thereon at the corner of the lot or lots conveyed to him, such posts to be planted flush with the ground. The Caretaker must approve these.
118. The following specifications for foundations must be observed. The pillow slant markers, the foundation must be a concrete base four (4) inches thick, with a five (5) inch border around the marker and have a six (6) inch diameter concrete pylon from the foundation to the top of the vault or casket. Two (2) re-enforced steel bars approximately 24" deep and 6" in width on the outer ends of the foundation must be installed.
119. For upright markers, the foundation must be three (3) feet deep of concrete and no longer than thirty-eight (38) inches for a single lot and seventy-six (76) inches for a double lot.

120. If any marker, or any inscription placed in or upon any lot and is to be determined by the Town to be offensive or improper, the Town may enter the lot and remove the said offensive or improper object(s).
121. When any marker, gravestone or memorial of any kind is to be removed or any inscription made or cleaning done, permission shall be obtained from the Caretaker. A request from the owner of a lot shall make permission in writing, with a description of the work proposed.
122. The Corporation of the Town of Essex shall not be liable if, due to incorrect or improperly authorized instructions, a marker is installed on or removed from a plot; or lettering or carving on any marker or other structure is improperly carried out.
123. The Corporation of the Town of Essex, in its sole discretion, may remove from a Cemetery, Lot or Plot any Marker or Monument that does not comply with the regulations in this By-Law.

### **Rules for Monument Dealers, Contractors and Work Personnel**

124. Every Contractor employed to do any work in the cemetery shall first present an application to the Caretaker signed by the lot owner or his representative, requesting permission to employ such Contractor to do the work specified. This application shall designate the section and lot.
125. Every contractor entering the Cemetery for business purposes shall provide proof of coverage under the *Workers' Compensation Act* and a current Clearance Certificate issued by the Workplace Safety and Insurance Board, a minimum of one (1) million dollar liability insurance and provide a current certificate, comply with the service contract with the Cemetery, where applicable, and have the permission of any holder of Interment Rights as required.
126. The demeanor and behaviour of all work personnel employed by others in the cemetery shall be subject to the control of the Caretaker.
127. Contractors, masons and stone-cutters shall lay planks on the lots and paths over which heavy materials are to be moved in order to protect the surface from injury.
128. Work personnel shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.
129. All work must be done during regular cemetery hours, unless by special permission of the Caretaker.
130. No work shall be commenced on Saturday that cannot be finished and the litter and debris removed by the hours of noon of that day.
131. Heavy loads shall not be permitted in the cemetery when the roads are in an unfit condition.
132. No monumental work shall be delivered at the cemetery until the foundation is completed and the Contractor is ready to proceed with the work of installation.
133. All implements and materials used in the performance of any work shall be placed where the Caretaker may direct and all rubbish and surplus earth shall be removed in such manner and at such time and place as the Caretaker may order. Otherwise the obstructions will be removed and the expense charged to the owner of the lot.
134. Any work personnel who damages any lot, monument, structure or otherwise does any injury in the cemetery shall be personally responsible for such damages or injury and in addition thereto this employer shall be liable therefore.

### **Administration**

135. The Treasurer, on behalf of the Town, shall be the recipient and custodian of all monies and securities belonging to the cemetery. Funds received shall be deposited in a chartered bank in an account to known as the general account pending transfer of Care and Maintenance Funds to the proper trust account.



136. The Treasurer shall be bonded under a policy issued by a Registered Liability Insurance Company.
137. The Clerk or designate shall be the contact medium between the Council and its employees, the lot owners, and general public. The Clerk or designate shall keep a register of lots, records, requisite for interments and for other cemetery services.
138. The tariff of rates as adopted by the Council and any amendments thereof shall be deemed an integral part of the regulations of the Council.

### Conflict and Transition

139. In the event the provisions of this by-law are inconsistent with the provisions of the *Funeral Burial Cremation Services Act, 2002*, its Regulations or any other Act, the provisions of the Act or Regulation shall prevail.
140. The terms and provisions of this by-law shall be severable and should any term or provision be found by a court of competent jurisdiction to be legally unenforceable, in operative or invalid, the remainder of the by-law shall continue to be in full force and effect.

### Part V. Enforcement

141. An Enforcement officer or Cemetery Staff may order any person believe to be contravening or have contravened any provision of this By-Law:
  - a. to immediately desist from the activity constituting or contributing to such contravention; or
  - b. to leave the municipal cemetery immediately.
142. An enforcement officer or Cemetery Staff may order any person engaging in an activity that requires a contract to provide the original copy of the agreement for inspection.
143. No person shall fail to comply with the order given by enforcement officer or a Cemetery Staff in section 141 or 142.
144. Every person who contravenes any provision of this By-Law is guilty of an offence and is liable to a fine and any other penalties imposed pursuant to the *Provincial Offences Act*, R.S.O. 1990, c. P-33, as amended.



**By-Law Number 1812**  
**Schedule B**  
**Tariff of Rates**

Effective January 1, 2020			
Sales	Interment (Burial) Rights	Care and Maintenance (Perpetual Care)	Total Price
Traditional Lot – Resident	\$637.18	\$424.41	\$1,061.59
Traditional Lot – Non-Resident	\$955.11	\$636.88	\$1,591.99
Niche (Columbarium)	Not available at this time		
Interment (Includes opening/closing grave, lowering/raising device, grass seeding)			
Casket			\$1,003.51
Cremated Remains			\$858.30
Infants			\$536.61
Maximum for Assisted Services			
In accordance with O. Reg. 184/12 made under the Funeral, Burial and Cremation Services Act, 2002			
Interment Rights and Interment	Adult or Child		\$1,300.00
	Cremated Remains		\$500.00
	Receipt from Irregular Burial Site		\$650.00
Marker/Monument Care and Maintenance			
Flat	Less than 173 square inches		\$0.00
	Greater than 173 square inches		\$50.00
Upright	Up to 4 feet in height and width		\$100.00
	Greater than 4 feet in height and width		\$200.00
Lots purchased prior to January 1, 1955 where no previous care and maintenance has been paid - Resident			\$425.23
Lots purchased prior to January 1, 1955 where no previous care and maintenance has been paid – Non-Resident			\$639.12
Other Services			
Transfer of Interment Rights (Lot Transfer)			\$152.95
Headstone Moving			\$498.39
¹Maximum permitted under Cemeteries Act, Ontario Regulation 132/92			



By-Law Number 1812  
Schedule C

Cemetery Name	Location	Description	Status	License
Colchester Memorial Cemetery	415 County Road 13 (Erie Road)	Lot: 11, 12, 13	Active	CM-00605
Erie Cemetery	RR 1 Twp of Colchester South	Lot: 6 & 7	Active	CM-00606
Iler Settlement Baptist Cemetery	Dolson Road, Colchester South	Lot: 37 Conc: 1	Active	CM-00607
Tofflemire Cemetery	County Road 50, Colchester South	Lot: 44 Conc: Front	Inactive	CM-00610
Iler Settlement Baptist (Old) Cemetery	Twin Gables Drive, Colchester South	Lot: 37 Conc: 1	Inactive	CM-00608
Ferriss Cemetery	Ferriss Road, Colchester South	Lot: 12 Conc: 2	Inactive	CM-00614
Gilgal Cemetery	County Road 11, Colchester South	Lot: 7 Conc: 5	Inactive	CM-00611
McCormick Cemetery	Dunn Road, Colchester South	Lot: Part Lot 7 Conc: Gore	Inactive	CM-05140
Quick Cemetery	Dunn Road, Colchester South	Lot: 8 Conc: Gore	Inactive	CM-00613
African Methodist Episcopal Church Cemetery	25 Walnut Street, Harrow	Lot: 18 Conc: SMR	Inactive	CM-00602
Huffman Cemetery	County Road 50, Colchester South	Lot: 47 Conc: Front	Inactive	CM-00609
Hutchins Cemetery	County Road 50, Colchester South	Lot: Part Lot 83, Conc: 1	Inactive	CM-05141
Abandoned Cemetery	Colchester South	Lot: 37 Conc: Front	Inactive	CM-00615
Harrow United Church Cemetery	Harrow, ON	Lot: n/a Conc: n/a	Inactive	CM-00629
British Episcopal Methodist Cemetery	Harrow, ON	Lot: n/a Conc: n/a	Inactive	CM-00630
Baptist Cemetery	Harrow, ON	Lot: n/a Conc: n/a	Inactive	CM-00631

October 20, 2020

**Organization #3268656**

**VIA EMAIL:** [sbrown@essex.ca](mailto:sbrown@essex.ca)

Town of Essex  
c/o Shelley Brown  
33 Talbot Street South  
Essex, ON N8M 1A8

Dear Shelley,

**Re: Proposed Cemetery By-laws for Town of Essex**

Thank you for submitting the documents below, which were submitted to the Registrar for filing and approval on September 1, 2020 and September 28, 2020.

- Revised Cemetery Draft By-Laws
- Photographs of Notice Posted
- Copy of Newspaper Notice
- List of Monument Dealers

Please note effective January 16, 2016, responsibilities under the *Funeral, Burial and Cremations Services Act, 2002* for licensing and enforcement of the Cemetery and Crematorium sectors in Ontario were transferred to the Bereavement Authority of Ontario (BAO).

This document is deemed approved and filed effective: **October 20, 2020**. A stamped copy is enclosed.

Sincerely,



**Gillian Glover**  
Licensing Officer  
Bereavement Authority of Ontario  
Phone: 1-844-493-6356 ext. 218  
Email: [Gillian.Glover@thebao.ca](mailto:Gillian.Glover@thebao.ca)

Enclosed



## Report to Council

Department: Office of the CAO  
Division: Legal and Legislative Services  
Date: November 2, 2020  
Prepared by: Robert W Auger, Town Solicitor/Clerk  
Report Number: Legal & Legislative Services 2020-17  
Subject: Extension of Municipal Waste Collection Services Contract.  
Number of Pages: 4

### Recommendation(s)

**That** Legal & Legislative Services Report 2020-17 entitled "Extension of Municipal Waste Collection Services Contract" as prepared by Robert W Auger, Town Solicitor/Clerk dated November 2, 2020 be received, and

That Council agree to extend the existing Contract with Windsor Disposal Services Ltd. to December 31, 2021

### Purpose

In accordance with the Town Procurement By-Law Number 1043, Council approval is required for purchases in excess of \$100,000. This report is to seek Council's approval to extend the contract of the current provider of Waste Collection Services until December 31, 2021.

## **Background and Discussion**

The Town of Essex currently provides Waste Collection Services consisting of Refuse (landfilled) Collection and Organics Collection. In 2015 the contract to provide these services was awarded to Windsor Disposal Services Ltd. (now owned by GFL Environmental Inc. as of September 2019) and By-law 1403 was passed accordingly by Council on August 10, 2015. The initial term of the contract (2015-2018) was then extended as an option under the contract for an additional two years (to March 31, 2020). In light of the inherent delays caused by the pandemic that hit in March of this year the parties did not have a reasonable opportunity to discuss the possibility of formally extending the contract and so since April 1, 2020 the existing contract has continued on a month to month basis.

In early 2020 (pre-pandemic) Town Administration was also desirous of initiating the Request for Proposal ("RFP") process for these services together with a review of the current services to be provided under the contract but again the pandemic delayed the starting of the RFP process. Further, Town Administration is now in the very early stages of reviewing the feasibility of providing these services on a shared basis with other local municipalities.

Windsor Disposal Services Ltd. ("WDS") has recently offered to formally extend the existing contract under the same terms and conditions as the original contract up to December 31, 2021. Given the Town's desire to again initiate the RFP process and the exploratory discussions as to the feasibility of shared services, it is recommended that the existing contract be extended to December 31, 2021.

## **Financial Impact**

The budgeted estimated current annual cost of the contract for the services provided by WDS is approximately \$678,000. The current contract has an annual price adjustment clause based on the year over year change in the Total Consumer Price Index as published by the Bank of Canada.

## Consultations

Jackson Tang, Assistant Manager, Business Services

### Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☒ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☒ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

### Report Approval Details

Document Title:	Municipal Waste Collection Extension of Contract.docx
Attachments:	
Final Approval Date:	Oct 27, 2020

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

A handwritten signature in black ink, appearing to read "Chris Nepszy".

**Chris Nepszy, Chief Administrative Officer - Oct 27, 2020 - 10:46 AM**





Municipality of Essex  
33 Talbot Street South  
Essex, Ontario N8M 1A8

October 15, 2020

Attention: Mr. Jackson Tang

Re: Contract Extension: Residential Waste Collection

.....

Windsor Disposal Services Ltd (GFL) is willing to extend the existing collection contract with the Municipality of Essex until December 31, 2021 under the same terms and conditions as the original contract.

I trust this is satisfactory.

Yours truly

Mike Coulson  
General Manager  
WDS

---

2700 Deziel Dr.  
Windsor, Ont. N8W 5H8  
Tel: (519) 944-8009  
Fax: (519) 944-1124

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First Registered  
Waste Company in Canada  
[www.wds-group.com](http://www.wds-group.com)

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Mike Coulson  
General Manager  
Tel: 519.944.0880 ext. 237  
[mcoulson@wds-group.com](mailto:mcoulson@wds-group.com)

***"Our Business Is Picking Up"***



## Report to Council

Department: Office of the CAO

Division: Legal and Legislative Services

Date: November 2, 2020

Prepared by: Robert W. Auger, Town Solicitor/Clerk

Report Number: Legal and Legislative Services-2020-18

Subject: Court of Revision for North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North Town of Essex, County of Essex, Project REI2020D010

Number of Pages: 75 (Including attachments)

### Recommendation(s)

**That** the following three (3) members of the Drainage Board: Kirk Carter, Percy Dufour and Felix Weigt-Bienzle be appointed to sit as members of the Court of Revision to be convened for the North Rear Road Drain South Side (New Bridge for Grondin) Geographic Township of Colchester North, Project REI2020D010, pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Limited, and dated September 24, 2020 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on November 25, 2020, via electronic meeting, and

**That** By-Law 1964 being a by-law to provide for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Project REI2020D010, Town of Essex, County of Essex be read a first and second time and be provisionally adopted on November 2, 2020.

## **Purpose**

A Court of Revision is required in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010 (hereinafter the "Drainage Act").

## **Background and Discussion**

Rood Engineering was instructed by the Town of Essex on or about June 3, 2020 to prepare a report for the above North Rear Road Drain South Side, pursuant to Section 78 of the Drainage Act.

On September 24, 2020 the Report was prepared by Rood Engineering Inc. to provide the details, estimates and assessments therein.

A Consideration Meeting for this Report was held on October 21 2020. At this meeting the Drainage Board received public correspondence/delegations (if applicable) and heard the various concerns or comments made by those who attended. At this meeting the Drainage Board resolved and recommended that the said Report be adopted and that a provisional By-Law be prepared for Council's consideration (see Drainage Board minutes from the October 21, 2020 consideration meeting, which minutes are included under Item 12 of the November 2, 2020 Regular Council Meeting Agenda).

### **Appointment of Court of Revision Members:**

The Court of Revision is to be comprised of three (3) members of the Drainage Board and so accordingly it is recommended that Court of Revision members when required to be convened shall be appointed on a rotating, alphabetical order basis. If an appointed member is not available then that appointed member shall be replaced by the next available member of the Drainage Board (based on the aforementioned rotating, alphabetical order basis).

It is therefore recommended that Kirk Carter, Percy Dufour and Felix Weigt-Bienze be selected and appointed to sit as the Court of Revision for the North Rear Road Drain South Side (New Bridge for Grondin).

It is further recommended that By-law 1964 adopting the recommendations in the Road Engineering Report dated September 24, 2020 be provisionally adopted so that this project can proceed to the Court of Revision specified in this report.

The Court of Revision is the next step in the process in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010.

## **Financial Impact**

There is no financial impact.

## **Consultations**

Drainage Department.

## **Link to Strategic Priorities**

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.

## Report Approval Details

Document Title:	Court of Revision for James Shepley Drain Bolger Bridge - Legal and Legislative Services-2020-07.docx
Attachments:	
Final Approval Date:	May 26, 2020

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

**No Signature - Task assigned to Chris Nepszy, Chief Administrative Officer was completed by workflow administrator Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk**

**Chris Nepszy, Chief Administrative Officer - May 26, 2020 - 1:03 PM**

## **The Corporation of the Town of Essex**

### **By-Law Number 1964**

#### **Being a by-law to provide for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Twp. Of Colchester North, Project REI2020D010, Town of Essex, County of Essex**

**Whereas** the Town of Essex Drainage Department recommended that Council appoint a Drainage Engineer to prepare a drainage report for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Twp. Of Colchester North, Project REI2020D010, Town of Essex, County of Essex;

And Whereas Section 78 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010, states that the Council of any municipality whose duty it is to maintain and repair the drainage works or any part thereof, may on the report of an Engineer appointed by it, complete the drainage works as set forth in such report;

**And Whereas** an Engineers Drainage report dated September 24, 2020 and considered by the Drainage Board at its October 21, 2020 Consideration of Report meeting, has been procured and made by Gerard Rood, Professional Engineer, Rood Engineering Inc. and that the said report is attached hereto and forms part of this by-law as Schedule "A" hereto;

And Whereas the Council of The Corporation of the Town of Essex is of the opinion that the said drainage works and/or improvements are warranted and desirable;

Now therefore the Council of The Corporation of the Town of Essex pursuant to the Drainage Act enacts as follows:

1. That the considered report dated October 21, 2020 and attached hereto as Schedule A to this By-law is hereby adopted and that the said drainage works and/or improvements as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Town of Essex may borrow on the credit of the Corporation the amount of \$25,225.00, the amount necessary for the construction of the said drainage works.
3. That the Corporation may issue debentures for the amount borrowed less the total amount of:

- Grants received under Section 85 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended, 2010;
- Commuted payments made in respect of lands and roads assessed within the Municipality;
- Money paid under Section 61(3) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010;

and such debentures shall be made payable: a) in the case of assessments in value of between \$500.00 and \$9,999.99 within (5) five years from the date of the debenture and shall bear interest at a rate not higher than the lending rates published by Infrastructure Ontario for municipalities; or b) in the case of assessments in value of \$10,000.00 and greater, within (10) ten years from the date of the debenture and shall bear interest at a rate not higher than the lending rates published by Infrastructure Ontario for municipalities; or c) upon request and approval from the Town, in the case of assessments of \$1,500.00 and \$9,999.99 within (10) ten years from the date of the debenture and shall bear interest at a rate not higher than the lending rates published by Infrastructure Ontario for municipalities

4. That a special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule, to be collected in the same manner as other taxes collected in each year for (5) five or (10) ten years (as applicable) after the passing of this by-law.
5. For paying the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon, shall be levied upon the whole rateable property in the Town of Essex, in each year for five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
6. All assessments of \$499.99 or less are payable in the first year in which the assessment is imposed.
7. The by-law comes into force on the passing thereof and may be cited as "North Rear Road Drain South Side".



**Read a first and a second time and provisionally adopted on November 2, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on December 7, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **NORTH REAR ROAD DRAIN SOUTH SIDE**

**(New Bridge for Grondin)**

**Geographic Township of Colchester North**



**TOWN OF ESSEX**  
**33 Talbot Street South**  
**ESSEX, Ontario N8M 1A8**  
**519-776-7336**

***Rood Engineering Inc.***  
***Consulting Engineers***  
***9 Nelson Street***  
***Leamington, Ontario N8H 1G6***  
***519-322-1621***

*Project REI2020D010*  
*2020-09-24*



September 24th, 2020

Mayor and Municipal Council  
Corporation of the Town of Essex  
33 Talbot Street South  
Essex, Ontario  
N8M 1A8

Mayor Snively and Members of Council:

**NORTH REAR ROAD DRAIN SOUTH SIDE  
(New Bridge for Grondin)  
Geographic Twp. of Colchester North  
Project REI2020D010  
Town of Essex, County of Essex**

## **I. INTRODUCTION**

In accordance with the instructions received from you by letter of June 3rd, 2020, from your Town Solicitor/Clerk, Legal and Legislative Services, Robert Auger, we have prepared the following report that provides for the construction of a new farm access bridge in the North Rear Road Drain South Side. This proposed bridge is intended to provide a safe farm access for the agricultural lands owned by Gerald Grondin, in the geographic township of Colchester North. The North Rear Road Drain South Side is an open drain with a number of access bridges. The drain was constructed pursuant to the Drainage Act. A plan showing the North Rear Road Drain South Side alignment, as well as the general location of the above-mentioned bridge, is included herein as part of the report.

Our appointment and the works related to the construction of the above-mentioned farm access bridge in the North Rear Road Drain South Side, proposed under this report, is in accordance with Section 78 of the "Drainage Act, R.S.O. 1990, Chapter D.17 as amended 2010". We have performed all of the necessary survey, investigations, etcetera for the proposed bridge, as well as the North Rear Road Drain South Side, and we report thereon as follows.

## **II. BACKGROUND**

From our review of the information provided from the Town's drainage files we have established the following reports that we utilized as reference for carrying out this project:

- |    |                     |                                  |                          |
|----|---------------------|----------------------------------|--------------------------|
| 1) | December 22nd, 1967 | North Rear Road Drain South Side | C.G.R. Armstrong, P.Eng. |
| 2) | November 8th, 2004  | North Rear Road Drain South Side | Gerard Rood, P.Eng.      |

The 2004 report by Gerard Rood, P.Eng. provided for repairs to the bridge under the North Malden Road and has the latest profile for the grading of the drain. The 1967 report by C.G.R. Armstrong, P.Eng. provided for repairs and improvements to the length of the drain and was used for the 2004 report to establish the design parameters of the drain.

We arranged with the Town to provide us with the updated assessment roll information for the affected parcels. We also reviewed reports for the abutting drains and spoke to the owners to help in establishing the current watershed limit for the North Rear Road Drain South Side.

We have utilized the plans within the Rood report to establish the size parameters for the drain and the details to be used in establishing the new bridge culvert installation. We have also used this report to establish the drain profile grades, and to assist us in establishing the design grade for the subject farm access bridge installation. The Schedule of Assessment in the latest drainage report was used as a guide to establish the upstream watershed area and flows to be used in the design of the bridge.

### **III. PRELIMINARY EXAMINATION AND ON-SITE MEETING**

After reviewing all of the available drainage information and documentation provided by the Drainage Superintendent, we arranged with Town staff to schedule an online virtual on-site meeting for June 24th, 2020. The following people were in attendance at said meeting: Susie Gagnon, Gerald Grondin, Aaron Farough, Jeffrey Andrews, Felix Weigt-Bienzle, Dan Boudreau, Kirk Carter, Norm Nussio (Manager of Operations & Drainage), Tanya Tuzlova (Drainage Clerk), Lindsay Dean (Drainage Superintendent) and Gerard Rood (Rood Engineering).

Details of the proposed bridge work were reviewed. It was confirmed that the new bridge location would be set out by the owner of the parcel to allow access to the farm field for large equipment. The farm has been using the existing bridge of the residential lot that was severed.

Mr. Grondin advised us that the farm land requires a new bridge to better access the existing agricultural lands with the larger farm equipment and trucks used today. The existing bridge is too narrow, and the new bridge access will eliminate damages to the driveway and lawn area of the residential lot.

We advised the owner that the minimum standard top width for an access bridge is 6.10 metres (20 ft.) and that the bridge centreline location will need to be established with him. He was also advised that because the bridge is a new bridge, the cost of the new access bridge construction, as well as all the cost for the preparation of the Engineer's Report would be borne by him, but

future maintenance costs would be shared by the owner and upstream affected lands and roads. Any cost for additional top width will be borne by the owner. It was established that the owner prefers an 8.0 metre (24') top width. Mr. Rood asked about preferred end treatments on the proposed pipe and Mr. Grondin stated he would prefer whichever option is the most cost effective. Mr. Rood expects that the sloped end treatment will be the most cost effective and told him that the cost would be estimated for sloped ends and he would contact Mr. Grondin to discuss the details if the sloped ends were not found to be the most cost effective.

The overall drainage report procedure, future maintenance processes and grant eligibility were generally reviewed with the owners. They were also advised that the works will be subject to the approval of the Department of Fisheries and Oceans (D.F.O.), the Ministry of Natural Resources & Forestry (M.N.R.F.), Ministry of Environment, Conservation & Parks (M.E.C.P.) and the Essex Region Conservation Authority (E.R.C.A.). We further discussed bridge maintenance, sizing, and material of the proposed bridge, suggesting that a corrugated steel pipe might be employed similar to the bridges a short distance upstream and downstream.

#### **IV. FIELD SURVEY AND INVESTIGATIONS**

Following the on-site meeting we arranged for our survey crew to attend at the site and perform a topographic survey, including taking the necessary levels and details to establish the design parameters for the installation of this new access bridge.

A benchmark was looped from previous work carried out on the drain and was utilized in establishing a site benchmark near the location of the bridge. We surveyed the drain both upstream and downstream of the proposed new access bridge and picked up the existing bridges and culvert elevations in order to establish a design grade profile for the installation of the new bridge. We also took cross sections of the North Rear Road Drain South Side at the general location of the proposed bridge, as necessary for us to complete our design calculations, estimates and specifications.

The Town made initial submissions to the Essex Region Conservation Authority (E.R.C.A.) regarding their requirements or any D.F.O. requirements for the installation of the new bridge to be constructed in the North Rear Road Drain South Side. A response from the Conservation Authority was received via email on May 7th, 2020. E.R.C.A. stated that the portion of the North Rear Road Drain South Side is located within a regulated area administered by E.R.C.A. Accordingly, a permit or approval will be required by E.R.C.A. for the construction of the new bridge in the portion of the North Rear Road Drain South Side.

Former Ministry of Natural Resources & Forestry (M.N.R.F.) agreements are replaced with new legislation provisions under Ontario Regulation 242/08, Section 23.9 that is now administered by the Ministry of Environment, Conservation & Parks (M.E.C.P.), which allows repairs, maintenance, and improvements to be conducted by the Town within existing municipal drains. These works are exempt from Sections 9 and 10 of the Endangered Species Act provided that the

rules in the regulations are followed by the Town and their Contractor. When eligible, the new regulations allow Municipalities to give notice to M.N.R.F. by registering their drainage activities through an online registry system.

For the purposes of establishing the watershed area upstream of the proposed new bridge, and determining the bridge size required, we investigated and reviewed the past drainage reports on the North Rear Road Drain South Side.

## **V. FINDINGS AND RECOMMENDATIONS**

Prior to the preparation of our report, we reviewed the details of the new bridge installation including the end treatment options based on the regulatory restrictions and the cost estimates that we were to review.

Based on our detailed survey, investigations, examinations, and discussions with the affected property owner, we would recommend that a new access bridge be constructed in the North Rear Road Drain South Side at the location and to the general parameters as established in our design drawings attached herein.

During the course of our investigations, this drainage project was discussed and reviewed with E.R.C.A., to deal with any Authority issues and comments related to this Municipal drain. In the interest of fish habitat and migration, E.R.C.A. requires that the invert of any new bridge be embedded below the design or existing bottom of the drain a minimum of 10% of the bridge opening height to ensure a continued path for fish migration through the access bridge. To prevent flooding and adverse impacts upstream, the new structure needs to provide an equivalent level of service to the adjacent structures. Therefore, based on this, we have made provisions to use a corrugated steel pipe culvert as set out below, similar to the structure a short distance downstream. The North Rear Road Drain South Side is located within the Regulated Area and is under the jurisdiction of the E.R.C.A., and therefore all work has to comply with the current mitigation provisions of the E.R.C.A. Details of these mitigation measures are included in the Specifications and **Appendix “REI-A”** forming part of this report.

As part of our investigations, a D.F.O. self screening assessment of the project was carried out. The mapping indicated no species at risk or critical habitat for the area of the bridge work. In the interest of fish habitat and migration, D.F.O. requires that the invert of any new bridge be embedded below the design or existing bottom of the drain a minimum of 10% of the bridge opening height to ensure a continued path for fish migration through the access bridge. The D.F.O. Species at Risk screening maps confirm that there are no Species at Risk Fish or Mussels identified in this area. Should any species be encountered, details of required mitigation measures are included in the Specifications and **Appendix “REI-A”** forming part of this report.

As is now required under the new Endangered Species Act, 2007 Provincial Legislation administered by the Ministry of Environment, Conservation & Parks (M.E.C.P.), we have reviewed the former M.N.R.F. agreement with the Town. The M.N.R.F. mapping has basically confirmed

that there are no foreseen impacts to natural heritage features or endangered or threatened species on this project; therefore, a permit or agreement under the E.S.A. 2007 is not necessary at this time. Because turtles and snakes are mobile and snakes are indicated as sensitive in the area, we have included herein a copy of the M.N.R.F. mitigation requirements for them in **Appendix “REI-B”**.

Providing mitigation requirements are implemented it was concluded that present wildlife Species at Risk will be protected from negative impacts and will not contravene with Section 9 (species protection) or Section 10 (habitat protection) of the Endangered Species Act, 2007. Based on this information we find that the Town can proceed with the eligible new bridge construction in the drain as they are exempt under Sections 9 and 10 of the Act, provided that they follow the rules within Ontario Regulation 242/08. To address these requirements the Town has established comprehensive mitigation measures as well as species identification guides for reference. Copies of the measures and guides are available for viewing by any interested parties at the Town office.

Based on all of the above, we recommend that a new access bridge be constructed in the North Rear Road Drain South Side to serve the agricultural lands of Gerald Grondin, in accordance with this report, the attached specifications and the accompanying drawings, and that all works associated with same be carried out in accordance with Section 78 of the “Drainage Act, R.S.O. 1990, Chapter D.17 as amended 2010”.

## **VI. ESTIMATE OF COST**

Our estimate of the total cost of this work including all incidental expenses is the sum of **TWENTY FIVE THOUSAND TWO HUNDRED TWENTY FIVE DOLLARS (\$25,225.00)**, made up as follows:

### **CONSTRUCTION**

Item 1)	Provide all labour, equipment and material to construct a new access bridge consisting of 15.0 metres (49.2 ft.) of 1200mm diameter 2.0mm thick aluminized steel Type II corrugated Hel-Cor pipe with annular ends and 125mm x 25mm corrugation profile; 9 corrugation wide aluminized bolted coupler; providing sloped quarried limestone on filter cloth end protection, granular bedding, backfill, and Granular ‘A’ approach extending to the existing pavement; extend and divert tiles; excavation, compaction, silt and sediment controls, cleanup and restoration, complete.	Lump Sum	\$	16,200.00
	Net H.S.T. (1.76%)		\$	285.00
<b>TOTAL FOR CONSTRUCTION</b>				<b>\$ 16,485.00</b>



**INCIDENTALS**

1) Report, Estimate, and Specifications	\$ 2,000.00
2) Survey, Assistants, Expenses, Drawings, Duplication Cost of Report and Drawings, Consideration Meeting, etc.	\$ 4,000.00
3) Estimated Cost of Preparing Tender Documents	\$ 500.00
4) Estimated Cost of Construction Supervision and Inspection (based on 1 days)	\$ 1,000.00
5) Net H.S.T. on Items Above (1.76%)	\$ 132.00
6) Estimated Cost of E.R.C.A. permit	\$ 500.00
7) Estimated Contingency Allowance	\$ 608.00
	<hr/>
<b>TOTAL FOR INCIDENTALS</b>	<b>\$ 8,740.00</b>
<b>TOTAL FOR CONSTRUCTION (brought forward)</b>	<b>\$ 16,485.00</b>
	<hr/>
<b>TOTAL ESTIMATE</b>	<b>\$ 25,225.00</b>
	<hr/>

**VII. DRAWINGS AND SPECIFICATIONS**

As part of this report, we have attached design drawings for the construction of this new access bridge. The design drawings show the subject bridge location and the details of the new access bridge installation. The design drawings are attached to the back of this report and are labelled **Appendix “REI-E”**.

Also attached, we have prepared Specifications which set out the required construction details for the proposed bridge installation, which also includes Standard Specifications within **Appendix “REI-C”**.

### **VIII. SCHEDULE OF ASSESSMENT**

We would recommend that all of the costs associated with the construction of this new access bridge, and the preparation of this Engineer's report, be assessed against the agricultural lands of Gerald Grondin in the Town of Essex. A Schedule of Assessment has been prepared and included herein to indicate the lands assessed for this new farm access bridge installation.

It has been clearly established that this new access bridge is being provided to serve as the access from North Malden Road to an existing agricultural farm parcel. Pursuant to the current Agricultural Drainage Infrastructure Program (A.D.I.P.) Policies that are in place, it is anticipated that these lands designated as Farm Property Tax Class will not be eligible for a grant from the Ontario Ministry of Agriculture, Food and Rural Affairs (O.M.A.F.R.A.) in the amount of 1/3 of their total assessment for this project as the severance was made earlier this year that caused the need for the new access bridge, and not prior to August 2004 as per the Policies.

Where a bridge structure has increased top width beyond the standard 6.10 metre (20.0 ft.) top width, all of the increased costs resulting from same are assessed 100% to the Owner, as provided for in the cost sharing set out in the report below.

### **IX. FUTURE MAINTENANCE**

We recommend that the bridge structure as identified herein, be maintained in the future as part of the drainage works. We would also recommend that the bridge, for which the maintenance costs are to be shared with the upstream lands and roads within the watershed, be maintained by the Town and that said maintenance would include works to the bridge culvert, bedding, backfill and end treatment. Should concrete, asphalt, or other decorative driveway surfaces over these bridge culverts require removal as part of the maintenance works, these surfaces shall also be repaired or replaced as part of the works. Likewise, if any fencing, gate, decorative walls, guardrails, or other special features exist that will be impacted by the maintenance work, they are also to be removed and restored or replaced as part of the bridge maintenance work. However, the cost of the supply and installation of any surface materials other than Granular "A" material and the cost of removal and restoration or replacement, if necessary, of any special features, shall be totally assessed to the benefiting adjoining Owner(s) served by said access bridge.

After the completion of all of the works included within this report, the access bridge within the Drain shall be maintained in the future by the Town of Essex. Furthermore, if any maintenance work is required to this access bridge in the future, we recommend that 63.5% of the future maintenance costs shall be assessed as a Benefit against the abutting agricultural property being served by the access bridge, which is currently owned by Gerald Grondin, and the remaining balance of 36.5% be assessed pro-rata against the upstream lands and roads based on their Outlet Liability assessment in the 1967 C.G.R. Armstrong report Schedule of Assessment or any future updated Schedule of Assessment for the drain. This sharing reflects that the owner has requested a bridge with 8.0 metre (24 feet) top width that is normally shared with 6.1 metres

standard bridge top width between the owner and upstream affected lands and roads, and the cost of the extra width to the bridge owner.

The above provisions for the future maintenance of this new access bridge, being constructed under this report, shall remain as aforesaid until otherwise determined under the provisions of the "Drainage Act, R.S.O. 1990, Chapter D.17 as amended 2010".

All of which is respectfully submitted.

**Rood Engineering Inc.**



Gerard Rood, P.Eng.



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att.

**ROOD ENGINEERING INC.**

Consulting Engineers  
9 Nelson Street  
LEAMINGTON, Ontario N8H 1G6

**SCHEDULE OF ASSESSMENT**  
**NORTH REAR ROAD DRAIN SOUTH SIDE**  
**Town of Essex**

**5. PRIVATELY OWNED - AGRICULTURAL LANDS (non-grantable):**

<u>Tax Roll</u> <u>No.</u>	<u>Con.</u> <u>or</u> <u>Plan</u> <u>No.</u>	<u>Lot or Part</u> <u>of Lot</u>	<u>Acres</u> <u>Owned</u>	<u>Acres</u> <u>Afft'd</u>	<u>Hectares</u> <u>Afft'd</u>	<u>Owner's Name</u>	<u>Value of</u> <u>Benefit</u>	<u>Value of</u> <u>Outlet</u>	<u>TOTAL</u> <u>VALUE</u>
520-02300	N.M.R.	Pt. Lot 7	20.488	15.00	6.070	Gerald Grondin	\$ 16,018.00	\$ 9,207.00	\$ 25,225.00
<b>Total on Privately Owned - Agricultural Lands (non-grantable).....</b>							<b>\$ 16,018.00</b>	<b>\$ 9,207.00</b>	<b>\$ 25,225.00</b>
<b>TOTAL ASSESSMENT</b>				15.00	6.07		<b>\$ 16,018.00</b>	<b>\$ 9,207.00</b>	<b>\$ 25,225.00</b>
=====									

1 Hectare = 2.471 Acres  
Project No.REI2020D010  
September 24th, 2020



**SPECIFICATIONS****NORTH REAR ROAD DRAIN SOUTH SIDE****New Bridge for Grondin****(Geographic Township of Colchester North)****TOWN OF ESSEX****I. GENERAL SCOPE OF WORK**

The North Rear Road Drain South Side currently comprises of an open Municipal drain with a number of access bridges generally located along the south side of North Malden Road and extending from its outlet into King Creek to its upper end near Brush Road. The work under this project generally comprises of construction of a new access bridge serving the agricultural lands of Grondin. The work on the new bridge being constructed includes the installation of a new culvert to the west of the existing bridge at MN 3343 North Malden Road; new culvert end treatments comprising of sloped quarried limestone on filter cloth end protection; granular approaches and backfill; and granular transition areas; along with ancillary work.

All work shall be carried out in accordance with these specifications, the plans forming part of this drainage project, as well as the Standard Details included in **Appendix "REI-C"**. The bridge new construction shall be of the size, type, depth, etcetera, as is shown in the accompanying drawings, as determined from the Benchmarks, and as may be further laid out at the site at the time of construction. All work carried out under this project shall be completed to the full satisfaction of the Town Drainage Superintendent and the Consulting Engineer.

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

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

All of the work shall be carried out in accordance with any permits or authorizations issued by the Essex Region Conservation Authority (E.R.C.A.) or the Department of Fisheries and Oceans (D.F.O.), copies of which will be provided, if available, and the notes in **Appendix “REI-A”**. The Contractor is advised that no work may be carried out in the existing drain from March 15th to June 30th of any given year because the drain is directly connected to a downstream area that is classified as sensitive to impacts on aquatic life and habitat by E.R.C.A. and D.F.O.

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

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

### **III. M.N.R.F. - M.E.C.P. CONSIDERATIONS**

The Contractor is to note that the Ministry of Natural Resources and Forestry (M.N.R.F.) screening process by way of a Species at Risk (S.A.R.) review of the M.N.R.F. “Endangered Species Act, 2007” (E.S.A.) that is administered by the Ministry of Environment, Conservation and Parks (M.E.C.P.) will be completed as a self-assessment by the Town pursuant to Section 23.9 of the E.S.A. prior to construction. This Section allows the Town to conduct eligible works of repair, maintenance, and improvement to existing municipal drains under the Drainage Act, and exemptions from Sections 9 and 10 of the E.S.A., provided that the requirements are followed in accordance with Ontario Regulation 242/08. The results of the review will be provided to the Contractor and copies

of the mitigation measures, habitat protection and identification sheets will be included within **Appendix “REI-B”**.

The Contractor is to review **Appendix “REI-B”** in detail and is required to comply in all regards with the contents of said M.N.R.F. – M.E.C.P. measures, and follow the special requirements therein included during construction. Throughout the course of construction, the Contractor will be responsible to ensure that all necessary provisions are undertaken to protect all species at risk and their habitats. If a threatened or sensitive species is encountered, the Contractor shall notify the Town and M.N.R.F. – M.E.C.P. and provide all the equipment and materials stipulated by the mitigation requirements for handling the species and cooperate fully with the Town and M.N.R.F. – M.E.C.P. staff in the handling of the species.

#### **IV. ACCESS TO WORK**

The Contractor is advised that the majority of the work to be carried out on this project extends along the south side of North Malden Road. The Contractor shall have access for the full width of the roadway abutting the proposed drainage works. The Contractor may utilize the right-of-way as necessary, to permit the completion of all of the work required to be carried out for this project. The Contractor shall also have access into the driveways as necessary to construct the new access bridge, as set out on the plans and in these specifications, along with a sufficient area in the vicinity of the bridge to carry out the required construction of the new structure installation and ancillary work.

The Contractor shall ensure that the traveling public is protected at all times while utilizing the roadway for its access. The Contractor shall provide traffic control, including flag persons when required. Should the Contractor have to close North Malden Road for the proposed works, it shall obtain the permission of the Town Drainage Superintendent or Consulting Engineer and arrange to provide the necessary notification of detours around the site. The Contractor shall also ensure that all emergency services, school bus companies, etcetera are contacted about the disruption to access at least 48 hours in advance of same. All detour routes shall be established in consultation with the Essex Works Department.

Due to the extent of the work and the area for carrying out the work, the Contractor will be required to carry out all of the necessary steps to direct traffic and provide temporary diversion of traffic around work sites, including provision of all lights, signs, flag persons, and barricades required to protect the safety of the traveling public. Any accesses or areas used in carrying out the works are to be fully restored to their original conditions by the Contractor at its cost, including topsoil placement and lawn restoration as directed by the Town Drainage Superintendent and the Consulting Engineer. Restoration shall include but not be limited to all necessary levelling, grading, shaping, topsoil, seeding, mulching, and granular placement required to make good any damage caused.



**V. REMOVAL OF BRUSH, TREES AND RUBBISH**

Where there is any brush, trees or rubbish along the course of the drainage works, including the full width of the work access, all such brush, trees or rubbish shall be close cut and grubbed out, and the whole shall be chipped up for recycling, burned or otherwise satisfactorily disposed of by the Contractor. The brush and trees removed along the course of the work are to be put into piles by the Contractor in locations where they can be safely chipped and disposed of, or burned by it, or hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Prior to and during the course of any burning operations, the Contractor shall comply with the guidelines prepared by the Air Quality Branch of the Ontario Ministry of the Environment; and shall ensure that the Environmental Protection Act is not violated. The Contractor will be required to notify the local fire authorities to obtain any permits and co-operate with them in the carrying out of any work. The removal of brush and trees shall be carried out in close consultation with the Town Drainage Superintendent or Consulting Engineer to ensure that no decorative trees or shrubs are disturbed by the operations of the Contractor that can be saved. It is the intent of this project to save as many trees and bushes as practical within the roadway allowances and on private lands. Where decorative trees or shrubs are located directly over drainage pipes, the Contractor shall carefully extract same and turn them over to the Owner when requested to do so and shall cooperate with the Owner in the reinstallation of same if required.

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

**VI. DETAILS OF BRIDGE WORK**

The Contractor shall provide all material, labour, and equipment to construct a new access bridge in the North Rear Road Drain South Side requiring work, along with endwall installation and ancillary work.

The new access bridge installation shall comprise 1200mm diameter aluminized steel Type II helical pipe with 125mm X 25mm corrugations. All piping sections shall be connected by the use of 9 corrugation (9-C) bolted couplers installed around the complete circumference of the pipe in accordance with the manufacturer's recommendation. Each coupler shall be wrapped in filter cloth material around the complete circumference to ensure that there will be no soil migration through the joints and into the pipe through said connections.

The new pipe installation on this project shall be set to the grades as shown on the plans or as otherwise established herein and the Town Drainage Superintendent or the Consulting Engineer may make minor changes to the bridge alignment as they deem necessary to suit the site conditions. All work shall be carried out in general accordance with the items in the **"STANDARD**

**SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION** attached to this report and labelled **Appendix “REI-C”**.

## **VII. CORRUGATED STEEL PIPE INSTALLATION**

The new corrugated steel pipe (C.S.P.) to be installed on this project is required to be provided in the longest lengths that are available and shall not be less than 3.0 metres. Where the overall access pipe length exceeds the standard pipe lengths, the Contractor shall connect the pipe sections together by use of a manufactured 9-C bolted coupler installed in accordance with the manufacturer’s recommendations. All coupler joints shall be wrapped with a layer of filter cloth around the complete circumference so that it extends a minimum of 100mm beyond the coupler on each end, to ensure a positive seal against soil migration through the joints.

The Contractor shall note that the placement of any new culvert pipe shall be performed totally in the dry and it shall be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. As part of the work, the Contractor will be required to clean out the drain along the full length of the pipe and for a distance of 3.05 metres (10 ft.) upstream and downstream of the pipe. The Contractor shall note that the pipe inverts are set at least 10% of the pipe diameter (or the pipe rise) below the drain bottom to provide the embedment required by E.R.C.A. and D.F.O. and to meet the minimum cover requirements for the pipe.

The installation of the complete length of the new culvert pipe, including all appurtenances, shall be completely inspected by the Town Drainage Superintendent or the Consulting Engineer’s Inspector prior to backfilling any portions of same. Under no circumstance shall the Contractor commence the construction or backfill of the new culvert pipe without the site presence of the Town Drainage Superintendent or the Consulting Engineer’s Inspector to inspect and approve said installation. The Contractor shall provide a minimum of two (2) working days’ notice to the Town Drainage Superintendent or the Consulting Engineer prior to commencement of the work. The installation of the new culvert structure is to be performed during normal working hours of the Town Drainage Superintendent and the Consulting Engineer from Monday to Friday unless written authorization is provided by them to amend said working hours.

For the access bridge installation, once the new aluminized steel type II corrugated pipe has been satisfactorily set in place, the Contractor shall completely backfill same with granular material M.T.O. Type “B” O.P.S.S. Form 1010 with the following exception. The top 305mm (12”) of the backfill material for the full top width of the access, and the full top width of the drain or the excavated trench, and any approaches to the north and transitions to the south shall be granular material M.T.O. Type “A” O.P.S.S. Form 1010. All of the driveway approach areas extending from the Town roadway to the south top of bank of the drain and shall be backfilled with compacted granular material M.T.O. Type “A” O.P.S.S. Form 1010, but only after all topsoil material has been completely removed and disposed of, and the minimum thickness of this granular material shall be 305mm (12”). All areas outside of the access driveway shall be backfilled with native material

compacted to 96% of Standard Proctor Density and topped with a minimum of 50mm of topsoil and shall be seeded and mulched.

The Contractor shall at all times be very careful when performing its backfilling and compaction operations so that no damage is caused to the pipe. To ensure that no damage is caused to the proposed pipe, alternative methods of achieving the required backfill compaction shall be submitted to the Consulting Engineer or the Town Drainage Superintendent for their approval prior to the commencement of this work.

The Contractor will be responsible to restore any damage caused to the roadways at its cost. All damaged hard surface roadway areas shall be neatly saw cut and the damaged materials removed and disposed of by the Contractor prior to carrying out any restoration work. The extent of the repairs shall be established in consultation with the Town Drainage Superintendent, the Road Authority, and the Consulting Engineer and the repairs shall be completed to their full satisfaction.

The Contractor is to note that any intercepted pipes or tiles along the length of the proposed new culvert are to be extended and connected at its cost to the open drain at the end of the new culvert unless otherwise noted in the accompanying drawings.

The Contractor shall also note that the placing of the new access bridge culvert shall be completed so that it totally complies with the parameters established and noted in the Bridge Details and Tables for the culvert replacement. The culvert shall be set on an even grade and the placement shall be performed totally in the dry, and the Contractor should be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The Contractor shall also be required to supply a minimum of 100mm (4") of 20mm (3/4") clear stone bedding underneath the culvert pipe extending from the bottom of the drain to the culvert invert grade, all to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. Furthermore, if an unsound base is encountered, it must be removed and replaced with 20mm (3/4") clear stone satisfactorily compacted in place to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The Contractor is to note that when placing an access bridge culvert, it shall be required to excavate a trench having a width not less than the new pipe outside diameter plus a 600mm working width on both sides of the new pipe to allow for proper installation of granular backfill and compaction of same. The Contractor shall also note that all culvert pipe installations are to be carried out with a minimum of 10% of their diameter or rise embedded below the drain design bottom, as shown, and noted on the plan for the access bridge installation.

## **VIII. REMOVALS**

All unsuitable and deleterious materials from the excavation of the drain cleaning shall be hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Likewise, any material excavated to allow for the granular approaches to the bridge, driveway transitions, or installation of new headwalls shall also be hauled away and disposed of by the Contractor.

**IX. CONCRETE FILLED JUTE BAG, PRECAST CONCRETE BLOCK OR SLOPED END PROTECTION**

Unless otherwise shown or noted, the Contractor is to provide new concrete filled jute bag headwalls, precast concrete block, or sloped quarried limestone on non-woven filter cloth end protection for the access bridge being constructed in this drain.

The concrete filled jute bags are to be provided and laid out as is shown and detailed in the drawings provided by the Town and as noted in the Standard Specifications in **Appendix "REI-C"**. In all cases, the concrete filled jute bag headwalls shall be topped with a minimum 100mm (4") thick continuous concrete cap comprising 30MPa concrete with 6%  $\pm$ 1% air entrainment for the entire length of the headwalls. The headwalls shall be installed on an inward batter to be not less than 1 horizontal to 5 vertical, and under no circumstances shall this batter, which is measured from the top of the headwall to the projection of the end of the pipe, be less than 305mm (12"). From the midpoint of the pipe height down to the concrete footing, the wall shall be a double concrete filled jute bag installation. On the roadside the walls shall be deflected as shown to provide daylighting and a better approach across the new bridge.

The installation of the concrete filled jute bag headwalls, unless otherwise specified, shall be provided in total compliance with the Items 1, 3, and 4 included in the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"**. These are attached to the back of these specifications and labelled **Appendix "REI-C"**. The Contractor shall comply in all respects with the General Conditions included in Item 4 and the **"Typical Concrete Filled Jute Bag Headwall End Protection"** detail also shown therein.

The Contractor shall install interlocking precast concrete blocks with filter cloth backing for walls on both ends of the bridges requiring same. The blocks shall be minimum 600X600X1200mm in size as available from Underground Specialties - Wolseley, Windsor, Ontario, or equal, and installed as set out in **Appendix "REI-C"**. Vertical joints shall be staggered by use of half blocks where needed and wingwall deflections when required shall employ 45-degree angled blocks. Voids between the blocks and the pipe shall be grouted with 30MPa concrete having 6%  $\pm$ 1% air entrainment and extend for the full thickness of the wall and have a smooth uniform finish on the face that blends with the precast blocks. The installation of the endwalls, as well as the backfilling of the pipe where applicable, shall be provided in compliance with Items 1), 3), and 4) of the "Standard Specifications for Access Bridge Construction" attached within **Appendix "REI-C"** and in total compliance and in all respects with the General Conditions included in said Appendix. The Contractor shall submit shop drawings for approval of the wall installation that includes details for a minimum 300mm thick concrete footing that extends from the pipe invert downward. The footing shall extend into the drain banks each side for the required embedment of the blocks and be constructed to ensure that the completed wall will be completely vertical or tipped slightly back towards the driveway. Where the block walls extend more than 1.8 metres in height, the supplier shall provide the Contractor with uni-axial geogrid (SG350 or equivalent) reinforcement for installation to tie the wall back into the granular backfill. The Contractor, in all

cases, shall comply with these specifications and upon completion of the stacked precast concrete end protection installation shall restore the adjacent areas to their original conditions. The Contractor shall supply quarried limestone on filter cloth rock protection adjacent to the headwalls at each corner of the bridge. All rock protection shall be 1.0 metres wide and 305mm (12") thick, installed on non-woven filter cloth, and shall be installed in accordance with Item 2) of the "Standard Specifications for Access Bridge Construction". The synthetic filter mat to be used shall be non-woven geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products through Underground Specialties - Wolseley in Windsor, Ontario or equal. The quarried limestone to be used shall be graded in size from a minimum of 100mm to a maximum of 250mm, and is available from Walker Industries Amherst Quarries, in Amherstburg, Ontario, or equal.

Where sloped end protection is specified, the top 305mm (12") of backfill material over the ends of the access pipe, from the invert of said pipe to the top of the driveway elevation of the access bridge or enclosure, shall be quarried limestone. The quarried limestone shall be provided as shown and detailed on the plans or as indicated in the Standard Specifications in **Appendix "REI-C"** and shall be graded in size from a minimum of 100mm (4") to a maximum of 250mm (10"). The quarried limestone to be placed on the sloped ends of an access bridge or enclosure shall be underlain with a synthetic **non-woven** geotextile filter fabric. The sloped quarried limestone protection is to be rounded as shown on the plan details and shall also extend along the drain side slopes to a point directly in line with the ends of the culvert pipe. The roadside approach to the entrance shall be provided with a minimum 5.0m radius at each end of the driveway entrance. All work shall be completed to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer.

The installation of the sloped quarried limestone end protection, unless otherwise specified herein, shall be provided in total compliance with Item 2), 3), and 4) of the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"**. These are attached to the back of these specifications and labelled **Appendix "REI-C"**. The Contractor shall comply in all respects with the General Conditions included in Item 4 and the **"Typical Quarried Limestone End Protection Detail"** also in **Appendix "REI-C"**.

The quarried limestone erosion protection shall be embedded into the sideslopes of the drain a minimum thickness of 305mm and shall be underlain in all cases with non-woven synthetic filter mat. The filter mat shall not only be laid along the flat portion of the erosion protection, but also contoured to the exterior limits of the quarried limestone and the unprotected slope. The width of the erosion protection shall be as established in the accompanying drawings or as otherwise directed by the Town Drainage Superintendent or the Consulting Engineer during construction. In placing the erosion protection, the Contractor shall carefully tamp the quarried limestone pieces into place with the use of the excavator bucket so that the erosion protection when completed will be consistent, uniform and tightly laid. In no instance shall the quarried limestone protrude beyond the exterior contour of the unprotected drain sideslopes along either side of said protection. The synthetic filter mat fabric to be used shall be non-woven geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products, or equal.

The quarried limestone to be used shall be graded in size from a minimum of 100mm to a maximum of 250mm, and is available from Walker Aggregates Amherst Quarries, in Amherstburg, Ontario, or equal.

#### **X. BENCHMARKS**

Also, for use by the Contractor, we have established a Benchmark near the site of the work where the new bridge is being constructed. For the new bridge, the plans include details illustrating the work to be carried out. For the bridge detail a Benchmark has been indicated and the Elevation has been shown and may be utilized by the Contractor in carrying out its work. The Contractor shall note that in each case a specific design elevation grade has been provided for the invert at each end of the pipe in the table accompanying each detail. The table also sets out the pipe size, materials, and other requirements relative to the installation of the culvert structure. In all cases, the Contractor is to utilize the specified drain grade to set any new pipe installation. The Contractor shall ensure that it takes note of the direction of flow and sets all pipes to assure that all grades flow from east to west to match the direction of flow within the drain. The Contractor's attention is drawn to the fact that the pipe invert grades established herein provide for the pipes to be set at least 10% of their diameter or pipe rise below the existing drain bottom or the design grade of the drain, whichever is lower.

#### **XI. ANCILLARY WORK**

During the course of any work to the bridge for this project, the Contractor will be required to protect or extend any existing tile ends or swales and connect them to the drainage works to maintain the drainage from the adjacent lands. All existing tiles shall be extended utilizing solid Big 'O' "standard tile ends" or equal plastic pipe of the same diameter as the existing tile and shall be installed in accordance with the "**Standard Lateral Tile Detail**" included in the plans, unless otherwise noted. Connections shall be made using a manufacturer's coupling where possible. Wherever possible, tiles shall be extended to outlet beyond the end of any access culverts. When required, openings into new pipes shall be neatly bored, saw cut or burned with a torch to the satisfaction of the Town Drainage Superintendent or the Consulting Engineer. All cuts to steel pipes shall be touched up with a thick coat of zinc rich paint (Galvicon or equal) in accordance with the manufacturer's recommendations. For other connections, the Contractor shall utilize a grouted connection. Grouted mortar joints shall be composed of three (3) parts of clean, sharp sand to one (1) part of Portland cement with just sufficient water added to provide a stiff plastic mix, and the mortar connection shall be performed to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The mortar joint shall be of a sufficient mass around the full circumference of the joint on the exterior side to ensure a tight, solid seal. The Contractor is to note that any intercepted pipes along the length of the culvert are to be extended and connected to the open drain unless otherwise noted in the accompanying drawings.

Where the bridge installation interferes with the discharge of an existing swale, the Contractor shall re-grade the existing swales to allow for the surface flows to freely enter the drain. Any disturbed grass areas shall be fully restored with topsoil, seed, and mulch.

All granular backfill for the bridge installation shall be satisfactorily compacted in place to a minimum Standard Proctor Density of 98% by means of mechanical compaction equipment. All other good, clean, native fill material or topsoil to be utilized, where applicable, shall be compacted in place to a minimum Standard Proctor Density of 95%. All of the backfill material, equipment used, and method of compacting the backfill material shall be provided and performed to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer.

The Contractor will be responsible to restore any damage caused to these driveways at its cost. All damaged hard surface driveway areas shall be neatly saw cut and the damaged materials removed and disposed of by the Contractor prior to carrying out any restoration work.

The new corrugated aluminized steel type II pipe for this installation is to be provided with a minimum depth of cover measured from the top of the pipe of 305mm (12") for a round pipe and 500mm for a pipe arch. If the bridge culvert pipe is placed at their proper elevations, same should be achieved. If the Contractor finds that the minimum cover is not being met, they shall notify the Town Drainage Superintendent and the Consulting Engineer immediately so that steps can be taken to rectify the condition prior to the placement of any backfill. The minimum cover requirement is **critical** and must be attained. In order for these new access bridge culverts to properly fit the channel parameters, **all of the design grade elevations must be strictly adhered to.**

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

Although it is anticipated that the culvert installation shall be undertaken in the dry, the Contractor shall supply and install a temporary straw bale or silt curtain check dam in the drain bottom immediately downstream of the culvert site during the time of construction. The straw bale or silt curtain check dam shall be to the satisfaction of the Town Drainage Superintendent or Consulting Engineer and must be removed upon completion of the construction. All costs associated with the supply and installation of this straw bale or silt curtain check dam shall be included in the cost bid for the new bridge installation.

## **XII. TOPSOIL, SEED AND MULCH**

The Contractor shall be required to restore all existing grassed areas and drain side slopes damaged by the structure construction or cutting of the drain cross section, by placing topsoil, and then seed and mulch over said areas including any specific areas noted on the bridge details. The Contractor shall be required to provide all the material and to cover the above mentioned surfaces with approximately 50mm of good, clean, dry topsoil on slopes and 100mm of good,

clean, dry topsoil on horizontal surfaces, fine graded and spread in place ready for seeding and mulching. The placing and grading of any topsoil shall be carefully and meticulously carried out in accordance with Ontario Provincial Standard Specifications, Form 802 dated November 2010, or as subsequently amended, or as amended by these specifications and be readied for the seeding and mulching process. The seeding and mulching of all of the above mentioned areas shall comply in all regards to Ontario Provincial Standard Specifications, Form 803 dated November 2010 and Form 804, dated November 2013, or as subsequently amended, or as amended by these specifications. The seeding mixture shall be the Standard Roadside Mix (Canada No. 1 Lawn Grass Seed Mixture) as set out in O.P.S.S. 804. All cleanup and restoration work shall be performed to the full satisfaction of the Town Drainage Superintendent or Engineer.

When all of the work for this installation has been completed, the Contractor shall ensure that positive drainage is provided to all areas; and shall ensure that the site is left in a neat and workmanlike manner, all to the full satisfaction of the Town Drainage Superintendent or Engineer.

### **XIII. GENERAL CONDITIONS**

- a) The Town Drainage Superintendent or Consulting Engineer shall have authority to carry out minor changes to the work where such changes do not lessen the efficiency of the work.
- b) The Contractor shall satisfy itself as to the exact location, nature and extent of any existing structure, utility, or other object which it may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town of Essex and the Consulting Engineer and their representatives for any damages which it may cause or sustain during the progress of the work. It shall not hold the Town of Essex or the Consulting Engineer liable for any legal action arising out of any claims brought about by such damage caused by it.
- c) The Contractor shall provide a sufficient number of layout stakes and grade points so that the Drainage Superintendent and Consulting Engineer can review same and check that the work will generally conform to the design and project intent.
- d) The Contractor will be responsible for any damage caused by it to any portion of the Town road system, especially to the travelled portion. When excavation work is being carried out and the excavation equipment is placed on the travelled portion of the road, the travelled portion shall be protected by having the excavation equipment placed on satisfactory timber planks or timber pads. If any part of the travelled portion of the road is damaged by the Contractor, the Town shall have the right to have the necessary repair work done by its' employees and the cost of all labour and materials used to carry out the repair work shall be deducted from the Contractor's contract and credited to the Town. The Contractor, upon completing the works, shall clean all debris and junk, etcetera, from the roadside of the drain, and leave the site in a neat and workmanlike manner. The Contractor shall be



responsible for keeping all public roadways utilized for hauling materials free and clear of mud and debris.

- e) The Contractor shall provide all necessary lights, signs, and barricades to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, signing is to comply with the M.T.O. Manual of Uniform Traffic Control Devices (M.U.T.C.D.) for Roadway Work Operations and Ontario Traffic Manual Book 7.
- f) During the course of the work the Contractor shall be required to connect existing drainage pipes to the Municipal Drain. In the event that polluted flows are discovered, the Contractor shall delay the connection of the pipe and leave the end exposed and alert the Town, the Drainage Superintendent and the Consulting Engineer so that steps can be taken by the Town to address the concern with the owner and the appropriate authorities. Where necessary the Contractor shall cooperate with the Town in providing temporary measures to divert the drain or safely barricade same. Should the connection be found acceptable by the authorities, the Contractor shall complete the connection of the drain as provided for in the specifications, at no extra cost to the project.
- g) Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.
- h) The whole of the work shall be satisfactorily cleaned up, and during the course of the construction, no work shall be left in any untidy or incomplete state before subsequent portions are undertaken.
- i) During the course of the project the Contractor shall deal with any excess soil management from the project in accordance with Ontario Reg 406/19 pursuant to the Environmental Protection Act, R.S.O. 1990, c. E.19 and any subsequent amendments to same.
- j) All driveways, laneways and access bridges, or any other means of access on to the job site shall be fully restored to their former condition at the Contractor's expense. Before authorizing Final Payment, the Town Drainage Superintendent and the Consulting Engineer shall inspect the work in order to be sure that the proper restoration has been performed. In the event that the Contractor fails to satisfactorily clean up any portion of these accesses, the Consulting Engineer shall order such cleanup to be carried out by others and the cost of same be deducted from any monies owing to the Contractor.
- k) The Contractor will be required to submit to the Town, a Certificate of Good Standing from the Workplace Safety and Insurance Board prior to the commencement of the work and the Contractor will be required to submit to the Town, a Certificate of Clearance for the project from the Workplace Safety and Insurance Board before Final Payment is made to the Contractor.

- l) The Contractor shall furnish a Performance and Maintenance Bond along with a separate Labour and Material Payment Bond within ten (10) days after notification of the execution of the Agreement by the Town. One copy of said bonds shall be bound into each of the executed sets of the Contract. Each Performance and Maintenance Bond and Labour and Material Payment Bond shall be in the amount of 100% of the total Tender Price. All Bonds shall be executed under corporate seal by the Contractor and a surety company, authorized by law to carry out business in the Province of Ontario. The Bonds shall be acceptable to the Town in every way and shall guarantee faithful performance of the contract during the period of the contract, including the period of guaranteed maintenance which will be in effect for twelve (12) months after substantial completion of the works.

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

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

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

- o) In the event that the Specifications, Information to Tenderers, or the Form of Agreement do not apply to a specific condition or circumstance with respect to this project, the applicable section or sections from the Canadian Construction Documents Committee C.C.D.C.2 shall govern and be used to establish the requirements of the work.

- p) Should extra work be required by the Town Drainage Superintendent or Consulting Engineer and it is done on a time and material basis, the actual cost of the work will be paid to the Contractor with a 15% markup on the total actual cost of labour, equipment, and materials needed to complete the extra work.

## APPENDIX "REI-A"



**STANDARD E.R.C.A. AND D.F.O.**  
**MITIGATION REQUIREMENTS**

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

1. As per standard requirements, work will not be conducted at times when flows in the drain are elevated due to local rain events, storms, or seasonal floods. Work will be done in the dry.
2. All disturbed soils on the drain banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be hauled away and disposed of at a suitable site, or spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
3. To prevent sediment entry into the drain in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with the related Ontario Provincial Standards. It is incumbent on the proponent and Contractors to ensure that sediment and erosion control measures are functioning properly and maintained/upgraded as required.
4. Silt or sand accumulated in the barrier traps must be removed and stabilized on land once the site is stabilized.
5. All activities including maintenance procedures should be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicular refuelling and maintenance should be conducted away from the water.
6. Any drain banks trimmed outside of the July 1st to September 15th timing window will require erosion control blankets to be installed to promote re-vegetation and to protect the slope from erosion in the interim.



**SECTION II**

**SPECIFICATIONS**

**FOR FISH SALVAGE**

**GENERAL**  
**SECTION 201**

The Work shall include the capture, salvage and release of fish that are trapped or stranded as the result of the Contractor's operations, at locations identified in the Fish Salvage Plan, and in co-operation with the Essex Region Conservation Authority (E.R.C.A.).

Fish capture shall be performed prior to dewatering, and in such manner that will minimize the injury to the fish.

**MATERIALS**  
**SECTION 202**

All materials required for fish capture, salvage and release shall be supplied by the Contractor.

**CONSTRUCTION**  
**SECTION 203**

The Contractor shall not commence any fish capture, salvage and release work until the Fish Salvage Plan has been accepted by the Consultant and the Conservation Authority. All work shall be performed in accordance with the Fish Salvage Plan unless otherwise determined by the Consultant or the Conservation Authority.

The Contractor shall ensure an ice-free pool is maintained throughout all fish capture and release operations.

All fish shall be captured within the area specified, and released at an acceptable location in the downstream water body. Fish shall be captured by electro fishing, netting, seining, trapping, or other method acceptable to the Consultant and/or the Conservation Authority.

**MEASUREMENT AND PAYMENT**  
**SECTION 204**

Payment for this Work will be made at the lump sum price bid for "Fish Capture and Release". The lump sum price will be considered full compensation for all labour, materials, equipment, tools and incidentals necessary to complete the Work to the satisfaction of the Consultant.





# Measures to Avoid Causing Harm to Fish and Fish Habitat

If you are conducting a project near water, it is your responsibility to ensure you avoid causing [serious harm to fish](#) in compliance with the *Fisheries Act*. The following advice will help you avoid causing harm and comply with the *Act*.

**PLEASE NOTE:** This advice applies to all project types and replaces all “Operational Statements” previously produced by DFO for different project types in all regions.

## Measures

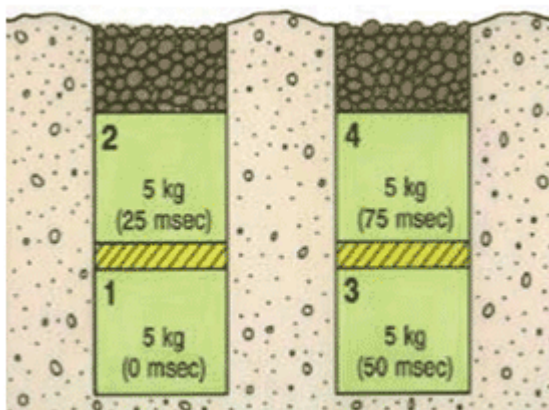
- Time work in water to respect [timing windows](#) to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed.
- Minimize duration of in-water work.
- Conduct instream work during periods of low flow, or at low tide, to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows.
- Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
- Design and plan activities and works in waterbody such that loss or disturbance to aquatic habitat is minimized and sensitive spawning habitats are avoided.
- Design and construct approaches to the waterbody such that they are perpendicular to the watercourse to minimize loss or disturbance to riparian vegetation.
- Avoid building structures on meander bends, braided streams, alluvial fans, active floodplains or any other area that is inherently unstable and may result in erosion and scouring of the stream bed or the built structures.
- Undertake all instream activities in isolation of open or flowing water to maintain the natural flow of water downstream and avoid introducing sediment into the watercourse.
- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse.
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Ensure that building material used in a watercourse has been handled and treated in a manner to prevent the release or leaching of substances into the water that may be deleterious to fish.

- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear. The plan should, where applicable, include:
  - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
  - Measures for managing water flowing onto the site, as well as water being pumped/diverted from the site such that sediment is filtered out prior to the water entering a waterbody. For example, pumping/diversion of water to a vegetated area, construction of a settling basin or other filtration system.
  - Site isolation measures (e.g., silt boom or silt curtain) for containing suspended sediment where in-water work is required (e.g., dredging, underwater cable installation).
  - Measures for containing and stabilizing waste material (e.g., dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry.
  - Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction.
  - Repairs to erosion and sediment control measures and structures if damage occurs.
  - Removal of non-biodegradable erosion and sediment control materials once site is stabilized.
- Clearing of riparian vegetation should be kept to a minimum: use existing trails, roads or cut lines wherever possible to avoid disturbance to the riparian vegetation and prevent soil compaction. When practicable, prune or top the vegetation instead of grubbing/uprooting.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.
- Retain a qualified environmental professional to ensure applicable permits for relocating fish are obtained and to capture any fish trapped within an isolated/enclosed area at the work site and safely relocate them to an appropriate location in the same waters. Fish may need to be relocated again, should flooding occur on the site.
- Screen any water intakes or outlet pipes to prevent entrainment or impingement of fish. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when an entrapped fish is held in contact with the intake screen and is unable to free itself.
  - In freshwater, follow these measures for design and installation of intake end of pipe fish screens to protect fish where water is extracted from fish-bearing waters:
    - Screens should be located in areas and depths of water with low concentrations of fish throughout the year.
    - Screens should be located away from natural or artificial structures that may attract fish that are migrating, spawning, or in rearing habitat.
    - The screen face should be oriented in the same direction as the flow.
    - Ensure openings in the guides and seals are less than the opening criteria to make “fish tight”.
    - Screens should be located a minimum of 300 mm (12 in.) above the bottom of the watercourse to prevent entrainment of sediment and aquatic organisms associated with the bottom area.
    - Structural support should be provided to the screen panels to prevent sagging and collapse of the screen.
    - Large cylindrical and box-type screens should have a manifold installed in them to ensure even water velocity distribution across the screen surface. The ends of the structure should be made out of solid materials and the end of the manifold capped.
    - Heavier cages or trash racks can be fabricated out of bar or grating to protect the finer fish screen, especially where there is debris loading (woody material, leaves, algae mats, etc.). A 150 mm (6 in.) spacing between bars is typical.
    - Provision should be made for the removal, inspection, and cleaning of screens.
    - Ensure regular maintenance and repair of cleaning apparatus, seals, and screens is carried out to prevent debris-fouling and impingement of fish.
    - Pumps should be shut down when fish screens are removed for inspection and cleaning.
- Avoid using explosives in or near water. Use of explosives in or near water produces shock waves that can damage a fish swim bladder and rupture internal organs. Blasting vibrations may also kill or damage fish eggs or larvae.
  - If explosives are required as part of a project (e.g., removal of structures such as piers, pilings, footings; removal of obstructions such as beaver dams; or preparation of a river or lake bottom for installation of a structure such as a dam or water intake), the potential for impacts to fish and fish habitat should be minimized by implementing the following measures:

- Time in-water work requiring the use of explosives to prevent disruption of vulnerable fish life stages, including eggs and larvae, by adhering to appropriate fisheries [timing windows](#).
- Isolate the work site to exclude fish from within the blast area by using bubble/air curtains (i.e., a column of bubbled water extending from the substrate to the water surface as generated by forcing large volumes of air through a perforated pipe/hose), cofferdams or aquadams.
- Remove any fish trapped within the isolated area and release unharmed beyond the blast area prior to initiating blasting
- Minimize blast charge weights used and subdivide each charge into a series of smaller charges in blast holes (i.e., decking) with a minimum 25 millisecond (1/1000 seconds) delay between charge detonations (see Figure 1).
- Back-fill blast holes (stemmed) with sand or gravel to grade or to streambed/water interface to confine the blast.
- Place blasting mats over top of holes to minimize scattering of blast debris around the area.
- Do not use ammonium nitrate based explosives in or near water due to the production of toxic by-products.
- Remove all blasting debris and other associated equipment/products from the blast area.

**Figure 1: Sample Blasting Arrangement**



Per Fig. 1: 20 kg total weight of charge; 25 msecs delay between charges and blast holes; and decking of charges within holes.

- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.

- Whenever possible, operate machinery on land above the high water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.
- Limit machinery fording of the watercourse to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the watercourse are required, construct a temporary crossing structure.
- Use temporary crossing structures or other practices to cross streams or waterbodies with steep and highly erodible (e.g., dominated by organic materials and silts) banks and beds. For fording equipment without a temporary crossing structure, use stream bank and bed protection methods (e.g., swamp mats, pads) if minor rutting is likely to occur during fording.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

Date modified:  
2013-11-25



## APPENDIX "REI-B"





## **SCHEDULE C**

### **MITIGATION PLAN**

The Municipality shall undertake measures to minimize adverse effects on species at risk in accordance with the general conditions described in Part B and taxa-specific conditions described in Part C, and the monitoring and reporting requirements described in Part D of this Mitigation Plan.

#### **PART A. DEFINITIONS**

##### **1. Definitions:**

1.1. In this Schedule, the following words shall have the following meanings:

"DFO" means Fisheries and Oceans Canada;

"MNR" means the Aylmer District Office of the Ministry of Natural Resources;

"Contact" means to contact the MNR in accordance with the notification/contact schedule provided to the Municipality by the MNR Designated Representative from time to time;

"Holding Tub" means a large, light-coloured container fitted with a non-airtight latchable lid approved by the MNR for the temporary storage of captured snakes, turtles, amphibians, birds or eggs;

"Interagency Notification Form" means the form issued by DFO, available at [www.dfo-mpo.gc.ca](http://www.dfo-mpo.gc.ca), which is required to be completed when a drain is being maintained or constructed;

"Monitoring and Reporting Form" means the document that must be completed by the Municipality in accordance with Part D to this Schedule and will be provided to the Municipality;

"Ontario Operational Statement" means one of the documents issued by DFO, available at [www.dfo-mpo.gc.ca](http://www.dfo-mpo.gc.ca), that sets out the conditions and measures to be incorporated into a project in order to avoid negative impacts to fish and fish habitat in Ontario, as modified from time to time;

"Process Charts" means the charts attached as Part E to this Schedule which describe the steps set out in this Mitigation Plan;

"Seasonal Timing Windows Chart" means the chart attached as Part G to this schedule which describes the Sensitive Periods applicable to each Taxonomic Group;

"Sensitive Area" means a geographic area in the Municipality where additional mitigation measures are required to be undertaken for one or more Taxonomic Groups;

"Sensitive Areas Map" means any one of the maps attached as Part F to this schedule which sets out the applicable Sensitive Areas;

"Sensitive Period" means a time of year set out in the Seasonal Timing Windows Chart during which taxa-specific mitigation measures are required to be undertaken for a Taxonomic Group because of ambient air/water temperatures, water-levels or important life-history stages;

"Taxonomic Group" means the distinct group comprising one or more Species based on their taxonomic relationship and common approaches to mitigating adverse effects (i.e., fish, mussels, turtles, snakes, amphibians, birds or plants); and

"Work Zone" means the geographic area in the Municipality where an Activity in respect of one of the Drainage Works is being conducted.

- 1.2. For greater certainty, any defined terms that are not defined in section 1.1 have the same meanings as in the Agreement.

## **PART B. GENERAL MEASURES TO MINIMIZE ADVERSE EFFECTS**

### **2. Process Charts**

- 2.1. The general steps set out in this Part B are visually described in the Process Charts (Part E).

### **3. Review of Documentation**

- 3.1. Prior to conducting any Activities in respect of the Drainage Works the Municipality shall determine if conditions apply to the place, time or manner in which the Municipality wishes to pursue them by reviewing:
  - (a) the Sensitive Areas Maps (Part F) to determine if the Work Zone for the proposed Activities will occur within a Sensitive Area;
  - (b) the DFO Reference Guide for Fish and Mussel Species at Risk Distribution Maps: A Referral Review Tool for Projects Affecting Aquatic Species at Risk;
  - (c) the Seasonal Timing Windows Chart (Part G) to determine if the proposed Activities will occur during a Sensitive Period for one or more of the Taxonomic Groups; and
  - (d) the Process Charts to determine if prior notification is required;
  - (e) the mitigation measures for each applicable Taxonomic Group in Part C to determine what additional site-specific mitigation measures, if any, are required.
- 3.2. The Municipality shall document the results of the review undertaken in accordance with section 3.1 using the Monitoring and Reporting Form.

### **4. Sensitive Areas Maps**

- 4.1. The Sensitive Areas Maps contain sensitive information about the distribution of species at risk, are provided for the sole purpose of informing this Agreement and are not to be copied or distributed for any other purposes or to any other party without the prior written authorization of the MNR Designated Representative.

### **5. Prior Notification to Seek Direction**

- 5.1. If, after completing the review of documents described in section 3.1, the Municipality determines that the proposed Activities will be undertaken:
  - (a) in a place;
  - (b) at a time; or
  - (c) in a manner,that requires prior notification in accordance with the Process Charts, the Municipality shall provide prior notification to the MNR in order for the MNR to determine if the Municipality must undertake additional site-specific or Species-specific mitigation

measures to minimize adverse effects on the Species and, if applicable, to identify such measures.

5.2. The prior notification under section 5.1 shall include a completed Interagency Notification Form:

- (a) in respect of maintenance/repair where the proposed Activities are being undertaken pursuant to subsection 3(18) or section 74 of the *Drainage Act*; or
- (b) in respect of construction/improvement where the proposed Activities are being undertaken pursuant to section 77 or 78 of the *Drainage Act*.

5.3. Where an Activity is undertaken in accordance with section 124 of the *Drainage Act* and would otherwise have required prior notification under section 5.1, the Municipality shall Contact the MNR by email prior to the commencement of the Activity, and complete and submit the applicable Interagency Notification Form within one week of the Activity's completion, unless otherwise directed in writing by the MNR Designated Representative.

**6. General Mitigation Measures**

6.1. Notwithstanding that prior notification or additional mitigation measures may be required in accordance with this schedule, in undertaking any Activity at any time in respect of the Drainage Works the Municipality shall:

- (a) undertake the mitigation measures for sediment control and for erosion control and bank stabilization set out in The Drain Primer (Cliff Evanitski 2008) published by DFO (ISBN 978-0-662-48027-3), unless otherwise authorized in writing by the MNR Designated Representative;
- (b) use net free, 100% biodegradable erosion control blanket for all erosion control or bank stabilization done in conjunction with their Activities or, if authorized in writing by the MNR Designated Representative, alternative erosion control blankets that provide equal or greater protection to individual Species; and
- (c) where applicable, follow the guidelines set out in the following Ontario Operational Statements:
  - (i) Beaver Dam Removal;
  - (ii) Bridge Maintenance;
  - (iii) Culvert Maintenance;
  - (iv) Isolated Pond Construction;
  - (v) Maintenance of Riparian Vegetation in Existing Right of Ways; and
  - (vi) Temporary Stream Crossing.

## **PART C. TAXA-SPECIFIC MEASURES TO MINIMIZE ADVERSE EFFECTS**

### **ADDITIONAL MITIGATION MEASURES FOR MUSSEL SPECIES**

#### **7. Activities undertaken in Sensitive Areas for Mussels**

- 7.1. Subject to section 7.2, where a proposed Activity will occur in a Sensitive Area for a mussel Species, the Municipality shall Contact the MNR to seek further direction.
- 7.2. Section 7.1 does not apply where the applicable Drainage Works are:
  - (a) in a naturally dry condition;
  - (b) classified as a Class F drain in DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
  - (c) a closed drain.

### **ADDITIONAL MITIGATION MEASURES FOR TURTLE SPECIES**

#### **8. Training and Required On Site Materials for Turtles**

- 8.1. The Municipality will ensure any person:
  - (a) involved in the capture, temporary holding, transfer and release of any turtle Species has received training in proper turtle handling procedures; and
  - (b) who undertakes an Activity has a minimum of two Holding Tubs and cotton sacks on site at all times.

#### **9. Activities undertaken in Sensitive Areas and Sensitive Periods for Turtles**

- 9.1. Subject to section 9.2, where a proposed Activity will occur in a Sensitive Area for any turtle Species and during a Sensitive Period for that Species, the Municipality shall:
  - (a) not undertake any Activities that include the excavation of sediment or disturbance to banks during the applicable Sensitive Period unless otherwise authorized;
  - (b) undertake Activities in accordance with any additional site-specific measures provided in writing by the MNR Designated Representative;
  - (c) avoid draw-down and de-watering of the Sensitive Area during the applicable Sensitive Period; and
  - (d) if authorized by the MNR Designated Representative under (a) above to undertake Activities that include excavation of sediment or disturbance of banks, in addition to any other measures required under (b) above, ensure any person undertaking an Activity has at least two Holding Tubs on site at all times.
- 9.2. Section 9.1 does not apply where the applicable Drainage Works are:
  - (a) in a naturally dry condition;
  - (b) classified as a Class F drain in DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
  - (c) a closed drain.

## **10. Measures for Encounters with Turtles During a Sensitive Period**

- 10.1. Where one or more individuals belonging to a turtle Species is encountered in the undertaking of an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:
- (a) capture and transfer all uninjured individuals of that Species into a Holding Tub;
  - (b) capture and transfer all individuals injured as a result of the Activities into a Holding Tub separate from any Holding Tub containing uninjured individuals;
  - (c) ensure that the Holding Tubs with the captured individuals are stored at a cool temperature to prevent freezing until the individuals can be transferred; and
  - (d) immediately Contact the MNR to seek direction and to arrange for the transfer of the individual turtles.

## **11. Measures for Encounters with Turtles Laying Eggs or Nest Sites**

- 11.1. Where one or more individuals belonging to a turtle Species laying eggs, or an active nest site of any turtle Species, is encountered in undertaking an Activity in a Work Zone, the Municipality shall:
- (a) not disturb a turtle encountered laying eggs and not conduct any Activities within 20 metres of the turtle while it is laying eggs;
  - (b) collect any displaced or damaged eggs and capture any injured dispersing juveniles and transfer them to a Holding Tub;
  - (c) store all captured injured individuals and collected eggs out of direct sunlight;
  - (d) immediately Contact the MNR to seek direction and to arrange for the transfer of any injured individuals and eggs;
  - (e) immediately stop any disturbance to the nest site and recover exposed portions with soil or organic material to protect the integrity of the remaining individuals;
  - (f) not drive any equipment over the nest site or conduct any Activities within 5 metres of the nest site;
  - (g) not place any dredged materials removed from the Drainage Works on top of the nest site;
  - (h) mark out the physical location of the nest site for the duration of the project but not by any means that might increase the susceptibility of the nest to predation or poaching; and
  - (i) where there are no collected eggs or captured individuals, record relevant information and Contact the MNR within 72 hours to provide information on the location of the nest site.

## **12. Measures for Encounters with Turtles Outside of a Sensitive Period**

- 12.1. Where one or more individuals belonging to a turtle Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of any Sensitive Period for that Species, the Municipality shall:
- (a) briefly stop the Activity for a reasonable period of time to allow any uninjured individual turtles of that Species to leave the Work Zone;

- (b) where individuals do not leave the Work Zone after the Activity is briefly stopped in accordance with (a) above, capture all uninjured individuals and release them in accordance with section 13.1;
- (c) where circumstances do not allow for their immediate release, transfer captured uninjured individuals for a maximum of 24 hours into a Holding Tub which shall be stored out of direct sunlight and then release them in accordance with section 13.1;
- (d) capture and transfer any individuals that have been injured into a Holding Tub separate from any Holding Tub containing uninjured individuals; and
- (e) store all captured injured individuals out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for their transfer.

### **13. Release of Captured Individuals Outside of a Sensitive Period**

- 13.1. Where uninjured individuals are captured under section 12.1, they shall be released:
  - (a) within 24 hours of capture;
  - (b) in an area immediately adjacent to the Drainage Works;
  - (c) in an area that will not be further impacted by the undertaking of any Activity; and
  - (d) not more than 250 metres from the capture site.
- 13.2. Following a release under section 13.1, the Municipality shall Contact the MNR within 72 hours of the release to provide information on the name of the Drainage Works, the location of the encounter and the location of the release site.

### **14. Measures for Dead Turtles**

- 14.1. Where one or more individuals of a turtle Species is killed as a result of an Activity in a Work Zone, or if a person undertaking an Activity finds a deceased individual of a turtle Species within the Work Zone, the Municipality shall:
  - (a) place any dead turtles in a Holding Tub outside of direct sunlight; and
  - (b) Contact the MNR within 72 hours to seek direction and to arrange for the transfer of the dead individuals.

## **ADDITIONAL MITIGATION MEASURES FOR SNAKE SPECIES**

### **15. Training and Required On Site Materials for Snakes**

- 15.1. The Municipality will ensure any person:
  - (a) involved in the capture, temporary holding, transfer and release of any snake Species has received training in proper snake handling procedures; and
  - (b) who undertakes an Activity has a minimum of two Holding Tubs and cotton sacks on site at all times.

### **16. Activities undertaken in Sensitive Areas and Sensitive Periods for Snakes**

- 16.1. Where a proposed Activity involves physical infrastructure (e.g., culverts, pump houses, etc.) and will occur in a Sensitive Area for any snake Species and during a *Sensitive Period – Hibernation* for that Species, the Municipality shall undertake the Activity outside of the Sensitive Period, unless otherwise authorized by and in accordance with any site-specific measures provided in writing by the MNR Designated Representative.

16.2. Where a proposed Activity will occur at or adjacent to a known hibernacula (as identified by the MNR) for any snake Species and during a *Sensitive Period – Staging* for that Species, the Municipality shall:

- (a) erect effective temporary snake barriers approved by the MNR that will not pose a risk of entanglement for snakes and that shall be secured so that individual snakes may not pass over or under the barrier or between any openings to enter or re-enter the Work Zone;
- (b) inspect the temporary snake barriers daily during periods when snakes are active, capture any individuals incidentally encountered within the area bounded by the snake barrier and release the captured individuals in accordance with section 20.1; and
- (c) remove the temporary snake barriers immediately upon completion of the Activity.

16.3. Where a proposed Activity that does not involve physical infrastructure will occur in a Sensitive Area for any snake Species and during a *Sensitive Period – Staging* for that Species, the Municipality shall undertake the Activity outside of the Sensitive Period, unless otherwise authorized by and in accordance with any site-specific measures provided in writing by the MNR Designated Representative.

#### **17. Measures for Encounters with Snakes During a Sensitive Period**

17.1. Where one or more individuals belonging to a snake Species is encountered, or should an active hibernacula be uncovered, while conducting an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:

- (a) capture and transfer all injured and uninjured individual snakes of that Species into individual light-coloured, drawstring cotton sacks;
- (b) place all cotton sacks filled with the captured individuals into a Holding Tub;
- (c) ensure that the Holding Tub with the captured individuals is stored at a cool temperature to protect the snakes from freezing until the individuals can be retrieved or transferred;
- (d) if an active hibernacula is uncovered, cease all Activities at the hibernacula site; and
- (e) immediately Contact the MNR to seek direction and to arrange for the transfer and/or retrieval.

#### **18. Measures for Encounters with Snake Nests**

18.1. Where an active nest of any of the snake Species is encountered and disturbed while undertaking an Activity in any part of a Work Zone, the Municipality shall:

- (a) collect any displaced or damaged eggs and transfer them to a Holding Tub;
- (b) capture and transfer all injured dispersing juveniles of that Species into a light-coloured drawstring cotton sack;
- (c) place all cotton sacks with the captured injured individuals into a Holding Tub;
- (d) ensure that the Holding Tub with the captured injured individuals is stored out of direct sunlight;
- (e) immediately Contact the MNR to seek direction and to arrange for the transfer of the injured individuals;
- (f) immediately stop any disturbance to the nest site and loosely cover exposed portions with soil or organic material to protect the integrity of the remaining individuals;



- (g) not drive any equipment over the nest site or conduct any Activities within 5 metres of the nest site;
- (h) not place any dredged materials removed from the Drainage Works on top of the nest site;
- (i) mark out the physical location of the nest site but not by any means that might increase the susceptibility of the nest to predation or poaching; and
- (j) where there are no collected eggs or captured individuals, Contact the MNR within 72 hours to provide information on the location of the nest site.

#### **19. Measures for Encounters with Snakes Outside of a Sensitive Period**

- 19.1. Where one or more individuals belonging to a snake Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of any Sensitive Period for that Species, the Municipality shall:
- (a) follow the requirements in section 15;
  - (b) briefly stop the Activity for a reasonable period of time to allow any uninjured individual snakes of that Species to leave the Work Zone;
  - (c) if the individuals do not leave the Work Zone after the Activity is briefly stopped in accordance with (b) above, capture all uninjured individuals and release them in accordance with section 20.1;
  - (d) where circumstances do not allow for the immediate release of captured uninjured individuals, they may be transferred into individual, light-coloured, drawstring cotton sacks before placing them in a Holding Tub which shall be stored out of direct sunlight for a maximum of 24 hours before releasing them in accordance with section 20.1;
  - (e) capture and transfer any individuals injured as a result of conducting the Activities into a Holding Tub separate from any Holding Tub containing uninjured individuals; and
  - (f) store all captured injured individuals out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for their transfer.

#### **20. Release of Captured Individuals Outside of a Sensitive Period**

- 20.1. Where uninjured individuals are captured under section 19.1, they shall be released:
- (a) within 24 hours of capture;
  - (b) in an area immediately adjacent to the Drainage Works where there is natural vegetation cover;
  - (c) in an area that will not be further impacted by the undertaking of any Activity; and
  - (d) not more than 250 metres from the capture site.
- 20.2. Following a release under section 20.1, the Municipality shall Contact the MNR within 72 hours of the release to provide information on the name of the Drainage Works, the location of the encounter and the location of the release site.

#### **21. Measures for Dead Snakes**

- 21.1. Where one or more individuals belonging to a snake Species is killed as a result of an Activity in a Work Zone, or if a person undertaking an Activity finds a deceased individual of a snake Species within the Work Zone, the Municipality shall:

- (a) collect and transfer any dead individuals into a Holding Tub outside of direct sunlight; and
- (b) Contact the MNR within 72 hours to seek direction and to arrange for the transfer of the carcasses of the dead individuals.

#### **ADDITIONAL MITIGATION MEASURES FOR HERBACEOUS PLANTS**

##### **22. Activities Undertaken in Sensitive Areas for Herbaceous Plants**

- 22.1. Where a proposed Activity will occur that involves physical disturbance to vegetated banks or the killing and/or removal of vegetation through chemical or mechanical means in a Sensitive Area for any herbaceous plant Species, the Municipality shall:
- (a) undertake the Activity outside of the Sensitive Period, unless otherwise authorized;
  - (b) limit equipment access and operations to the side of the Drainage Works that will minimize disturbances where any of the plant Species occur;
  - (c) locate temporary storage sites for excavated sediments or bank materials on areas of open soil away from where any of the plant Species are likely to occur;
  - (d) not use any broad spectrum herbicides in Sensitive Areas; and
  - (e) undertake Activities in accordance with any additional site-specific measures provided in writing by the MNR Designated Representative.

#### **ADDITIONAL MITIGATION MEASURES FOR TREE SPECIES**

##### **23. Additional Measures for Butternut**

- 23.1. Where Butternuts may exist in a Work Zone and may be affected by an Activity, the Municipality shall:
- (a) identify and mark as retainable trees all individual Butternut trees within the Work Zone during work planning site visits unless the individual Butternut has been assessed as a non-retainable tree due to infection by Butternut canker by a person designated by the Minister as a Butternut Health Assessor;
  - (b) retain and avoid disturbance to all individuals identified under (a) above that have been identified as retainable trees or that have not been assessed, unless otherwise authorized in writing by the MNR Designated Representative;
  - (c) conduct Activities by:
    - (i) limiting equipment access and operations to the side of the Drainage Works that will minimize disturbance to where any of the individual Butternut trees occur,
    - (ii) working around trees,
    - (iii) avoiding compacting and/or disturbing the soil by keeping excavation and other heavy equipment a minimum of 2 metres away from the main stem of retained individuals to avoid damaging roots and stems,
    - (iv) placing excavated materials on areas not within 2 metres of the main stem of retained individuals; and
    - (v) where branches are required to be removed to allow for safe operation of equipment, removing them using appropriate equipment, such as pruning saws, chain saws or lopping shears, in accordance with good forestry practices.

#### **24. Measures for Other Trees**

- 24.1. Where Kentucky Coffee-tree, Common Hoptree, Eastern Flowering Dogwood and American Chestnut may exist in a Work Zone and may be affected by an Activity, the Municipality shall:
- (a) identify and mark all individual Kentucky Coffee-tree, Common Hoptree, Eastern Flowering Dogwood and American Chestnut within the Work Zone during work planning site visits;
  - (b) avoid disturbance to all individuals identified under (a) above, unless otherwise authorized in writing by the MNR Designated Representative;
  - (c) conduct Activities by:
    - (i) limiting equipment access and operations to the side of the Drainage Works that will minimize disturbance where any of the individuals occur,
    - (ii) working around trees,
    - (iii) avoiding compacting and/or disturbing the soil by keeping excavation and other heavy equipment a minimum of 2 metres away from the main stem of retained individuals to avoid damaging roots and stems, and
    - (iv) placing excavated materials on areas not within 2 metres of the main stem of retained individuals; and
  - (d) where branches are required to be removed to allow for safe operation of equipment, remove them using appropriate equipment, such as pruning saws, chain saws or lopping shears, in accordance with good forestry practices.

#### **PART D. MONITORING AND REPORTING REQUIREMENTS**

##### **25. Compliance Monitoring.**

- 25.1. The Municipality shall inspect the undertaking of the Activities at the locations described in Part F of this Schedule C, and shall record the results of the inspections in the Monitoring and Reporting Form.
- 25.2. The Municipality shall record all encounters with Species and the resulting mitigation measures taken by the Municipality in the Monitoring and Reporting Form.

##### **26. Reporting**

- 26.1. Prior to March 31 of each year the Mitigation Plan is in effect, the Municipality shall submit a completed Monitoring and Reporting Form containing all of the information collected under sections 25.1 and 25.2 during the previous twelve months to the MNR Designated Representative.

##### **27. Review**

- 27.1. Within six months of the expiry of this Mitigation Plan but no later than three months from the time of its expiry, the Parties shall meet to review the measures and actions taken and the Activities undertaken during its term and to discuss the terms and conditions of the next Mitigation Plan.

## APPENDIX "REI-C"



## **STANDARD SPECIFICATIONS** **FOR ACCESS BRIDGE CONSTRUCTION**

### **1. PRECAST CONCRETE BLOCK & CONCRETE FILLED JUTE BAG HEADWALLS**

After the Contractor has set the endwall foundations and the new pipe in place, it shall completely backfill same and install new precast concrete blocks or concrete filled jute bag headwalls at the locations and parameters indicated on the drawing. All concrete used for headwalls shall be a minimum of 30 mPa at 28 days and include 6% +/- 1% air entrainment.

Precast concrete blocks shall be interlocking and have a minimum size of 600mmX600mmX1200mm. Half blocks shall be used to offset vertical joints. Cap blocks shall be a minimum of 300mm thick. A foundation comprising minimum 300mm thick poured concrete or precast blocks the depth of the wall and the full bottom width of the drain plus 450mm embedment into each drain bank shall be provided and placed on a firm foundation as noted below. The Contractor shall provide a levelling course comprising a minimum thickness of 150mm Granular "A" compacted to 100% Standard Proctor Density or 20mm clear stone, or a lean concrete as the base for the foundation. The base shall be constructed level and flat to improve the speed of installation. Equipment shall be provided as required and recommended by the block supplier for placing the blocks such as a swift lift device for the blocks and a 75mm eye bolt to place the concrete caps,. The headwall shall extend a minimum of 150mm below the invert of the access bridge culvert with the top of the headwall set to match the finished driveway grade, unless a 150mm high curb is specified at the edge of the driveway. To achieve the required top elevation, the bottom course of blocks and footing may require additional embedment into the drain bottom. The Contractor shall provide shop drawings of the proposed wall for approval by the Drainage Superintendent or Engineer prior to construction.

Blocks shall be placed so that all vertical joints are staggered. Excavation voids on the ends of each block course shall be backfilled with 20mm clear stone to support the next course of blocks above. Walls that are more than 3 courses in height shall be battered a minimum of 1 unit horizontal for every 5 units of vertical height. The batter shall be achieved by careful grading of the footing and foundation base, or use of pre-battered base course blocks. Filter cloth as specified below shall be placed behind the blocks to prevent the migration of any fill material through the joints. Backfill material shall be granular as specified below. Where the wall height exceeds 1.8 metres in height, a uni-axial geogrid SG350 or equivalent shall be used to tie back the walls and be installed in accordance with the manufacturer's recommendations. The wall face shall not extend beyond the end of the access bridge pipe. Non-shrink grout shall be used to fill any gaps between the blocks and the access bridge pipe for the full depth of the wall. The grout face shall be finished to match the precast concrete block walls as closely as possible.

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

The concrete filled jute bag headwalls shall be constructed by filling jute bags with concrete. All concrete used to fill the jute bags shall have a minimum compressive strength of 25 MPa in 28 days and shall be provided and placed only as a wet mix. Under no circumstance shall the concrete to be used for filling the jute bags be placed as a dry mix. The jute bags, before being filled with concrete, shall have a dimension of 460mm (18") x 660mm (26"). The jute bags shall be filled with concrete so that when they are laid flat, they will be approximately 100mm (4") thick, 305mm (12") to 380mm (15") wide and 460mm (18") long.

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

All concrete used for the footing, cap and bags shall have a minimum compressive strength of 30 mPa at 28 days and shall include 6% ± 1% air entrainment.

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

the cap. The Contractor shall fill all voids between the concrete filled jute bags and the corrugated steel pipe with concrete, particular care being taken underneath the pipe haunches to fill all voids.

The completed jute bag headwalls shall be securely embedded into the drain bank a minimum of 450mm (18") measured perpendicular to the sideslopes of the drain.

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

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

## **2. QUARRIED LIMESTONE ENDWALLS**

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

Prior to placing the quarried limestone end protection over the granular backfill and on the drain banks, the Contractor shall lay non-woven geotextile filter fabric "GMN160" conforming to O.P.S.S. 1860 Class I or approved equal. The geotextile filter fabric shall extend from the bottom of the corrugated steel pipe to the top of each end slope of the bridge and along both banks of the drain to a point opposite the ends of the pipe.

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

## **3. BRIDGE BACKFILL**

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

## **4. GENERAL**

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

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

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

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

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

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

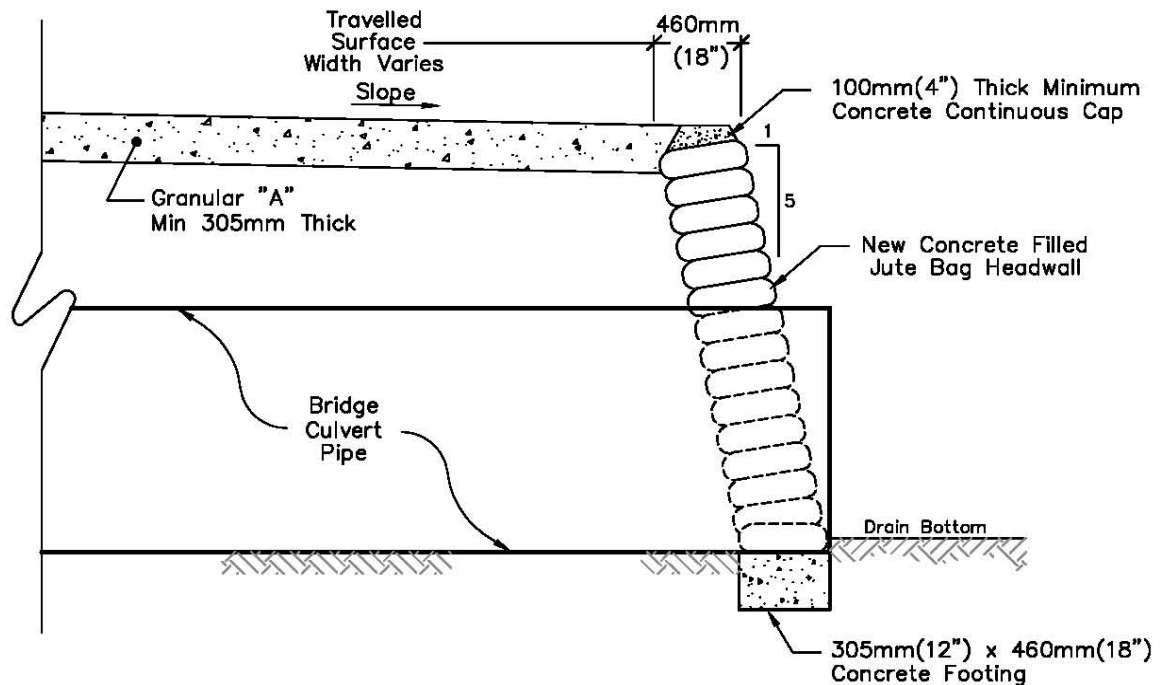
When working along a municipal roadway, the Contractor shall provide all necessary lights, signs, barricades and flagpersons as required to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, it is to comply with the M.T.O. Traffic Control Manual for Roadway Work Operations and Ontario Traffic Manual Book 7.

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

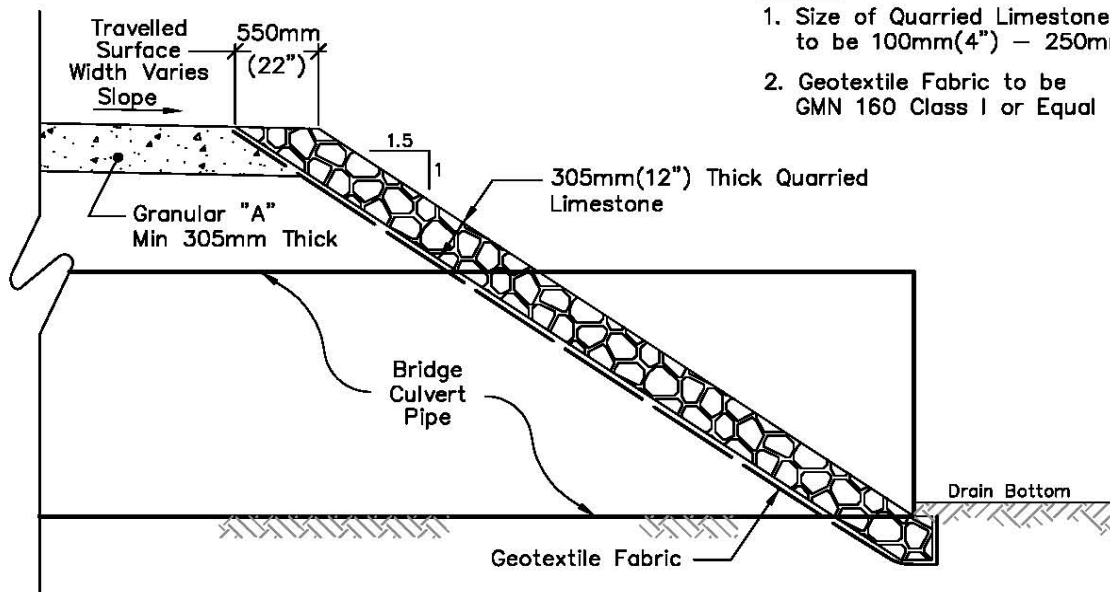
All of the work required towards the installation of the bridge shall be performed in a neat and workmanlike manner. The general site shall be restored to its' original condition, and the general area shall be cleaned of all debris and junk, etc. caused by the work

All of the excavation, installation procedures, and parameters as above mentioned are to be carried out and performed to the full satisfaction of the Drainage Superintendent and Engineer.





Typical Jute Bag Headwall

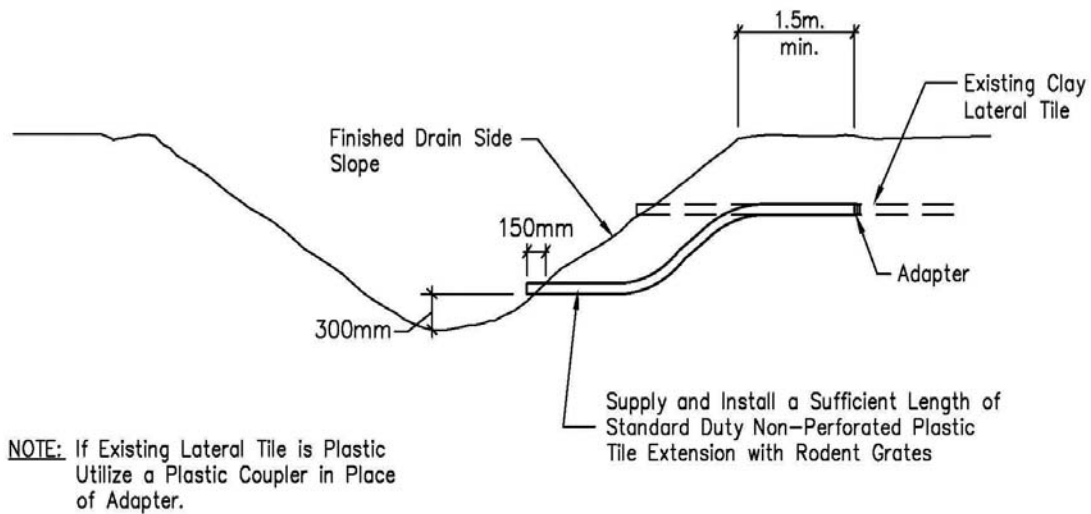


**NOTE:**

1. Size of Quarried Limestone to be 100mm(4") – 250mm(10")
2. Geotextile Fabric to be GMN 160 Class I or Equal

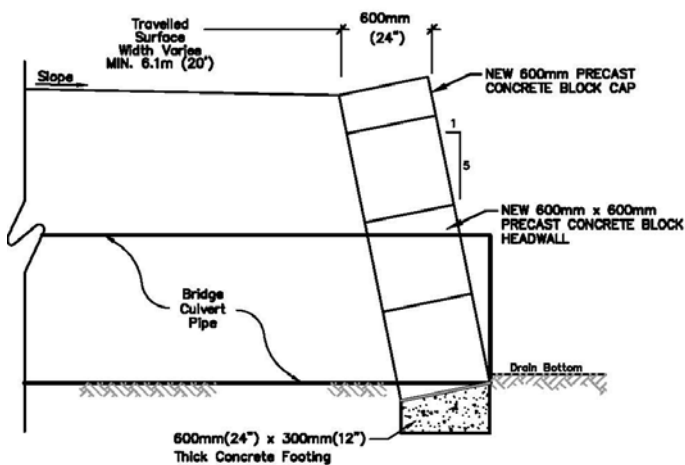
Typical Quarried Limestone End Protection

***Rood Engineering Inc.***  
**Consulting Engineers**  
 9 Nelson Street  
 Leamington, Ontario N8H 1G6  
 519-322-1621



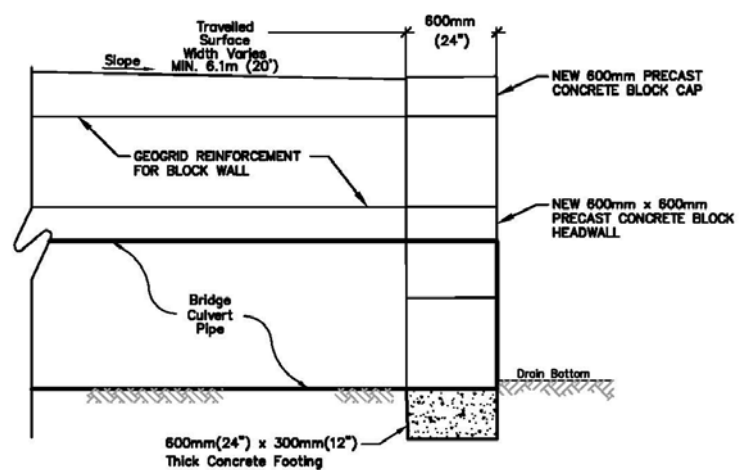
## STANDARD LATERAL TILE DETAIL

N.T.S.



**TYPICAL PRECAST CONCRETE BLOCK END PROTECTION**

Scale = N.T.S.



**TYPICAL VERTICAL PRECAST CONCRETE BLOCK END PROTECTION**

Scale = N.T.S.



## APPENDIX "REI-D"



Appendix D – General Conditions and Specifications not required.



## APPENDIX "REI-E"

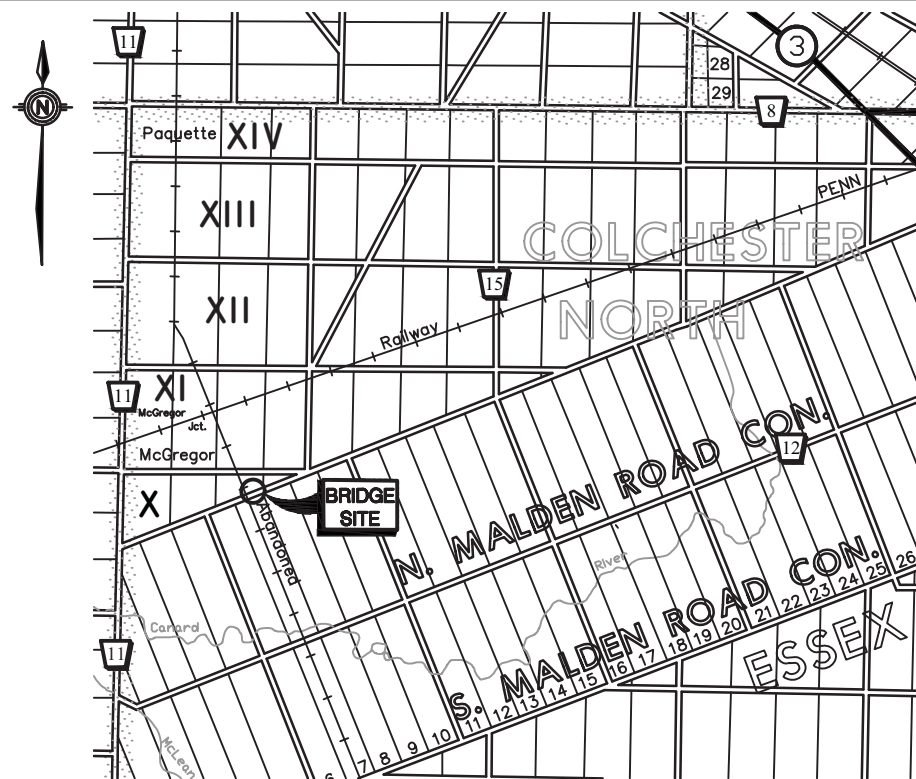




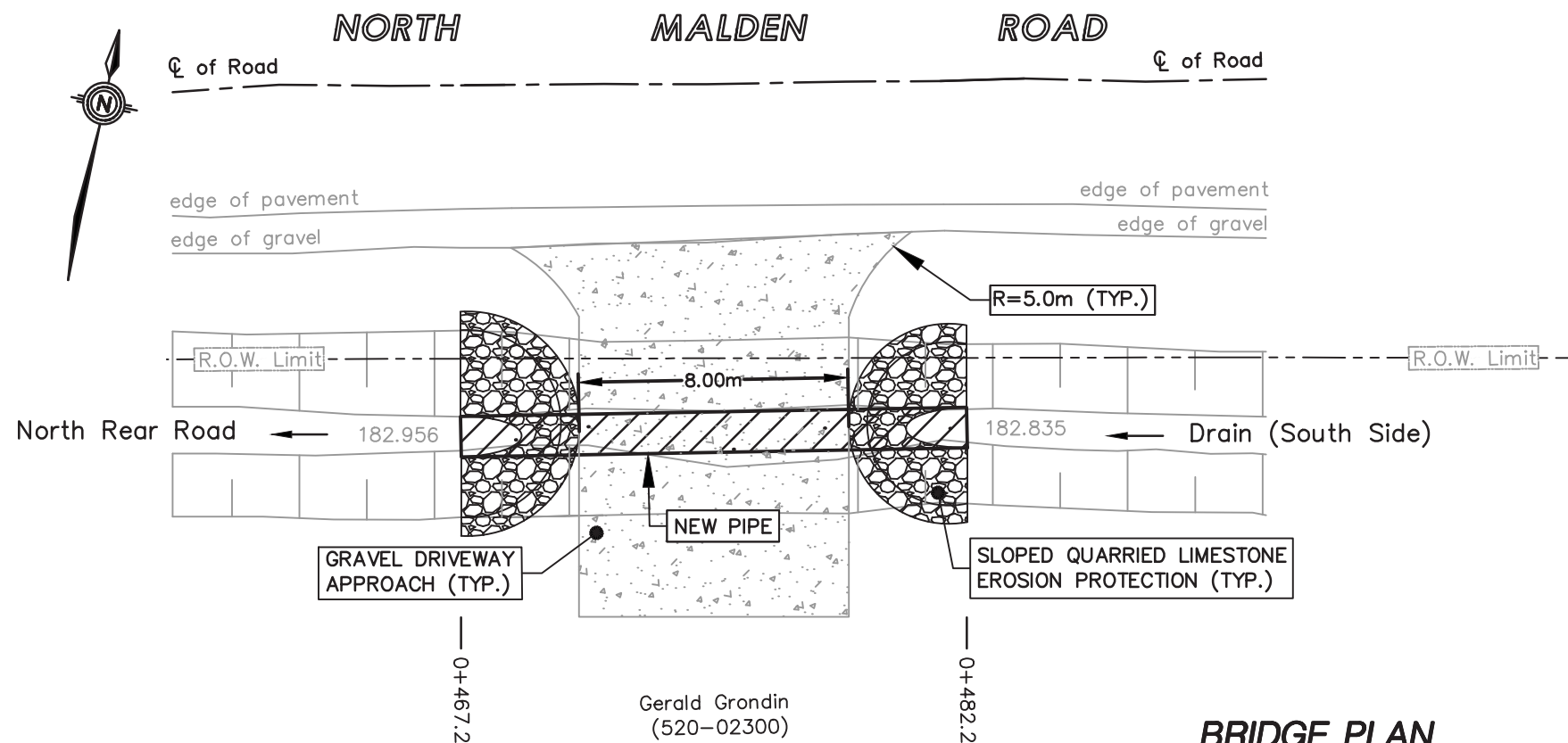
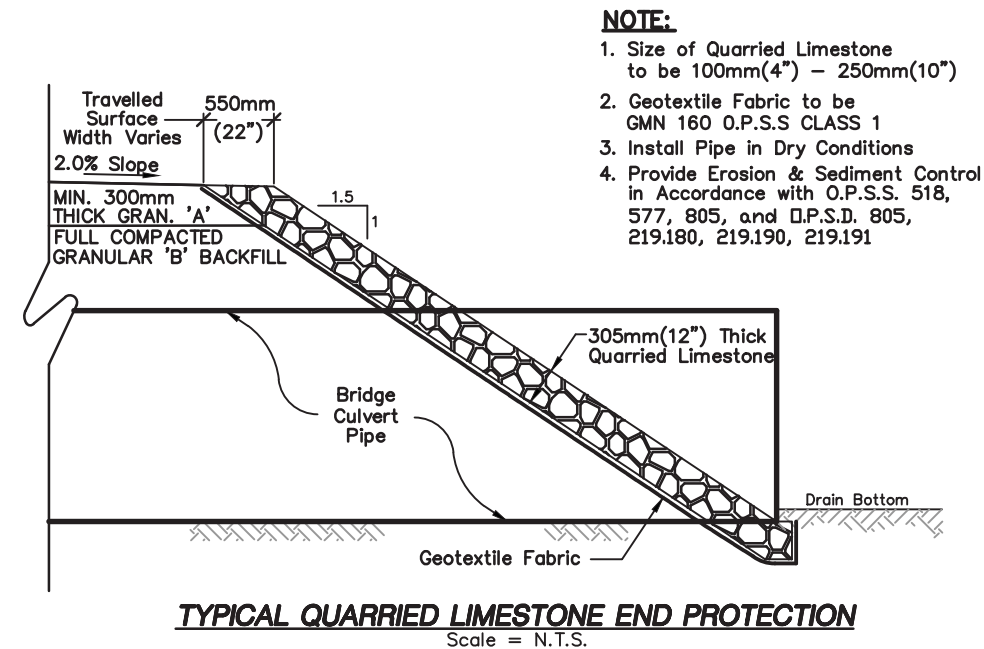


THIS MAP IS NOT TO BE USED FOR NAVIGATION  
Copyright the Corporation of the Town of Essex, 2019. Data herein is provided  
by the Corporation of the Town of Essex on an 'as is' basis. Assessment parcel  
provided by Teranet Enterprises Inc. Data layers that appear on this map may  
or may not be accurate, current, or otherwise reliable.

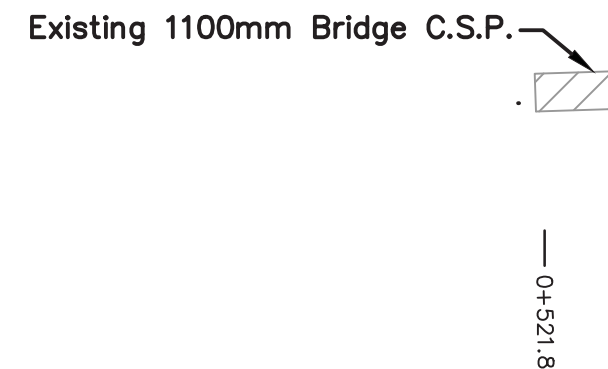




**KEY PLAN**  
Scale = 1:100,000



**BRIDGE PLAN**  
SCALE = 1:200



**NOTE:**  
REMOVE EXISTING TREES & BRUSH  
WITHIN NEW BRIDGE INSTALLATION

**BENCHMARK:**  
TOP CENTER OF WEST CURB ON FARM ACCESS BRIDGE OVER THE 11TH  
CONCESSION & NORTH REAR ROAD DRAIN, APPROX. 46m EAST OF THE KING  
CREEK DRAIN ROAD CROSSING  
**ELEV. = 184.902m**

PIPE SIZE:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:	DESIGN ELEVATIONS:
1200mm	15.0m (49.21 FT.)	2.0mm (14 GA.)	125x25mm (5"x1")	ALUMINIZED C.S.P.	UPSTREAM INV. (E) =182.943m DOWNSTREAM INV. (W) =182.931m TOP OF DRIVEWAY =184.670m DRAIN GRADE = 0.08%

**NORTH REAR ROAD DRAIN - SOUTH SIDE**  
New Bridge for Gerald Grondin  
(GEOGRAPHIC TOWNSHIP OF COLCHESTER NORTH)  
IN THE  
**TOWN OF ESSEX**  
IN THE  
**COUNTY OF ESSEX • ONTARIO**



**Rood**  
**ENGINEERING**  
**INC.**  
CONSULTING ENGINEERS  
Leamington, Ontario  
519-322-1621

FILE No.:  
**2020D010**  
DRAWN BY: K.D.  
PLOT CODE: 1:1  
FILE: REI2020D010.DWG

APPENDIX 'E'  
Page 1 of 5  
105 of 274

DATE: 2020-09-24



## Report to Council

Department: Corporate Services

Division: Finance and Business Services

Date: November 2, 2020

Prepared by: Katelynn Giurissevich, CPA, CA, Manager, Finance and Business Services

Report Number: Finance and Business Services-2020-04

Subject: COVID-19 Financial Impact as of September 30, 2020

Number of Pages: 15

### Recommendation(s)

The following is provided for Council's consideration:

1. That Finance and Business Services Report 2020-04 entitled "COVID-19 Financial Impact as of September 30, 2020" be received.

### Purpose

To provide Council with the estimated financial impact of the COVID-19 pandemic as of September 30, 2020.

### Background and Discussion

The extraordinary nature of the COVID-19 pandemic has and will continue to impact the Town's financial position for the foreseeable future, the degree is uncertain.

Council and administration have monitored and continue to monitor the rapidly escalating situation. Measures were introduced throughout the onset of the pandemic to ensure the health and safety of staff and residents. Additional measures attempted to provide economic relief where possible.

## **Timeline of Events**

On March 11<sup>th</sup>, 2020 COVID-19 was declared a pandemic by the World Health Organization.

Immediately following the emergency declaration, Administration put into place processes to track the financial impact that may be experienced due to the pandemic. This included the creation of an Emergency Event cost centre which would allow the Town to quantify additional and non-budgeted expenditures, and or costs associated with the COVID-19 pandemic.

On March 16<sup>th</sup>, at a special meeting of Council, Council approved the waiver of penalty and interest on property tax and interest on water and sanitary accounts, to provide financial relief to residents.

On March 17<sup>th</sup>, the Government of Ontario declared a state of emergency which included the closure of indoor recreational programs, indoor dining, public libraries, schools, and daycares. It also introduced a gathering limit to help reduce the transmission of the disease.

On March 18<sup>th</sup>, following the emergency order, all Town facilities were closed to the public. Staff at Town offices were redeployed to multiple facilities or used a temporary “work-from-home” model to ensure the proper social distancing guidelines were being followed. As a result of the closures, all Town recreational programming and rentals were cancelled until further notice.

On March 22<sup>nd</sup>, the County of Essex and all lower-tier municipalities, including the Town of Essex, declared a state of emergency. Administration worked with neighboring municipalities to ensure a consistent approach in the fight against COVID-19.

On March 25<sup>th</sup>, more orders were introduced including the closure of all “non-essential businesses” as well as outdoor recreational programs or facilities.

On April 27<sup>th</sup>, the Government of Ontario unveiled its “Framework for Reopening our Province”. The framework laid out three stages of reopening, which required assessments at the provincial level before a region was permitted to move into the next stage. Also on April 27<sup>th</sup>, the Town launched the Open for Business Map to assist residents in finding open local businesses with a summary of their operational and service changes.

On May 4<sup>th</sup>, Council approved the recommendation of the Essex Fun Fest Committee to cancel the 2020 Essex Funfest.

On May 19<sup>th</sup> the province, including the Town of Essex, entered Stage 1 of the framework.

Effective June 1<sup>st</sup>, the Town began reopening administrative buildings to the public with several new protocols, following the guidance of the local Health Unit. All non-sport field parks and beaches, as well as the Harbor, were reopened for passive use only.

On June 9<sup>th</sup>, the Government of Ontario introduced new measures to support businesses who have liquor sales licenses to temporarily extend their patios and safely reopen businesses. On June 19<sup>th</sup>, the Town began accepting applications from local businesses to expand or create outdoor patios to assist with reopening safely. These businesses were also encouraged to apply for reimbursement of patio or outdoor expansion through the Town’s “Community Improvement Plan”.

On June 15<sup>th</sup>, Council approved the creation of the “Digital Grant Program” to assist local business in digital marketing and online sale expansion.

On June 25<sup>th</sup>, the Town of Essex entered Stage 2, which permitted the reopening of certain businesses including hair and beauty, personal services, as well as restaurants and bars for outdoor dining.

On July 6<sup>th</sup>, the “Business Relaunch Fund” was approved by Council to assist eligible business owners in their safe reopening. This program was the first of its kind in Essex County and neighboring municipalities have since launched their own concept.

On July 16<sup>th</sup>, the Town launched the Newspaper Business Directory in partnership with our local newspapers to offer free listings to Town of Essex businesses.

On July 27<sup>th</sup>, the Government of Ontario announced funding of up to \$4 billion in emergency assistance for municipalities through the Safe Restart Agreement.

On August 12<sup>th</sup>, the Town of Essex was moved into Stage 3 by the Government of Ontario. This meant that non-essential businesses and other previously closed facilities, were able to re-open with increased social distancing measures and health and safety protocols, as recommended by the local Health Unit. Some “larger scale” or higher risk venues are still not permitted for reopening.

On August 12<sup>th</sup>, the Town received further details on the funding investment through the federal-provincial Safe Restart Agreement. For the municipal operating stream, \$1.39 billion will be available to address pressures and local needs arising from COVID-19. The funding will be allocated in two phases: 50% in Phase 1 for all municipalities based on household count, and 50% in Phase 2 for municipalities that require additional funding. Under Phase 1 the Town will receive \$543,800. It is expected that any excess funding will be placed into reserves for future costs or pressures as a result of the pandemic. Reporting will also be required with details on the 2020 COVID-19 operating costs and pressures as well as the overall 2020 financial position.

Under Phase 2, funding may be provided to those municipalities that can demonstrate that the 2020 COVID-19 impact exceeded the Phase 1 allocation. This will require additional reporting as well.

On September 28<sup>th</sup>, Doug Ford announces that Ontario was officially in the second wave of the coronavirus pandemic.



Although the reporting period for this report is for month ending September 30, 2020, it is important to note the following events since this date, which include:

On October 9<sup>th</sup>, new restrictions, including certain facility closures, were put into place for “hot spot” regions, which did not include to the Town of Essex.

Administration continues to monitor the consistently changing environment and situation and adapting as necessary.

## **COVID-19 Financial Impact Summary**

For the Operating Summary of COVID-19 pandemic related groupings as outlined in this report please refer to Table A (attached). As identified in Table A, the total loss to date, for COVID-19 impacted revenue and expense groupings, is approximately **\$548,700**, when comparing period ending September 30, 2020 to 2019. This loss is predicted to increase on a continual basis due to the new environment that COVID-19 has created in the community. Administration will continue to report to Council with actual cost data, as forecasted data remains difficult and potentially unreliable, given the unprecedented nature of the pandemic.

## **COVID-19 Financial Impact Analysis**

Administration identified revenue or expense groupings that were at higher risk of impact as a result of the COVID-19 pandemic. For relevancy, administration identified, analyzed and removed all groupings that were identified as having a low risk of being affected by COVID-19. Summarized below are the account groupings that have been and will likely continue to be affected during the COVID-19 pandemic. Due to the instability of the events and measures surrounding the pandemic, it is extremely difficult to forecast the pandemic’s annual impact. Therefore, it is important to note that this report is compiled at a point in time, utilizing the best available information at that point. What has been stated below is the total actual impact as of September 30<sup>th</sup>, not including user rate supported services such as water and sanitary

sewer. The estimated impact on these divisions has been identified as low risk and impacted minimally by the COVID-19 pandemic.

## Revenue Impacts

The total impact to revenue for period ending September 30, 2020 versus period ending September 30, 2019 is a **decrease in revenue of \$1,475,684**. This decrease is further broken out by department and impacted revenue groupings as summarized below.

Revenue by Department	Year to date: September 30			
	2019	2020	Actual 2020 vs 2019	
Grouping	Actual	Actual	\$ Change	% Change
Community Services	1,795,509	1,024,081	(771,428)	(43%)
General Government	362,401	192,066	(170,335)	(47%)
Infrastructure Services	421,957	333,996	(87,961)	(21%)
Development Services	69,221	53,180	(16,041)	(23%)
Other (Animal Control, Conservation, Health Services)	48,068	49,214	1,146	2%
Reserve Revenue (not within divisions)	900,729	469,664	(431,065)	(48%)
<b>Total</b>	<b>3,597,885</b>	<b>2,122,201</b>	<b>(1,475,684)</b>	<b>(41%)</b>

Revenue by Grouping	Year to date: September 30			
	2019	2020	Actual 2020 vs 2019	
Grouping	Actual	Actual	\$ Change	% Change
User Fees and Service Charges	2,359,735	1,511,939	(847,796)	(36%)
Fines and Penalties	177,151	45,701	(131,450)	(74%)
Investment Income - operating	160,270	94,897	(65,373)	(41%)
Investment Income - reserves	900,729	469,664	(431,065)	(48%)
<b>Total</b>	<b>3,597,885</b>	<b>2,122,201</b>	<b>(1,475,684)</b>	<b>(41%)</b>

The most significant impact(s) to each revenue grouping are summarized below.

### User Fees and Service Charges

As part of the government orders introduced, the Town saw the immediate closure of all recreational facilities including the Essex Recreation Complex, all four community centers, and both arenas. This meant that user fee revenue from programming and rentals during the closure period were significantly impacted.

The majority of the decline in user fees for period ending September 30, 2020 versus the same period for 2019 was experienced within the Community Services Department, and is from the cancellation of recreational programming, harbor rentals, ice rentals and other various facility rentals. It should be noted that these impacts will continue until operations return to where they were pre-COVID-19.

Listed below is a summary of the top 10 decreases found within the Community Services Department. These decreases amount to nearly 74% of the total decline in User Fees and Service Charges Revenue.

Revenue Account	Decrease from 2019 to 2020
Ice Rental	(158,364)
Youth Swim Lessons	(111,703)
Youth Recreation Programs	(106,161)
Entertainment Gate	(32,200)
Sign Advertising	(49,780)
Preschool Swim Lessons	(49,316)
Recreation Equipment Sales	(37,234)
Preschool Swim Programs	(34,047)
Building and Equipment Lease	(27,435)
Auditorium and Gym Rental	(24,646)
<b>Total</b>	<b>(630,886)</b>

### Fines and Penalties

The main contributor to the decline in Fines and Penalties revenue grouping was a direct result of the waiver of penalties and interest on property tax accounts. In March, the Essex County Treasurer's group met and developed a recommendation for the waiver of penalties and

interest on property tax accounts as a way to provide flexibility to residents as they work through the financial hardships of the pandemic. Council approved this waiver to provide relief and align with neighboring lower-tier municipalities. Below is a summary of the monthly financial impact resulting from the waiver.

<b>Penalty and Interest Waived on Property Tax</b>	
<b>Month</b>	<b>2020</b>
April	16,363
May	33,828
June	29,192
July	23,893
August	36,699
September	28,938
<b>Total</b>	<b>168,913</b>

#### Investment Income

At September 30, the Town experienced a decline in investment revenue, compared to 2019 figures, of over \$470,000 as summarized in the table below. This decrease can be directly attributed to interest earned. Losses due to the March 4, 2020 decrease in the Bank of Canada's overnight rate will have one of the largest impacts on the municipality. Much of the impact to interest earned is not directly captured within the Town's Budget; with 91% falling within the Town's Reserve and Reserve Funds.

The interest rate earned on Town investments dropped from 2.42% to 0.92% during the pandemic. The Town was projected to earn an approximate \$1.5 million (balance of \$60 million) on Reserve and Reserve Funds and \$145,000 (balance of \$6 million) on the Town's general fund which is captured within the 2020 Budget.

	Operating Funds			Reserve Funds			Total Operating and Reserve Interest Loss
	2019	2020	Loss	2019	2020	Loss	
March	8,852	5,895	(2,957)	130,360	130,003	(357)	(3,314)
April	11,282	6,759	(4,523)	126,635	89,237	(37,398)	(41,921)
May	11,602	3,484	(8,118)	131,774	49,959	(81,815)	(89,933)
June	16,916	7,314	(9,602)	128,709	48,797	(79,912)	(89,514)
July	10,877	6,705	(4,172)	133,454	50,596	(82,858)	(87,031)
August	8,806	6,359	(2,447)	139,364	52,836	(86,528)	(88,975)
September	21,810	9,802	(12,008)	110,434	48,236	(62,198)	(74,206)
<b>Total</b>	90,146	46,318	(43,828)	900,730	469,664	(431,066)	(474,894)

## Expense Impacts

The total impact to expenses for period ending September 30, 2020 versus period ending September 30, 2019 is a **decrease** in **expenses** of **\$1,179,122**. This decrease is further broken out by department and impacted expense groupings as summarized below.

Expense by Department	Year to date: September 30			
	2019	2020	Actual 2020 vs 2019	
	Actual	Actual	\$ Change	% Change
Community Services	4,631,735	3,566,456	(1,065,279)	(23%)
General Government	2,310,340	2,371,505	61,165	3%
Infrastructure Services	2,990,437	2,941,320	(49,118)	(2%)
Development Services	847,631	996,405	148,775	18%
Other (Animal Control, Conservation, Health Services)	452,227	429,727	(22,500)	(5%)
<b>Total</b>	11,232,370	10,305,413	(926,957)	(8%)

Expense by Grouping	Year to date: September 30			
	2019	2020	Actual 2020 vs 2019	
	Actual	Actual	\$ Change	% Change
Contracted Services	702,130	701,300	(830)	0%
Materials and Supplies	1,761,530	1,459,804	(301,726)	(17%)
Miscellaneous Services	327,488	240,414	(87,074)	(27%)
External Transfers	286,682	369,559	82,877	29%
Repairs and Maintenance	373,230	291,214	(82,016)	(22%)
Salaries, Wages, and Benefits	7,126,358	6,730,794	(395,564)	(6%)
Utilities, Insurance and Property Taxes	654,952	512,328	(142,624)	(22%)
<b>Total</b>	11,232,370	10,305,413	(926,957)	(8%)

## Cost Mitigation

Due to the timing of the COVID-19 pandemic and the state of emergency, the Town, and in particular Community Services were able to act quickly to identify and implement cost containment measures. Due to this the Town has been able to reduce operational expenses related to facilities and programming. Summarized below are the most significant areas of cost savings.

### Materials and Supplies/Utilities, Insurance and Property Taxes

The decline in the cost of Materials and Supplies includes the internal equipment charge and costs associate with programming and rentals.<sup>1</sup> As programs were no longer running and facilities were closed, the need for supplies for programs were eliminated. Additionally, the Town realized a slight decrease in the cost of utilities associated with facilities that offer programming and rentals.

### Salaries and Wages

Administration immediately reduced the Town's workforce wherever possible and appropriate. Upon the provincial mandated closure of recreational facilities, contract and casual aquatic and programming staff were not offered hours as the programming was cancelled. Additionally, after the emergency orders came into effect the Town entered into an agreement with CUPE to allow employees to accept a voluntary layoff and/or leave of absence. This provided staff options as it related to their own person situation and organically reduced staff levels, providing cost savings to the Town, which contributed to the overall decrease in Salaries and Wages of \$395,564, noted above. The start of the Summer Student Program which normally begins the first week of May was postponed to July 4, 2020 for most positions. The number of

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<sup>1</sup> The internal equipment charge is a charge to divisions for their use of Town Equipment.

summer students hired was significantly reduced. In 2019, the Town employed 29 summer students, and in 2020 the Town employed 15 summer students in total.

Included in Salaries and Wages is the cost of employee training. A significant reduction in the utilization of training expense was realized. As a result of the emergency orders, administration cancelled any out-of-town training and significantly reduced the amount of approved training throughout the course of the pandemic resulting in a cost savings of approximately \$65,000 or 75% over 2019. These cost savings are expected to continue into the future, until the health and safety of staff can be ensured when attending training or conferences.

### COVID-19 Pandemic Related Expenses

Immediately following the emergency declaration, Administration put into place processes to track the financial impact that may be experienced due to the pandemic. This included the creation of an Emergency Event cost centre which would allow the Town to quantify additional and non-budgeted expenditures, and or costs associated with the COVID-19 pandemic.

Through the specialized cost center, the financial data on certain accounts was easily obtainable. Certain expense accounts had more substantial increases than others due to COVID-19. These individual accounts have been separated below, with a brief explanation on each.

Expense by Account(s)	Year to date: September 30 <sup>th</sup>			
	2019	2020	Actual 2020 vs 2019	
	Actual	Actual	\$ Change	% Change
Materials and Janitorial Supplies	230,064	278,292	<b>48,228</b>	21%
Donation and Grants	191,730	248,020	<b>56,290</b>	29%

#### Materials and Janitorial Supplies Account

At the onset of the pandemic and based on local Health unit guidelines, administration implemented health and safety controls which included the enhanced cleaning of Town facilities, as well as the requirement of increased signage. There were also increased expenditures in sanitizers, cleaning products and Personal Protective Equipment. These enhancements resulted in a significant increase to the Materials and Janitorial Supplies expense, of over \$200,000, as summarized above.

#### Donation and Grants Account

Council recognized the need to provide support to businesses in these unprecedented times and approved the creation of two unique grant programs.

- **Business Relaunch Grant:** During the duration of the Program between July 6<sup>th</sup> to October 2<sup>nd</sup>, eligible business owners were able to receive up to \$500 for their efforts in enhancing health and safety protocols within their place of business. Council approved up to \$100,000 to be allocated to eligible applicants. In total, 102 business received funding through the Business Relaunch Fund amounting to a total of \$49,827.15
- **Digital Growth Grant:** Council approved a \$15,000 contribution to this program, to assist local business in the expansion and improvement of their digital presence. During the duration of the Program between July 6<sup>th</sup> to August 31<sup>st</sup>, 20 businesses throughout the municipality received funding. All funds allocated to this initiative have been dispersed to the successful applicants.

#### **Other Considerations**

As demonstrated above, the events surrounding COVID-19 have had a significant financial impact on the organization.

Revenues such as property taxes, local improvements, and confirmed grant funding were identified as low risk and highly collectible. However, the waiver of penalties and interest may



impact the timing of collection. At September 30<sup>th</sup>, the collection rates compared with prior year remains relatively stable (2020 - 98% vs 2019 - 99%).

Expenses such as debt servicing and rents also remain a low risk as they would exist regardless of the pandemic.

## **Next Steps**

### Budget Concerns

The 2021 budgeting process was initiated in early August, and due to the uncertainty surrounding the COVID-19 pandemic administration will be faced with many factors to consider when creating the 2021 budget. Outlined below are some of the major expected impacts to the remaining operating year, into 2021 and potentially into the forecast years of 2022-2025.

- Continued revenue declines
  - Postponement of 2021 MPAC Assessment Adjustment:  
As a cost relieving measure for residents, the Municipal Property Assessment Corporation (MPAC)<sup>2</sup>, has deferred the introduction of new assessment values from 2021 to 2022.  
  
Previous communication with MPAC had predicted a significant increase to the Town's assessment base for the next upcoming assessment cycle, which was scheduled to take effect at the beginning of 2021.
  - User Fees and Service Charges

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<sup>2</sup> The Municipal Property Assessment Corporation provides the Town of Essex with property assessment values which are used to calculate annual property taxation.

While Phase 2 and 3 have allowed for the reopening of Town facilities, it comes with the requirement for continued social distancing and enhanced health and safety recommendations. This may mean the Town could see a reduction in rental revenues as events may be cancelled, or programming reduced, to ensure adherence to guidelines.

- Continued expense increases

- Materials and Janitorial Supplies and Salaries Expense

In order to protect the health and safety of the public, the local Health Unit has released some extensive guidelines. These guidelines mean that the Town will incur ongoing costs towards the acquisition of various items of Materials and Janitorial Supplies (hand sanitizer, facility modifications, cleaning supplies, etc.) as well as an anticipated increase in expenses for enhanced cleaning at all Town facilities. This ongoing cost as well as potential increases will need to be considered in the upcoming budget and forecast development.

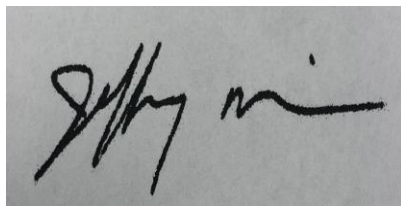
## Link to Strategic Priorities

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☒ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☒ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☒ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☒ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

## Report Approval Details

Document Title:	COVID-19 Financial Impact- September 30, 2020 .docx
Attachments:	- Kates' COVID SEPT.pdf
Final Approval Date:	Oct 27, 2020

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

A handwritten signature in black ink, appearing to read "Jeffrey Morrison", on a light gray background.

**Jeffrey Morrison, Director, Corporate Services/Treasurer - Oct 26, 2020 - 2:33 PM**

A handwritten signature in black ink, appearing to read "Chris Nepszy", on a light gray background.

**Chris Nepszy, Chief Administrative Officer - Oct 27, 2020 - 11:03 AM**

**Table A**
**2020 Operating Budget Summary Including only COVID-19 Related Groupings**

Budget Utilization and Change 2020 vs. 2019

Grouping	2019			2020			Actual 2020 vs 2019	
	Budget	Actual	% Utilized	Budget	Actual	% Utilized	\$ Change	% Change
Operating Revenues								
Special Levies	2,547,343	2,489,265	98%	2,567,574	2,627,629	102%	138,365	6%
Grants	6,600,949	5,905,383	89%	6,410,904	3,773,626	59%	(2,131,758)	-36%
Contributions from Developers	434,443	492,156	113%	758,836	775,100	102%	282,944	57%
Fines and Penalties	352,200	177,151	50%	312,200	45,701	15%	(131,450)	-74%
Interfund Transfers - Revenue	4,313,479	195,055	5%	3,638,077	144,297	4%	(50,758)	-26%
Internal Allocations - Revenue	490,659	-	0%	526,774	46,670	9%	46,670	0%
Investment and Other Income	193,154	160,270	83%	230,654	94,897	41%	(65,373)	-41%
License and Permit Fees <sup>6</sup>	355,794	57,829	16%	430,737	55,589	13%	(2,240)	-4%
Payments in Lieu of Taxation	62,570	156,796	251%	157,126	106,146	68%	(50,650)	0%
Property Taxation	14,867,301	14,933,056	100%	15,537,059	15,518,879	100%	585,824	4%
Prior Years' Surplus	434,474	-	0%	879,854	-	0%	-	0%
Supplementary Taxation	153,544	202,260	132%	242,000	147,406	61%	(54,854)	0%
User Fees and Service Charges	12,063,260	2,359,735	20%	12,187,396	1,511,939	12%	(847,796)	-36%
Total Operating Revenues	12,964,407	2,697,155	21%	12,730,250	1,652,537	13%	(1,044,618)	-39%
Reserve Interest Revenue	-	900,730		-	469,664		(431,066)	-48%
Total Revenues	12,964,407	3,597,885	28%	12,730,250	2,122,201	17%	(1,475,684)	-41%
Operating Expenses								
Amortization Expense	90,982	-	0%	90,982	-	0%	-	0%
Contracted Services <sup>2</sup>	7,899,339	702,129	9%	8,106,465	701,300	9%	(830)	0%
Debt Servicing	3,141,921	2,248,794	72%	3,089,085	2,136,378	69%	(112,416)	-5%
External Transfers	706,238	286,682	41%	644,849	369,559	57%	82,877	29%
Interfund Transfers - Expense	12,011,965	2,468,779	21%	12,044,824	2,398,189	20%	(70,591)	-3%
Internal Allocations - Expense	561,385	44,816	8%	597,501	80,028	13%	35,212	79%
Materials and Supplies <sup>8</sup>	2,428,398	1,761,530	73%	2,459,226	1,459,804	59%	(301,726)	-17%
Miscellaneous Services <sup>3&amp;8</sup>	909,818	327,488	36%	1,250,418	240,414	19%	(87,075)	-27%
Professional Fees	464,674	187,537	40%	377,845	125,872	33%	(61,665)	-33%
Rents and Financial Services	306,988	225,964	74%	326,918	162,046	50%	(63,919)	-28%
Repairs and Maintenance	923,563	373,230	40%	906,532	291,214	32%	(82,016)	-22%
Salaries, Wages, Benefits and Personnel Expenses <sup>4</sup>	10,761,849	7,126,358	66%	10,819,961	6,730,794	62%	(395,564)	-6%
Taxation Adjustments	172,000	127,894	74%	167,000	64,947	39%	(62,947)	-49%
Accounts Receivable	12,775	3,250	25%	12,775	3,965	31%	715	22%
Utilities, Insurance and Property Taxes <sup>5</sup>	2,139,143	654,952	31%	2,343,305	512,328	22%	(142,624)	-22%
Total Operating Expenses	25,062,110	11,232,370	45%	25,885,907	10,305,413	40%	(926,957)	-8%
Operating Surplus/(Deficit)	(12,097,703)	(7,634,485)	63%	(13,155,658)	(8,183,212)	62%	(548,727)	7%

1 Removed miscellaneous revenue

2 Police contract removed

3 Remove amount for Tile Loan under 2020 Actuals, misc services and health and safety training

4 Removed climate position salary and offsetting grant amount

5 Removed insurance and communications telephone/internet

6 Removed Building permit revenue

7 All of the above removes Environmental services.

**Date:** July 28, 2020

**Location:** Essex Sports Complex, Shaheen Room

**Participants:** Andy Graf, Kevin Girard, Chris Nepszy, Warren Higgins and Karen Burgess

**Review Period:** June 1, 2019 to July 1, 2020

Item	Description	Action	Responsible	Due Date				
1.	<p><b>Introductions</b></p> <p>The following staff were in attendance at the Essex Water Department and representing the Operating Authority for the Essex Water Distribution System during the DWQMS Management Review included:</p> <ul style="list-style-type: none"><li>• Andy Graf, Manager, Environmental Services and QMS Rep., Town of Essex</li><li>• Kevin Girard, Director of Infrastructure Services, Town of Essex</li><li>• Chris Nepszy, Chief Administrative Officer (CAO), Town of Essex</li></ul> <p>Additional support was also provided by:</p> <ul style="list-style-type: none"><li>• Warren Higgins, Process &amp; Compliance Technician, OCWA</li><li>• Karen Burgess, Senior Operations Manager, OCWA</li></ul> <p>The purpose and objectives of the Management Review meeting were:</p> <p>To evaluate the continuing suitability, adequacy and effectiveness of The Town of Essex’s QMS. The Management Review will include a review of the DWQMS operational plan, external audit reports, internal audit report and other related operational documents/records as required.</p>							
2.	<p><b>Review of minutes from most recent Management Review</b></p> <p>The minutes from the last Management Review held on August 13, 2019 were reviewed by all and all standing items were reviewed and discussed.</p>							
3.	<p><b>Standing agenda items:</b></p> <table><tr><td><p><b>a. Incidents of regulatory non-compliance:</b> An MECP inspection was conducted on June 19, 2019 by Emily Awad for the Essex Water Distribution System. There were no non-compliance with regulatory requirements identified in the inspection report and an inspection rating of 100% was achieved. There were five recommendations and best practices identified however those have all been reviewed and resolved.</p><p>There was also no non-compliance events reported to the MECP by the Town of Essex for the Essex Water Distribution System for this review period.</p></td><td><p>No further actions are required.</p></td><td><p>N/A</p></td><td><p>N/A</p></td></tr></table>				<p><b>a. Incidents of regulatory non-compliance:</b> An MECP inspection was conducted on June 19, 2019 by Emily Awad for the Essex Water Distribution System. There were no non-compliance with regulatory requirements identified in the inspection report and an inspection rating of 100% was achieved. There were five recommendations and best practices identified however those have all been reviewed and resolved.</p> <p>There was also no non-compliance events reported to the MECP by the Town of Essex for the Essex Water Distribution System for this review period.</p>	<p>No further actions are required.</p>	<p>N/A</p>	<p>N/A</p>
<p><b>a. Incidents of regulatory non-compliance:</b> An MECP inspection was conducted on June 19, 2019 by Emily Awad for the Essex Water Distribution System. There were no non-compliance with regulatory requirements identified in the inspection report and an inspection rating of 100% was achieved. There were five recommendations and best practices identified however those have all been reviewed and resolved.</p> <p>There was also no non-compliance events reported to the MECP by the Town of Essex for the Essex Water Distribution System for this review period.</p>	<p>No further actions are required.</p>	<p>N/A</p>	<p>N/A</p>					

<i>Item</i>	<i>Description</i>	<i>Action</i>	<i>Responsible</i>	<i>Due Date</i>
	<b>b. Incident of adverse drinking water test:</b> There were no adverse drinking water test results reported to MECP by the Town of Essex for the Essex Water Distribution System for this review period.	No further actions are required.	N/A	N/A
	<b>c. Deviations from critical control limits and response actions:</b> There are currently no critical control limits identified in the Risk & Assessment Outcomes for the Essex Water Distribution System.	No further actions are required.	N/A	N/A
	<b>d. The effectiveness of the risk assessment process:</b> The 36 month annual review of the Risk Assessment & Outcomes was last completed on February 14, 2019 however the annual review of the Risk Assessment Outcomes needs to be completed by Andy Graf & Kevin Girard.	Complete the 2020 annual review of the Risk Assessment Outcomes	Andy Graf & Kevin Girard	Due by the end of Q3
	<b>e. Internal and third party audits result:</b> <u><b>Internal Audit</b></u> An internal audit was completed by Warren Higgins (OCWA) and the report was issued July 7, 2020. There were two OFI's identified in the report. All OFI's were reviewed and will be implemented in the Operational Plan.  <u><b>External Audit</b></u> An external audit was conducted by Gregory Underwood from NSF International on September 5 <sup>th</sup> and 6 <sup>th</sup> . There were three OFI's identified in the report and they were reviewed during this Management Review.	No further actions are required.           No further actions are required.	N/A           N/A	N/A           N/A
	<b>f. Results of emergency response testing:</b> SOP's were reviewed with staff throughout 2019-2020 and documented in the training records. Management discussed the potential of completing a hands on emergency training session for staff.	No further actions are required.	N/A	N/A
	<b>g. Operational performance:</b> There were no operational issues with the Essex Water Distribution System and the staffing performance levels and support was also adequate during this review period. All 3 operator positions are filled with permanent employees. The operational performance for the Harrow WTP and Union WTP was also reviewed and there were no significant operational changes that affected the Essex Water Distribution system.	No further actions are required.	N/A	N/A

Item	Description	Action	Responsible	Due Date
	<p><b>h. Raw Water Supply and drinking water quality trends:</b> There have been no significant changes to the raw water at the Harrow WTP and Union WTP for this review period.</p> <p>Both facilities have continued to monitor for Blue Green Algae which tests the raw water weekly from June to October for microcystin.</p>	No further actions are required.	N/A	N/A
	<p><b>i. Follow-up on action items from previous Management Review:</b> All items identified from the previous 2019 Management Review have been completed.</p>	No further actions are required.	N/A	N/A
	<p><b>j. The status of management action items identified between reviews:</b> Any items identified between the previous Management Review have been completed.</p>	No further actions are required.	N/A	N/A
	<p><b>k. Changes that could affect the QMS:</b> Andy Graf is the current QMS Representatives for the Essex Water Distribution System. Kevin Girard was recently named the Director of Infrastructure Services which will also be added as an additional QMS Representative.</p>	Update Operation Plan indicating Kevin Girard as an additional QMS Rep	Warren Higgins	August 31, 2020
	<p><b>l. Consumer feedback:</b> There were two community complaints documented for this review period. All reports were reviewed and all issues were immediately resolved.</p>	No further actions are required.	N/A	N/A
	<p><b>m. The resources needed to maintain the QMS:</b> The Essex Distribution System QMS Representatives are Andy Graf and Kevin Girard. The Ontario Clean Water Agency has also been contracted to assist with the continual improvement of the Essex Water Distribution System's Operational Plan.</p>	No further actions are required.	N/A	N/A
	<p><b>n. The results of the Infrastructure Review:</b> Discussions and reviews of the water infrastructure played a key role in the 2019/2020 water budget recommendations and asset management plan. All timelines for submitting the budget were met and are documented in emails and council meeting minutes.</p>	No further actions are required.	N/A	N/A
	<p><b>o. Operations plan currency, content and updates:</b> The current Operational Plan was last revised on August 6, 2019 (Revision 11) to adhere to DWQMS version 2.0.</p>	No further actions are required.	N/A	N/A



<i>Item</i>	<i>Description</i>	<i>Action</i>	<i>Responsible</i>	<i>Due Date</i>
	<p><b>p. Staff suggestions:</b> Staff input is encouraged during staff meetings or by regular communications with management and fellow employees. There are currently no suggestions.</p>	No further actions are required.	N/A	N/A
	<p><b>q. Consideration of applicable best management practices.</b> No Best Management practices were implemented in 2019/2020.</p>	No further actions are required.	N/A	N/A
4.	<p><b>Roundtable</b> No issues were identified.</p>	No further actions are required.	N/A	N/A

Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement, de la  
Protection de la nature et des Parks

Southwestern Region

Direction régionale du Sud-Ouest

620 – 4510 Rhodes Drive  
Windsor ON N8W 5K5

Tel.: 519 948-1464

Fax.: 519 948-2396

TTY: 416 456-1234

620 – 4510, chemin Rhodes  
Windsor ON N8W 5K5

Tél. : 519 948-1464

Télé. : 519 948-2396

ATS : 416 456-1234

File# SI-ES-ES-540

August 20, 2020

The Corporation of the Town of Essex  
33 Talbot Street  
Essex, Ontario  
N8M 1A0

Attention: Mr. Chris Nepszy, CAO  
cnepszy@essex.ca

Dear Mr. Nepszy:

Re: Essex Drinking Water System – Essex (Union) DS  
Inspection Report

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Please find enclosed the Drinking Water System Inspection Report for the Essex Drinking Water System – Essex (Union) Distribution System (DWS#220003680). This year's inspection was conducted remotely and the telephone interview/questionnaire was held on July 24, 2020. There was no physical inspection conducted at your drinking water system this year.

Section 19 of the Safe Drinking Water Act (Standard of Care) creates a number of obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware that the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about the drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in *"Taking Care of Your Drinking Water: A guide for members of municipal council"* found on the Drinking Water Ontario website at [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater).

In order to measure individual inspection results, the Ministry has established an inspection compliance risk framework based on the principles of the Inspection, Investigation & Enforcement (II&E) Secretariat and advice of internal/external risk experts. The Inspection Summary Rating Record (IRR), included as Appendix B of the inspection report, provides the Ministry, the system

owner and the local Public Health Units with a summarized quantitative measure of the drinking water system's annual inspection and regulated water quality testing performance.

IRR ratings are published (for the previous inspection year) in the Ministry's Chief Drinking Water Inspectors' Annual Report. If you have any questions or concerns regarding the rating, please contact Marc Bechard, Water Compliance Supervisor, at (519) 490-0761.

Likewise, if you have any questions or concerns regarding this report, please call me at (226) 280-1556.

Yours truly,



Neil Gilbert, P.Eng.  
Provincial Officer – Water Inspector  
Southwestern Region  
Ministry of the Environment, Conservation and Parks  
Sarnia District – Windsor Area Office

Encl.

cc: Dr. Wajid Ahmed, Medical Officer of Health, Windsor-Essex County HU, [wahmed@wechu.org](mailto:wahmed@wechu.org)  
Theresa Marentette, CEO and Chief Nursing Officer, Windsor-Essex County HU, [tmarentette@wechu.org](mailto:tmarentette@wechu.org)  
Kristy McBeth, Director of Health Protection, Windsor-Essex County HU, [kmcbeth@wechu.org](mailto:kmcbeth@wechu.org)  
Phil Wong, Manager, Environmental Health, Windsor-Essex County HU, [pwong@wechu.org](mailto:pwong@wechu.org)  
Victoria Peczulis, Manager, Environmental Health, Windsor-Essex County HU, [vpeczulis@wechu.org](mailto:vpeczulis@wechu.org)  
Kevin Girard, Director of Infrastructure & Development, Town of Essex, [kgirard@essex.ca](mailto:kgirard@essex.ca)  
Andy Graf, Manager, Environmental Services, Town of Essex, [agraf@essex.ca](mailto:agraf@essex.ca)  
Rodney Bouchard, Manager, Union AWSS, [rbouchard@unionwater.ca](mailto:rbouchard@unionwater.ca)  
Dale Dillen, Operations Manager – Union AWSS, OCWA, [ddillen@ocwa.com](mailto:ddillen@ocwa.com)  
Dave Jubenville, Essex Regional Manager, OCWA, [djubenville@ocwa.com](mailto:djubenville@ocwa.com)  
Samuel Wen, PCT (A), OCWA, [swen@ocwa.com](mailto:swen@ocwa.com)  
Marc Bechard, Water Compliance Supervisor, MECP Sarnia District, [marc.bechard@ontario.ca](mailto:marc.bechard@ontario.ca)



**Ministry of the Environment, Conservation and Parks**

**ESSEX DRINKING WATER SYSTEM - ESSEX DS**  
**Inspection Report**

<b>Site Number:</b>	220003680
<b>Inspection Number:</b>	1-O087R
<b>Date of Inspection:</b>	Jul 24, 2020
<b>Inspected By:</b>	Neil Gilbert

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Appendix A: Stakeholder Appendix

Appendix B: Inspection Rating Record

## OWNER INFORMATION:

<b>Company Name:</b>	ESSEX, THE CORPORATION OF THE TOWN OF		
<b>Street Number:</b>	33	<b>Unit Identifier:</b>	
<b>Street Name:</b>	TALBOT St S		
<b>City:</b>	ESSEX		
<b>Province:</b>	ON	<b>Postal Code:</b>	N8M 1A0

## CONTACT INFORMATION

<b>Type:</b>	Operating Authority	<b>Name:</b>	Andrew Graf
<b>Phone:</b>	(519) 738-6804 x1425	<b>Fax:</b>	(519) 776-7336
<b>Email:</b>	agraf@essex.ca		
<b>Title:</b>	Manager, Environmental Services, Town of Essex		

## INSPECTION DETAILS:

<b>Site Name:</b>	ESSEX DRINKING WATER SYSTEM - ESSEX DS
<b>Site Address:</b>	ESSEX TOWN
<b>County/District:</b>	ESSEX TOWN
<b>MECP District/Area Office:</b>	Windsor Area Office
<b>Health Unit:</b>	WINDSOR-ESSEX COUNTY HEALTH UNIT
<b>Conservation Authority:</b>	
<b>MNR Office:</b>	
<b>Category:</b>	Large Municipal Residential
<b>Site Number:</b>	220003680
<b>Inspection Type:</b>	Special Announced
<b>Inspection Number:</b>	1-O087R
<b>Date of Inspection:</b>	Jul 24, 2020
<b>Date of Previous Inspection:</b>	Jun 19, 2019

## COMPONENTS DESCRIPTION

<b>Site (Name):</b>	MOE DWS Mapping		
<b>Type:</b>	DWS Mapping Point	<b>Sub Type:</b>	
<b>Site (Name):</b>	Essex (Union) Distribution System		
<b>Type:</b>	Other	<b>Sub Type:</b>	Other
<b>Comments:</b>			

The Essex (Union) Distribution System is a standalone distribution system which supplies water to the majority of the northern half of the Town of Essex from the Union Area Water Supply System (UAWSS) located in Ruthven, Ontario. The Town of Essex is part owner of the UAWSS through the UAWSS Joint Management Board.

According to the 2019 Annual Report, a population of approximately 9,500 residents is served by the Essex (Union) Distribution System. It therefore falls into the "large municipal residential" category under O. Regulation 170/03. Two 300 mm transmission mains take treated water from the UAWSS to the community of Essex via the Town of Essex elevated tank fed by the Cottam reservoir in the Town of Kingsville. The major transmission mains, and the Essex 1100 m3 elevated tank, are owned by the UAWSS and are not included within the scope of this inspection.

The elevated storage tank maintains distribution system pressure, controlled and monitored from the UAWSS. There is approximately 158 km of watermains in the subsystem.  
It should be noted that as of June 4, 2018 the UAWSS is supplying the Essex (Union) DS with chlorinated water (instead of chloraminated) for secondary disinfection purposes.

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## INSPECTION SUMMARY:

### Introduction

- The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period.

This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.

This report is based on an inspection of a "stand alone connected distribution system" and was conducted remotely. This type of system receives treated water from a separately owned "donor" system. This report contains elements required to assess key compliance and conformance issues associated with a "receiver" system. This report does not contain items associated with the inspection of the donor system, such as source waters, intakes/wells and treatment facilities.

This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

The Essex (Union) Distribution System (DWS#220003680) is owned by the Corporation of the Town of Essex. It is a stand alone connected distribution system that receives treated water from the Union Area Water Supply System (UAWSS) (DWS#210000853) located in Ruthven, Ontario. The Town of Essex is part owner of the UAWSS through the Union Water System Joint Board of Management.

This inspection was conducted remotely and the inspection review period was June 1, 2019 to June 30, 2020.

### Treatment Processes

- The owner/operating authority was in compliance with the requirement to prepare Form 1 documents as required by their Drinking Water Works Permit during the inspection period.**

"Form 1- Record of Watermains Authorized as a Future Alteration" form was prepared for the following project:

1) Installation of a new watermain in the Gordon/Wilson area (east of Talbot Street North).

- Where an activity has occurred that could introduce contamination, all parts of the drinking water system were disinfected in accordance with Schedule B, Condition 2.3 of the Drinking Water Works Permit.**

Schedule B, Condition 2.3 of Drinking Water Works

Permit (DWWP) No. 029-201 requires all parts of the drinking water system in contact with drinking water, including water mains, which are added, modified, replaced, extended or taken out of service for inspection or repair or any other activities that may lead to contamination, to be disinfected in accordance with the applicable provisions of the following documents:

- The ministry's Watermain Disinfection Procedure, effective August 1, 2016;
- AWWA C652 – Standard for Disinfection of Water-Storage Facilities;
- AWWA C653 – Standard for Disinfection of Water Treatment Plants; and
- AWWA C654 – Standard for Disinfection of Wells.

The following standard operating procedures (SOPs) from the Operations Manual were updated in August 2019 with reference to the ministry's Watermain Disinfection Procedure:

7. Commissioning New Watermain

10. Watermain Break – Repairs to Category 1 Watermain Breaks

11. Watermain Break – Repairs to Category 2 Watermain Breaks.

- The owner had evidence indicating that all chemicals and materials that come in contact with water within the drinking water system met the AWWA and ANSI standards in accordance with the Municipal Drinking**



## Treatment Processes

**Water Licence and Drinking Water Works Permit issued under Part V of the SDWA.**

## Treatment Process Monitoring

- **The secondary disinfectant residual was measured as required for the distribution system.**

As per O.Reg. 170/03 s 7-2 (3), the owner/operating authority of a system that provides secondary disinfection shall ensure that at least seven distribution samples are taken each week and are tested immediately for, (a) free chlorine residual, if the system provides chlorination and does not provide chloramination; or (b) combined chlorine residual, if the system provides chloramination.

The following rules apply to the distribution samples referred above unless at least one sample is taken on each day of the week: At least four of the samples must be taken on one day of the week, at least 48 hours after the last sample was taken in the previous week. Then, at least three of the samples must be taken on a second day of the week, at least 48 hours after the last sample was taken on the first day of the sampling week. When more than one sample is taken on the same day of the week then each sample must be taken from a different location.

As previously noted, as of June 4, 2018 the UAWSS is supplying the Essex (Union) DS with chlorinated water, instead of chloramination, for secondary disinfection purposes.

During the inspection review period (June 1, 2019 to June 30, 2020) at least seven distribution samples were collected each week using the 4/3 rule and tested for free and total chlorine residuals.

- **Samples for chlorine residual analysis were tested using an acceptable portable device.**

## Distribution System

- **The owner had up-to-date documents describing the distribution components as required.**

- **There is a backflow prevention program, policy and/or bylaw in place.**

The Town of Essex's By-Law # 321 is a by-law that regulates cross connections and backflow prevention.

- **The owner had implemented a program for the flushing of watermain as per industry standards.**
- **Records confirmed that disinfectant residuals were routinely checked at the extremities and "dead ends" of the distribution system.**
- **A program was in place for inspecting and exercising valves.**
- **There was a program in place for inspecting and operating hydrants.**
- **There was a by-law or policy in place limiting access to hydrants.**  
By-law #729 governs the use of fire hydrants and other appurtenances within the corporate limits of the Town of Essex.
- **The owner was able to maintain proper pressures in the distribution system and pressure was monitored to alert the operator of conditions which may lead to loss of pressure below the value under which the system is designed to operate.**  
It was noted that distribution water pressure typically averages around 46-50 psi.
- **The donor had provided an Annual Report to the receiver drinking water system.**

### Operations Manuals

- Operators and maintenance personnel had ready access to operations and maintenance manuals.
- The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.
- The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.

### Logbooks

- Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.
- For every required operational test and every required sample, a record was made of the date, time, location, name of the person conducting the test and result of the test.
- Logs or other record keeping mechanisms were available for at least five (5) years.

### Security

- The owner had provided security measures to protect components of the drinking water system.

Within the Essex (Union) Distribution System, all autoflushers and sampling stations are locked.

### Consumer Relations

- The owner and/or operating authority undertook efforts to promote water conservation and reduce water losses in their system.

By-law #485 regulates the external use of water from the municipal distribution systems, including lawn/garden watering restrictions from May to September each year.

### Certification and Training

- The overall responsible operator had been designated for each subsystem.
- Operators-in-charge had been designated for all subsystems which comprised the drinking water system.
- All operators possessed the required certification.
- An adequately licenced operator was designated to act in place of the overall responsible operator when the overall responsible operator was unable to act

### Water Quality Monitoring

- All microbiological water quality monitoring requirements for distribution samples were being met.

As per O.Reg. 170/03 s10-2, the owner/operating authority for the system shall ensure that if a system serves 100,000 people or less, at least eight distribution samples, plus one additional sample for every 1,000 people served, are taken every month, with at least one sample being taken each week. Each of the distribution samples

### Water Quality Monitoring

collected must be tested for E. coli and total coliforms and at least 25 percent of these samples must be tested for general bacteria population expressed as colony counts on a heterotrophic plate count (HPC). During the inspection review period (June 1, 2019 to June 30, 2020) all microbiological water monitoring requirements for distribution water samples were performed.

- **All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location.**

As per O.Reg 170/03 s13-6.1, the owner/operating authority shall ensure that a minimum of one sample is collected and tested for haloacetic acid (HAA) per calendar quarter.

On January 1, 2020, the O.Reg. 169/03 standard for HAA (80ug/L) came into effect and is expressed as a RAA, where RAA is defined as "the running annual average of quarterly results" for HAA for a drinking water system. During the inspection review period (June 1, 2019 to June 30, 2020), these HAA quarterly samples were collected on July 2, 2019 (HAA result=24.6ug/L), Oct. 9, 2019 (HAA result=16.1ug/L), Jan. 7, 2020 (HAA result=6.5ug/L), Feb. 4, 2020 (HAA result=<5.3ug/L) and Apr. 6, 2020 (HAA result=19.7ug/L). All of these HAA results were below 80ug/L and the average for the inspection review period was 14.4ug/L.

- **All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location.**

As per O.Reg 170/03 s13-6, the owner/operating authority shall ensure that a minimum of one sample is collected and tested for trihalomethanes (THM) per calendar quarter.

During the inspection review period (June 1, 2019 to June 30, 2020) these THM samples were collected monthly from June 3, 2019 to Dec. 3, 2019 (7 THM results ranging from 26ug/L to 59ug/L) and then quarterly samples were collected on Jan. 7, 2020 (THM result = 22ug/L) and Apr. 6, 2020 (THM result = 27ug/L).

The Ontario Drinking Water Quality Standard (ODWQS) for THM is 100 ug/L (expressed as a running annual average of quarterly results). All of the THM results were below 100ug/L and the average for the inspection review period was 42ug/L.

- **The owner ensured that water samples were taken at the prescribed location.**
- **All sampling requirements for lead prescribed by schedule 15.1 of O. Reg. 170/03 were being met.**

This drinking water system is exempt from plumbing lead sampling as per the exemption in O.Reg. 170/03 Schedule 15.1. Under this exemption and as per subsection 15.1-5 (10), the owner/operating authority are required to test for pH and alkalinity during each of the two periods described in subsection 15.1-5 (5) (i.e. Dec. 15 to Apr. 15 and June 15 to Oct. 15) in every 12-month period and to test for lead during each of the two periods described in subsection 15.1-5 (5) in every third 12-month period. In accordance with the "Reduced Sampling Table" (found in O.Reg. 170/03 Schedule 15.1) and based on the population served by the Essex (Union) Distribution System, at least three sampling points must be tested in the distribution system per period (i.e. Dec. 15 to Apr. 15 and June 15 to Oct. 15).

During the inspection review period (June 1, 2019 to June 30, 2020), water samples were collected from three locations within the distribution system on Sept. 10, 2019 (tested for alkalinity and pH) and Mar. 26, 2020 (tested for lead, alkalinity and pH).

- **Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.**
- **The owner indicated that the required records are kept and will be kept for the required time period.**

### Water Quality Assessment

- **Records did not show that all water sample results taken during the inspection review period did not**

### Water Quality Assessment

**exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03).**

A routine water sample collected from the distribution system (Sample Station # E04) on September 16, 2019 had a Total Coliform result of >200cfu/mL (AWQI#148095). The free chlorine residual was 0.66mg/L and the total chlorine residual was 0.74mg/L.

### Reporting & Corrective Actions

- **Corrective actions (as per Schedule 17) had been taken to address adverse conditions, including any other steps that were directed by the Medical Officer of Health.**

As previously noted, a routine water sample collected from the distribution system (Sample Station # E04) on September 16, 2019 had a Total Coliform result of >200cfu/mL (AWQI#148095).

For this Adverse Water Quality Incident, a Boil Water Advisory was issued by the Windsor-Essex County Health Unit on September 17, 2019 which affected the following area:

- County Road 12 from Arner Townline (County Road 23) west to the intersection of the Chrysler Canada Greenway.

- South Malden from the Arner Townline (County Road 23) to Walker Road (County Road 11).

After flushing and receiving satisfactory re-sampling results, the Boil Water Advisory was lifted on September 19, 2019.

- **All required notifications of adverse water quality incidents were immediately provided as per O. Reg. 170/03 16-6.**
- **All required written notices of adverse water quality incidents were provided as per O. Reg. 170/03 16-7.**
- **In instances where written notice of issue resolution was required by regulation, the notice was provided as per O. Reg. 170/03 16-9.**
- **Summary Reports for municipal council were completed on time, included the required content, and were distributed in accordance with the regulatory requirements.**
- **All changes to the system registration information were provided within ten (10) days of the change.**

**NON-COMPLIANCE WITH REGULATORY REQUIREMENTS AND ACTIONS REQUIRED**

This section provides a summary of all non-compliance with regulatory requirements identified during the inspection period, as well as actions required to address these issues. Further details pertaining to these items can be found in the body of the inspection report.

**Not Applicable**

## **SUMMARY OF RECOMMENDATIONS AND BEST PRACTICE ISSUES**

This section provides a summary of all recommendations and best practice issues identified during the inspection period. Details pertaining to these items can be found in the body of the inspection report. In the interest of continuous improvement in the interim, it is recommended that owners and operators develop an awareness of the following issues and consider measures to address them.

**Not Applicable**

**SIGNATURES**

Inspected By:

Neil Gilbert

Signature: (Provincial Officer)

Reviewed &amp; Approved By:

Marc Bechard

Signature: (Supervisor)

Review &amp; Approval Date:

Note: This inspection does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they apply or may apply to this facility. It is, and remains, the responsibility of the owner and/or operating authority to ensure compliance with all applicable legislative and regulatory requirements.

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**Stakeholder Appendix**

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# Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles in the table below or use your web browser to search for their titles. Contact the Ministry if you need assistance or have questions at 1-866-793-2588 or [waterforms@ontario.ca](mailto:waterforms@ontario.ca).

For more information on Ontario's drinking water visit [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)



PUBLICATION TITLE	PUBLICATION NUMBER
<b>FORMS:</b> Drinking Water System Profile Information Laboratory Services Notification Adverse Test Result Notification	012-2149E 012-2148E 012-4444E
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	Website
Procedure for Disinfection of Drinking Water in Ontario	Website
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids	Website
Filtration Processes Technical Bulletin	Website
Ultraviolet Disinfection Technical Bulletin	Website
Guide for Applying for Drinking Water Works Permit Amendments, & License Amendments	Website
Certification Guide for Operators and Water Quality Analysts	Website
Guide to Drinking Water Operator Training Requirements	9802E
Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption	Website
Drinking Water System Contact List	7128E01
Ontario's Drinking Water Quality Management Standard - Pocket Guide	Website
Watermain Disinfection Procedure	Website
List of Licensed Laboratories	Website

# Principaux guides et documents de référence sur les réseaux résidentiels municipaux d'eau potable

De nombreux documents utiles peuvent vous aider à exploiter votre réseau d'eau potable. Vous trouverez ci-après une liste de documents que les propriétaires et exploitants de réseaux résidentiels municipaux d'eau potable utilisent fréquemment. Pour accéder à ces documents en ligne, cliquez sur leur titre dans le tableau ci-dessous ou faites une recherche à l'aide de votre navigateur Web. Communiquez avec le ministère au 1-866-793-2588, ou encore à [waterforms@ontario.ca](mailto:waterforms@ontario.ca) si vous avez des questions ou besoin d'aide.



Pour plus de renseignements sur l'eau potable en Ontario, consultez le site [www.ontario.ca/eaupotable](http://www.ontario.ca/eaupotable)

TITRE DE LA PUBLICATION	NUMÉRO DE PUBLICATION
Renseignements sur le profil du réseau d'eau potable	012-2149F
Avis de demande de services de laboratoire	012-2148F
Avis de résultats d'analyse insatisfaisants et de règlement des problèmes	012-4444F
Prendre soin de votre eau potable - Un guide destiné aux membres des conseils municipaux	Site Web
Marche à suivre pour désinfecter l'eau potable en Ontario	Site Web
Stratégies pour minimiser les trihalométhanes et les acides haloacétiques de sous-produits de désinfection	Site Web
Filtration Processes Technical Bulletin (en anglais seulement)	Site Web
Ultraviolet Disinfection Technical Bulletin (en anglais seulement)	Site Web
Guide de présentation d'une demande de modification du permis d'aménagement de station de production d'eau potable	Site Web
Guide sur l'accréditation des exploitants de réseaux d'eau potable et des analystes de la qualité de l'eau de réseaux d'eau potable	Site Web
Guide sur les exigences relatives à la formation des exploitants de réseaux d'eau potable	9802F
Échantillonnage et analyse du plomb dans les collectivités : échantillonnage normalisé ou réduit et admissibilité à l'exemption	Site Web
Liste des personnes-ressources du réseau d'eau potable	Site Web
L'eau potable en Ontario - Norme de gestion de la qualité - Guide de poche	Site Web
Procédure de désinfection des conduites principales	Site Web
Laboratoires autorisés	Site Web

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**Inspection Rating Record**

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**Ministry of the Environment - Inspection Summary Rating Record (Reporting Year - 2020-2021)**

**DWS Name:** ESSEX DRINKING WATER SYSTEM - ESSEX DS  
**DWS Number:** 220003680  
**DWS Owner:** Essex, The Corporation Of The Town Of  
**Municipal Location:** Essex Town

**Regulation:** O.REG 170/03  
**Category:** Large Municipal Residential System  
**Type Of Inspection:** Standalone  
**Inspection Date:** July 24, 2020  
**Ministry Office:** Windsor Area Office

**Maximum Question Rating:** 299

Inspection Module	Non-Compliance Rating
Treatment Processes	0 / 33
Distribution System	0 / 4
Operations Manuals	0 / 42
Logbooks	0 / 22
Certification and Training	0 / 35
Water Quality Monitoring	0 / 71
Reporting & Corrective Actions	0 / 63
Treatment Process Monitoring	0 / 29
<b>TOTAL</b>	<b>0 / 299</b>

<b>Inspection Risk Rating</b>	<b>0.00%</b>
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<b>FINAL INSPECTION RATING:</b>	<b>100.00%</b>
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Ministry of the Environment - Detailed Inspection Rating Record (Reporting Year - 2020-2021)

**DWS Name:** ESSEX DRINKING WATER SYSTEM - ESSEX DS  
**DWS Number:** 220003680  
**DWS Owner:** Essex, The Corporation Of The Town Of  
**Municipal Location:** Essex Town

**Regulation:** O.REG 170/03  
**Category:** Large Municipal Residential System  
**Type Of Inspection:** Standalone  
**Inspection Date:** July 24, 2020  
**Ministry Office:** Windsor Area Office

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**Maximum Question Rating:** 299

<b>Inspection Risk Rating</b>	<b>0.00%</b>
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<b>FINAL INSPECTION RATING:</b>	<b>100.00%</b>
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# Dog Pound Committee Meeting Agenda



Wednesday, October 28, 2020, 4:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Disclosures of Pecuniary Interest
3. Presentations
4. Delegations
5. Completion of Unfinished Business
6. Consent Agenda
  - 6.a. January 22, 2020 Meeting Minutes 3

Recommendation:  
Approve the minutes of the previous meeting as listed on the agenda.
7. Reports for Information
8. Reports for Direction
  - 8.a. Capital Request – Roof Repair 6

Recommendation:
    1. Approve a transfer from the capital reserve to repair the roof of the Dog Pound, as described in the report by the Manager of Legislative Services presented October 28, 2020; and
    2. Pre-approve a transfer to the reserves in 2021 to replenish the cost of the roof repair undertaken in 2020.
9. Notices of Motion
10. Question Period
11. Non-Agenda Business

## 12. Adjournment

### **Recommendation:**

The Dog Pound Committee adjourn its meeting at \_\_\_\_\_ PM and the next meeting of the Dog Pound Committee be scheduled for December 2, 2020 at 6:00 PM.

# **Dog Pound Committee**

## **Minutes of Regular Meeting**

**Held Wednesday, January 22<sup>nd</sup> 2020 at 6:00 PM**

**In the Atlas Tube Centre Boardroom, 447 Renaud Line, Belle River**

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Members Present: Lakeshore Councillor Steven Wilder (Chair)  
Essex Councillor Sherry Bondy  
LaSalle Councillor Anita Riccio-Spagnuolo  
Tecumseh Councillor Brian Houston

Staff Present: Manager of Legislative Services, Brianna Coughlin

### **Call to Order**

Chair Wilder called the meeting to order at 6:00 PM.

### **Disclosures of Pecuniary Interest**

None.

### **Adoption of Minutes**

#### **a) Dog Pound Committee Minutes of July 31, 2019**

**01-01-2020** – Houston/Riccio-Spagnuolo

That the Dog Pound Committee Minutes of July 31, 2019 be approved.

**Carried Unanimously**

### **Delegations**

#### **a) Overview of St. Clair College Veterinary Technician Program**

Betsy Wismer and Patty O'Hara presented an overview of the program, the facilities and inspections undertaken by various organizations throughout the year.

The Committee members discussed the possibility of a tour of the facility which was welcomed by the program directors.

### **Correspondence**

None.



## **New Business**

### **a) 2019 Overall Dog Pound Statistics – January to December 2019**

**02-01-2020** – Houston/Riccio-Spagnuolo

Receive the 2019 Overall Dog Pound Statistics report presented at the January 22, 2020 Dog Pound Committee meeting.

**Carried Unanimously**

### **b) 2020 Budget**

The Manager of Legislative Services provided a PowerPoint presentation and report relating to the proposed 2020 Budget.

**03-01-2020** – Houston/Riccio-Spagnuolo

Approve the 2020 Dog Pound Budget, including Option #1 as described in the report by the Manager of Legislative Services dated January 17, 2020.

**Carried Unanimously**

### **c) Provincial Animal Welfare Services Act, 2019**

**04-01-2020** – Bondy/Riccio-Spagnuolo

Receive the report of the Manager of Legislative Services entitled “Provincial Animal Welfare Services Act, 2019”, presented at the January 22, 2020 Dog Pound Committee meeting.

**Carried Unanimously**

## **Adjournment**

**05-01-2020** – Bondy/Houston

That the Dog Pound Committee adjourn its meeting at 7:05 PM and the next meeting of the Dog Pound Committee be scheduled for March 25, 2020 at 6:00 PM.

**Carried Unanimously**

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**Steven Wilder**  
Chair

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**Kristen Newman**  
Director of Legislative &  
Legal Services

/bc

DRAFT

# The Corporation of the Town of Lakeshore

## Report to Dog Pound Committee

### Legislative & Legal Services

#### Legislative Services



**To:** Dog Pound Committee Members  
**From:** Brianna Coughlin, Manager of Legislative Services  
**Date:** October 26, 2020  
**Subject:** Capital Request – Roof Repair

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#### Recommendation

1. Approve a transfer from the capital reserve to repair the roof of the Dog Pound, as described in the report by the Manager of Legislative Services presented October 28, 2020; and
2. Pre-approve a transfer to the reserves in 2021 to replenish the cost of the roof repair undertaken in 2020.

#### Background

At the January 22, 2020 meeting, the Dog Pound Committee approved the 2020 Budget with the following motion:

##### **03-01-2020**

Approve the 2020 Dog Pound Budget, including Option #1 as described in the report by the Manager of Legislative Services dated January 17, 2020.

**Carried Unanimously**

Option #1 included a \$20,000 transfer to the Capital Reserve in order to prepare for future capital costs.

#### Comments

A recent inspection of the Dog Pound has found a number of leaks in the roof that, if left untreated, will cause significant damage to the structure. Administration attempted to solicit three quotes for the roof repair and were successful in obtaining two.

It is recommended that the roof be re-screwed and weather proofing coating be applied to the entire roof. There may also be a need to replace some insulation, although this is unknown at this time until the work is completed.

The estimated cost of the work is between \$10,000 and \$13,000 and should last approximately 15 years. Although Administration investigated the cost of a complete roof replacement, it is not recommended at this time as the steel roof remains in good shape.

### **Financial Impacts**

While the 2020 Budget included \$5,000 for capital costs, these funds were set aside for a much needed upgrade to the computer system at the Pound. It is not recommended that these funds be used for the roof repair. Instead, it is recommended that funds be borrowed from the capital reserve and immediately replaced in the 2021 budget.

**Attachment:** 2020 Budget

	Town of Lakeshore Area #3 Dog Pound									
	Budget									
	For the year ended December 31, 2020									
		Budget	Actual	Budget	Actual	Budget	Actual	Budget	YTD Actual	Budget
		2016	2016	2017	2017	2018	2018	2019	2019	2020
Account #	Revenues:									
	Revenue from Municipalities									
03.25.6641.2504	Impound Fees	5,500	4,402	5,500	7,096	5,500	5,588	2,500	3,530	2,500
	Expenses:									
03.25.1111.2504	Wages and benefits	45,400	46,122	45,400	46,003	45,400	50,363	50,000	48,922	50,500
	Mileage							300	-	300
03.25.1462.2504	Education and training	700	926	700	100	700		400	-	750
	Memberships						100	100	100	100
03.25.1612.2504	Emergency care	2,000	820	2,000	-	2,000	-	2,000	178	2,000
03.25.1321.2504	Feed	1,700	-	1,700	118	1,000	324	1,000	-	500
03.25.1436.2504	Insurance	80	39	80	40	80	40	40	-	40
03.25.1311.2504	Supplies	1,300	1,282	1,300	194	1,300	715	1,000	2,018	1,000
03.25.1445.2504	Maintenance	2,500	1,981	3,600	1,945	5,500	10,700	5,500	3,881	5,500
03.25.1447.2504	Grass cutting & snow removal	5,100	4,015	5,000	4,811	5,000	5,190	5,000	5,414	5,500
03.25.1391.2504	Utilities and heat	6,300	6,573	9,400	8,178	7,000	7,412	7,500	6,636	7,500
03.25.1381.2504	Telephone	2,300	2,325	2,400	2,377	2,300	2,342	2,500	2,244	2,500
03.25.1426.2504	Legal and audit	1,120	1,119	1,120	1,119	1,120	1,140	1,140	1,140	1,140
03.25.1417.2504	Administration	6,000	5,225	6,000	5,225	5,500	5,591	13,900	13,900	13,900
03.25.1412.2504	Disposal costs	3,000	2,137	3,000	2,366	3,000	2,274	3,000	2,259	3,000
03.25.1444.2504	Alarm monitoring					300	-	300	-	600
		77,500	72,564	81,700	72,476	80,200	86,190	93,680	86,692	94,830
	Net Operating Expense	72,000	68,162	76,200	65,380	74,700	80,602	91,180	83,162	92,330
	Capital Expense									5000
03.25.1441.2504	Construction costs	2,500	-	2,500	8,548	39,000	1,060	45,800	29,430	-
03.04.0901.2504	Transfer to/from capital reserve	2,500	2,500	2,500	(6,050)	2,500	2,500	(20,000)		22,500
03.04.0872.2504	Total Net Budget	77,000	70,662	81,200	67,878	116,200	84,162	116,980	112,592	119,830
Note:	Capital Reserve Balance	27,500	30,000	32,500	23,950	26,450	26,450	6,450		28,950



# JOINT BOARD OF MANAGEMENT

Wednesday, September 16, 2020

9:00 AM

Virtually in Zoom

## MINUTES

**Members Present:** Deputy Mayor Verbeke, Councillors Dunn, Hammond, Jacobs, Tiessen - Leamington  
Mayor Nelson Santos (Vice-Chair); Deputy Mayor Queen, Councillors DeYong, Neufeld, Patterson - Kingsville  
Councillor VanderDoelen - Essex  
Councillor Walstedt - Lakeshore

**Members Absent:** Mayor MacDonald - Leamington

**Staff Present:** Kevin Girard - Essex  
Shaun Martinho - Kingsville  
Albert Dionne - Lakeshore  
Shannon Belleau, Nelson Carvalho - Leamington

**OCWA Staff Present:** Dave Jubenville  
Dale Dillen, Ken Penney

**Call to Order:** 9:00 am

**Disclosures of Pecuniary Interest:** none

**Adoption of Board Minutes:**

**No. UW-38-20**

**Moved by:** Councillor Jacobs

**Seconded by:** Deputy Mayor Queen

That Minutes of the UWSS Joint Board of Management meeting of July 15<sup>th</sup>, 2020 be received.

Carried

**Business Arising Out of the Minutes:**

There was none.

**Report UW/20/20 dated September 10, 2020 re: Changes to Leamington UWSS Board Member Appointment**

The Manager explains that this report is just for information. He received word from Leamington's Clerk that at Council meeting of September 8th, 2020 authorized removing Councillor Wilkinson from UWSS Joint Board of Management. Councillor Wilkinson will still be an alternate member of the UWSS Board. Effective September 13th, 2020 Councillor Paul Tiessen will now be a regular member of the UWSS Joint Board of Management.

The Manager thanked Councillor Wilkinson for his service to the UWSS Board and welcomed Councillor Tiessen.

Mayor Santos, acting as Chair, welcomes Councillor Tiessen as well.

**No. UW-39-20**

Moved by: Councillor Neufeld

Seconded by: Councillor Hammond

That report UW/20/20 dated September 10, 2020 re: Changes to Leamington UWSS Board Member Appointments is received; and

That Councillor Wilkinson is moved to an alternate position and Councillor Tiessen is moved to the position of a regular UWSS Joint Board of Management member.

Carried (UW/20/20)

**Report UW/21/20 dated September 11, 2020 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to September 11, 2020**

The Manager reviews his report with board members. He notes that business at the plant is slowly and carefully attempting to get back to the new normal.

During the bi-monthly meter reads it was noted that billing Meter #13 failed. A new meter was purchased and installed.

At the July 15th Board meeting it was noted that Low Lift pump #5 had been received from Nevro. That pump has since been installed and is working well. Also at July meeting it was reported that Filter #5 "A" side main wash valve actuator had failed. This has since been replaced and an extra one has been purchased as a back-up. The roof leak that was also reported in the operator's section of the water treatment plant has been repaired. This was very necessary as the leak was over the SCADA server area of the plant, with multiple electronic components that could potentially be damaged by any leaks. The Manager does note that he has asked for quotes for major repairs and is still looking into warranty options.

The Manager informs members of the board that the residual solid pile has been completely removed by DiMenna Excavating. This company will also be cleaning out the solids from the south lagoon and staging it to dry out.

The Manager provides updates on the SCADA project. He notes that the WTP is getting ready for the SCADA contractors to return to the plant to complete the integration of the SCADA system. This work has been on hold since March 2020 due to COVID restrictions. He explains that all COVID-19 safety protocols will be in place during this time to protect essential staff members. He further explains that there will be some added expenses that will be seen as line items in the financials.

The Manager reminds members that the Kingsville Water Tower (KWT) project has been postponed until 2021. However the Manager notes that a preliminary lease agreement with the Town of Kingsville for the water tower land lease has been developed and UWSS is working with its solicitor to have a final version ready for review by Town of Kingsville.

The hydrant retrofit project that was discussed at the July 15th meeting has been started and data is now being collected. The Manager then provided the members with a demonstration of the type of data that is being collected from the 12 hydrants out in the system. He notes that the project will eventually include a screen in front of the operators so that they can see the water pressure information at all times and this will show if ever there is a pressure drop in the vicinity of these sensors, alerting the operator of potential watermain breaks. He further explains that the same company is being consulted to assist with the same type of monitoring for the 16 billing meters that the system uses.

The Manager reminds members of the upgraded security system project that had been approved in the 2020 budget. He explains that Empire Communications is working to install all of the necessary security features at the UWSS facilities. He anticipates that the work at the main building should be completed by the end of September and then he feels that all the finer details of the new system should be in place by the end of October.

The parking lot project has been delayed slightly. The County of Essex has asked the UWSS to enter into an Easement and Road Use Agreement. The Manager is still hoping to have this project completed by the end of the year, but it is getting difficult as the reality is that many contractors are super busy trying to catch up on projects that were postponed due to COVID-19 and many are bigger than this small type of project.

The Manager provides an update of the Dissolved Air Flotation (DAF) project, noting that Associated Engineers are working on the design portion of the project at the moment. He is hoping to get the tender out next year. The installation of DAF is designed to address the bottle neck that the UWSS has regarding the clarification project. This will take place on Clarifier #2. The second DAF will be installed at a later date.

The UWSS raw water line #2 will be having a new flow meter installed in late October or early November, which will allow staff to have better information on this line. New inlet valves for filters #2 and #4 have been purchased and will be installed once the low flow season arrives and these filters can be shut down.

Work on the Leamington Water Tower (LWT) isolation valve automation will take place in tandem with the SCADA project. The automation will allow control from the operator's desk, rather than sending someone out into the field to complete the task. This will help manage both the LWT and the AWT.



The Manager explains that OCWA Engineering Services (ES) has been retained to provide management services for the Filter #2 and #4 filter box upgrade. He notes that these two (2) filters are original to the WTP and date back to 1959. OCWA ES is in the process of working on a tender package. The Manager anticipates that the #4 Filter will be initiated in November 2020, and the #2 Filter in early 2021.

The new CO2 pH Adjustment System is working well, with operations staff making small adjustments in order to obtain the proper dosage. This has assisted in the reduction of the effluent aluminum residual and has prevented the effluent pH from dropping too low. The CO2 pH adjustment has significantly improved the coagulation process for water treatment.

The Manager provides an update on the University of Windsor/Glier project. He notes that the buoys are now out in Lake Erie and collecting real time data. He further notes that UWSS has not put any money into this project at this time, as a grant was used for funding. A third buoy has been purchased, but at the time of this meeting is not yet functional. The data collected will assist with monitoring water quality, weather and temperature. He sees the potential to help our neighbours as well, with the possibility of having a buoy out in the Harrow/Colchester waters as well. UWSS has the potential to create a network to gather pertinent data.

The Manager reminds members of the proposed joint study between UWSS and Windsor Utilities to investigate the possibility of servicing each system in an emergency situation. He confirms that Stantec Consulting and C3 Water are teaming up to assist with this investigation. They will be looking into what type of infrastructure will be required and what type of work would need to be completed. He is hoping to have further details available for the next UWSS Board meeting. The budget could be in the area of \$120,000, which would be most likely shared between UWSS and WUC. This could have potential benefits to all municipalities in the area during emergency situations.

The Masterplan (MP) needs to be developed and the Manager is consulting with C3 Water and Associated Engineering (AE) to have them develop a new MP for the UWSS. UWSS is seeing increases in water demands and he is hoping to work with all the municipalities to obtain projections on greenhouse and residential development. He notes that this is necessary as there were a few days in June and early July that the peak daily demand exceeded the plant capacity for a few hours. That is a scenario that UWSS does not want happening for too long, because the reservoirs can be drained. This is why every year there is lawn watering by-laws in place. He is also potentially looking at tiered restrictions as well. A discussion needs to take place between all of our municipal partners regarding restrictions.

He also notes that there are things UWSS are doing at the WTP level to become more efficient, such as the DAF, CO2 System and potentially re-rate the WTP for higher limits. He will be further looking into another reservoir at the WTP. Unfortunately, this is a big ticket item with a budget of \$15-\$20 million.

There is then a discussion regarding greenhouses; how many have been built, how many new acres have been applied for and what is the potential for more to be built. This will be part of the new Masterplan. He also notes that residential customers should not

be paying for the greenhouse growth. He is hoping to work with the municipalities to put a water rate in place to account for the greenhouse development.

There is then a discussion regarding the re-organization of the UWSS and where this project stands. The Manager explains that the municipalities have provided all of the reports and the meetings have taken place with all of the administrations of each municipality. One of the main issues to address is the Common Asset issue. The Manager had put together a short report that had been circulated for review, then unfortunately COVID-19 happened.

#### **No. UW-40-20**

Moved by: Councillor Jacobs

Seconded by: Councillor Hammond

That the Manager follow up with the partner municipalities regarding the incorporation of the UWSS; and

That any reports regarding the UWSS incorporation include the historical information regarding Common Assets for municipalities to review; and

That the UWSS Manager is directed to bring a report back to the next meeting regarding the incorporation and what parameters the UWSS requires to support the growth of the greenhouse industry, which could be in the form of a Masterplan update.

Carried (UW/21/20)

There is some discussion on the above motion. Possible infrastructure developments are briefly discussed and Shannon Belleau noted that a report would be going to Leamington council shortly on possible upgrades to infrastructure necessary to ensure future development. Councillor VanderDoelen notes that sometimes with success comes new problems, but is hopeful that Essex could support growth for the region. Councillor DeYong reminded members of the Board of last year's trip to the Netherlands by local municipal mayors and administration to tour many environmentally efficient greenhouses and asks if this technology has been utilized within the greenhouses in the UWSS service area. Mayor Santos noted that many of the newer greenhouses are already very efficient. There is then a brief discussion on the LADIA waterline and if this can be utilized in a better way to bring water to some of the newer developments. Nelson Carvalho notes that the greenhouse growers require better water than what is flowing through the LADIA line.

#### **No. UW-41-20**

Moved by: Councillor Dunn

Seconded by: Councillor Neufeld

That report UW/21/20 dated September 11, 2020 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to September 11, 2020 is received.

Carried (UW/21/20)

**Report UW/22/20 dated September 11, 2020 re: Payments from July 11th, to September 11th, 2020**

**No. UW-42-20**

Moved by: Councillor Patterson

Seconded by: Councillor DeYong

That report UW/22/20 dated September 11, 2020 re: Payments from July 11 to September 11, 2020 is received.

Carried (UW/22/20)

Adjournment:

**No. UW-43-20**

Moved by: Councillor Walstedt

Seconded by: Councillor VanderDoelen

That the meeting adjourn at 10:19

Carried

**Date of Next Meeting:** Wednesday, October 21, 2020, virtually in Zoom

/kmj

**From:** Maggie Durocher [<mailto:huskyracers@gmail.com>]  
**Sent:** Saturday, October 17, 2020 9:11 PM  
**To:** CouncilMembers <[CouncilMembers@essex.ca](mailto:CouncilMembers@essex.ca)>  
**Cc:** Jeremy Pillon <[jpillon@incue.net](mailto:jpillon@incue.net)>; cbedal@hotmail.com; Santa Claus <[santagosanta@yahoo.ca](mailto:santagosanta@yahoo.ca)>; Patricia.jeanreidcrichton54@gmail.com; scott shuttleworth <[scottymmms@yahoo.com](mailto:scottymmms@yahoo.com)>; Bill Burrows <[wburrows@xplornet.com](mailto:wburrows@xplornet.com)>; CARL - VE3WPD <[carlwpd@hotmail.com](mailto:carlwpd@hotmail.com)>; Larry Amlin <[amlin911@icloud.com](mailto:amlin911@icloud.com)>; Rita Ossington <[oss\\_ington@sympatico.ca](mailto:oss_ington@sympatico.ca)>  
**Subject:** Santa Claus Parade

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Evening Mayor Snively and members of council

On behalf of the Windsor Parade Corporation we wish to convey our disappointment that we are unable to provide a COVID acceptable Santa Claus Parade in your community for 2020. We had approached the BIA with a program for a Reverse Parade that has been accepted by Kingsville and Amherstburg and the WECHU for this year, however they rejected the proposal.

We understand that the need to ensure a safe community is paramount, and the drive through reverse parade meets and exceeds those qualifications. We sincerely hope that you are able to engage your community for the holiday season , and look forward to initiating discussions with the BIA and Town with respect to any future parades.

Again, we are sincerely sorry to miss this opportunity and wish you all the best for this holiday season

Maggie Durocher on behalf of the Windsor Parade Corporation

**From:** Denonville, Alex  
**Sent:** Tuesday, October 27, 2020 3:17 PM  
**To:** CouncilMembers <[CouncilMembers@essex.ca](mailto:CouncilMembers@essex.ca)>  
**Subject:** Libro Rink at Essex Centre Sports Complex to Re-open October 28



Media Release  
October 27, 2020

## **Libro Rink at Essex Centre Sports Complex to Re-open on October 28**

The Libro Credit Union Rink at the Essex Centre Sports Complex will re-open its doors to youth user groups beginning Wednesday, October 28, with new protocols in place.

All visitors will undergo COVID-19 screening conducted by staff or volunteers of the league or organization they are participating with. User groups will also be asked to follow the facility guidelines outlined in the [Facility User's Guide](#), available online. The Town has also published a [video walkthrough](#) to show what visitors can expect when they attend the arena for activities.

"We continue to work closely with our user groups to ensure our facilities can be used safely," said Doug Sweet, Deputy CAO and Director, Community Services. "We are excited to welcome players and spectators back to the Essex Centre Sports Complex with the understanding that the new procedures in place are designed to protect everyone."

Earlier this year, Town staff identified heaving issues in portions of the rink. Subsequent soil testing and an engineering report identified the required repairs which started in late August. Repairs are ongoing but do not impact ice rink user groups.

Sweet added that with arena repairs ongoing, only the Libro Rink will be open to user groups. The potential for further reopening of the facility will be determined as repair work is completed.

For guidance on what individuals can do to reduce their risk of contracting the virus, or what to do if they display symptoms, please visit the [Ontario Ministry of Health's COVID-19 resource page](#). For local updates, please visit [Windsor Essex County Health Unit's Novel Coronavirus page](#).

### **Media Contact**

Alex Denonville, Manager, Communications [adenonville@essex.ca](mailto:adenonville@essex.ca)  
519-990-7546



October 22, 2020

The Honourable Rod Phillips  
Ministry of Finance  
Frost Building South  
7th Floor  
7 Queen's Park Cres.  
Toronto, Ontario M7A 1Y7  
rod.phillips@pc.ola.org

The Honourable Doug Downey  
Ministry of the Attorney General  
11th Floor  
720 Bay St.  
Toronto, ON M7A 2S9  
doug.downey@pc.ola.org

Subject : Cannabis retail stores

Dear Ministers,

On behalf of the City of Clarence-Rockland, I am hereby requesting that the regulations governing the establishment of cannabis retail stores be amended in order to instruct the Alcohol and Gaming Commission to consider over-concentration as an evaluation criterion, and provide added weight to the comments of a municipality concerning matters in the public interest when considering the application of new stores.

Please find attached a certified true copy of Resolution #2020-191 adopted by the Council of the City of Clarence-Rockland on October 19, 2020, requesting a modification to the regulations governing the establishment of cannabis retail stores.

We trust that this request will be given serious consideration.

Sincerely,

**Guy Desjardins**  
Signé avec ConsignO Cloud (22/10/2020)  
Vérifiez avec ConsignO ou Adobe Reader.



Guy Desjardins, Mayor

CC: All Ontario Municipalities

Encl.



CORPORATION OF THE CITY OF  
CLARENCE-ROCKLAND  
REGULAR MEETING

RESOLUTION

**Resolution:** 2020-191  
**Title:** Member's resolution presented by Councillor Mario Zanth and seconded by Councillor Samuel Cardarelli regarding cannabis stores  
**Date:** October 19, 2020

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**Moved by** Mario Zanth  
**Seconded by** Samuel Cardarelli

**WHEREAS** as the regulator for private cannabis retail in Ontario, the Alcohol and Gaming Commission of Ontario (AGCO) has the authority to license, regulate and enforce the sale of recreational cannabis in privately run stores in Ontario; and

**WHEREAS** on December 17, 2018, Council agreed to 'opt-in' to the Provincial direction to allow Cannabis Retail to occur in the City of Clarence-Rockland; and

**WHEREAS** Council considers a matter of public interest to include a 150 metre distance separation from other Licensed Cannabis Stores, as the Board of Health has noted concerns that excessive clustering and geographic concentration of cannabis retail outlets may encourage undesirable health outcomes, and Economic Development and Planning are concerned that over-concentration may cause undesirable impacts on the economic diversity of a retail streetscape including the distortion of lease rates, economic speculation, and the removal of opportunity for other commercial businesses; and

**WHEREAS** cannabis retail is a new and unproven market, and no studies or precedent exists to determine the number or distribution of stores that can reasonably be supported by the local economy, and it is therefore prudent to establish the means by which the AGCO, with input from a municipality, can regulate over-concentration as the cannabis retail market evolves; therefore

**BE IT RESOLVED THAT** Council directs the Mayor, on behalf of City Council, to write the Honourable Rod Phillips, Minister of Finance of Ontario, and the Honourable Doug Downey, Attorney General of Ontario, requesting the Ministry to modify the regulations governing the establishment of cannabis retail stores to instruct the Alcohol and Gaming Commission to consider over-concentration as an evaluation criteria, and provide added weight to the comments of a municipality concerning matters in the public

interest when considering the application of new stores; and

**BE IT RESOLVED THAT** a copy of this resolution be forwarded to the other municipalities in Ontario.

**CARRIED**

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Maryse St-Pierre  
Deputy Clerk





## RÉSOLUTION

**Résolution:** 2020-191  
**Titre:** Résolution de membre présentée par le conseiller Mario Zanth et appuyée par le conseiller Samuel Cardarelli concernant les commerces de vente de cannabis  
**Date:** le 19 octobre 2020

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**Proposée par** Mario Zanth  
**Appuyée par** Samuel Cardarelli

**ATTENDU QU'**en tant qu'organisme de réglementation de vente privée de cannabis en Ontario, la Commission des alcools et des jeux de l'Ontario (CAJO) a le pouvoir d'octroyer des licences, de réglementer et de faire respecter la vente de cannabis à des fins récréatives dans les magasins privés de l'Ontario

**ATTENDU QUE** le 17 décembre 2018, le Conseil a accepté de se conformer à la directive provinciale afin de permettre la vente au détail de cannabis dans la Cité de Clarence-Rockland ; et

**ATTENDU QUE** le Conseil considère qu'il est d'intérêt public d'inclure une distance de 150 mètres de séparation par rapport aux autres magasins de cannabis agréés, étant donné que le Conseil de la santé a pris note des préoccupations selon lesquelles le regroupement et la concentration géographique excessifs des points de vente de cannabis au détail peuvent encourager des résultats indésirables pour la santé, et que le ministère du développement économique et de la planification craint qu'une concentration excessive ne provoque des effets indésirables sur la diversité économique d'un paysage de rue de vente au détail, notamment la distorsion des taux de location, la spéculation économique et la suppression de possibilités pour d'autres entreprises commerciales

**ATTENDU QUE** la vente au détail de cannabis est un marché nouveau et non éprouvé, et qu'il n'existe aucune étude ni aucun précédent pour déterminer le nombre ou la répartition des magasins qui peuvent raisonnablement être soutenus par l'économie locale, et qu'il est donc prudent d'établir les moyens par lesquels l'AGCO, avec l'aide d'une municipalité, peut réguler la surconcentration au fur et à mesure de l'évolution du marché de la vente au détail de cannabis; par conséquent

**QU'IL SOIT RÉSOLU QUE** le conseil municipal demande au maire, au nom du conseil municipal,

d'écrire à l'honorable Rod Phillips, ministre des Finances de l'Ontario, et à l'honorable Doug Downey, procureur général de l'Ontario, pour demander au ministère de modifier les règlements régissant l'établissement de magasins de vente au détail de cannabis afin de donner instruction à la Commission des alcools et des jeux de considérer la surconcentration comme un critère d'évaluation, et de donner plus de poids aux commentaires d'une municipalité concernant les questions d'intérêt public lorsqu'elle examine la demande de nouveaux magasins; et

**QU'IL SOIT RÉSOLU QU'**une copie de cette résolution soit acheminée aux autres municipalités de l'Ontario.

**ADOPTÉE**

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Maryse St-Pierre  
Greffière adjointe



## Township of Blandford-Blenheim

47 Wilmot Street South  
Drumbo, Ontario N0J 1G0

Phone: 519-463-5347  
Fax: 519-463-5881  
Web: [www.blandfordblenheim.ca](http://www.blandfordblenheim.ca)

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October 13, 2020

Emailed to the Federal Minister of Health, Federal Minister of Justice and Attorney General, Federal Minister of Public Safety and Emergency Preparedness, Oxford MP, Oxford MPP, the Association of Municipalities of Ontario and all municipalities in Ontario.

### **Re: Unlicensed and unmonitored cannabis grow operations**

Please be advised that at the Regular Meeting of Council on October 7<sup>th</sup>, 2020, the Council of the Township of Blandford-Blenheim passed the following resolution:

#### **Resolution Number: 2020-14**

**Moved by: Councillor Nancy Demarest**

**Seconded by: Councill Bruce Banbury**

**“That Whereas unlicensed and unmonitored cannabis grow operations have increasingly become a problem in communities in Ontario as well as across the Country; and,**

**Whereas these operations are allowed to establish with little or no consultation with the local community and municipalities are often only made aware of their existence after conflicts arise with neighboring land owners; and,**

**Whereas loopholes in existing Federal legislation allow these large scale grow op’s to establish and operate without any of the regulations or protocols that licensed and monitored operations need to adhere to,**

**BE IT RESOLVED that the Council of the Township of Blandford-Blenheim urges the Federal Government to amend the legislation under which these facilities operate to ensure the safety and rights of the local communities in which they are situated are respected; and,**

**That this resolution be forwarded to the Federal Minister of Health, Federal Minister of Justice and Attorney General, Federal Minister of Public Safety and Emergency Preparedness, Oxford MP, Oxford MPP, the Association of Municipalities of Ontario and all municipalities in Ontario.”**

Regards,

Sarah Matheson  
Deputy Clerk  
Township of Blandford-Blenheim

## **Arts, Culture and Tourism Committee Meeting**

The Arts Culture and Tourism (ACT) Committee meets in session this 14th day of October, 2020, by way of Zoom Video Conferencing.

The Chair, Tony Paniccia called the meeting to order at 4:30 PM and welcomed all committee members.

### **1. Roll Call**

Present: Anthony Paniccia, Chair

Patti Oshar, Vice Chair

Diane Quinn-Ouellette

Tracy Armstrong

Grant Maguire

Jeannette Kervoelen

Also Present: Cynthia Cakebread, Manager, Recreation and Culture

Janice Aloisio, Administrative Assistant, Community Services

Regrets: Councillor Steve Bjorkman

Absent: Joseph Cornwall

### **2. Declarations of Conflict of Interest**

- None stated

### **3. Adoption of Published Agenda**

- October 14, 2020 Zoom video conferencing meeting agenda

Moved by: Jeannette Kervoelen

Seconded by: Tracy Armstrong

**(ACT20-10-022)** That the agenda of the Wednesday, October 14, 2020, 2020 Arts, Culture and Tourism Committee Zoom Video Conferencing meeting be adopted as presented. **“Carried”**

#### **4. Adoption of Minutes**

- Minutes of August 12, 2020 Zoom Video Conferencing meeting

Moved by: Jeannette Kervoelen

Seconded by: Tracy Armstrong

**(ACT20-10-023)** That the minutes of the Wednesday, August 12, 2020, Arts, Culture and Tourism Committee Zoom Video Conferencing meeting be adopted as circulated. **“Carried”**

- Notes of September 9, 2020, Zoom Video Conferencing meeting

Moved by: Grant Maguire

Seconded by: Patti Oshar

**(ACT20-10-024)** That the notes of the Wednesday, September 9, 2020, Arts, Culture and Tourism Committee Zoom Video Conferencing meeting be received for information purposes only as circulated. **“Carried”**

#### **5. Unfinished Business**

##### **a) Explore Eats Essex Update**

- Tracy Armstrong updated the committee and advised that she she followed up and attended a couple of the participating restaurants to assess progress on the event and had Cynthia Cakebread order an additional 1000 ballots and dropped them off at the various restaurants as restaurants felt it was simpler for the public than having them download a ballot;
- Tracy Armstrong advised that one of the committee members business’s donated 2 bottles of wine for the prize basket and wanted to thank the member for the generous donation and further advised that the 2 wine glasses will be added as soon as they are completed and she will circulate pictures of the completed basket to the members;

- Cynthia Cakebread advised the committee that ads have been taken out in both of the local papers and showed the ad in the Harrow News;
- Cynthia Cakebread gave credit to Trevor Martin for all his good work on the marketing side of this event.

#### **b) Tune Up The Parks Update**

- Cynthia Cakebread presented the committee with results of the Virtual Tune-up the Parks Summer concert series performer survey with 7 submissions and all positive comments and interest in future participation if the option came up again;
- Cynthia Cakebread discussed offering a 12 days of Tune Up the Parks a virtual Christmas themed music series and advised that we currently have 9 interested performers at this time and she will have Trevor Martin of her staff create a marketing call for interest that will be vetted through the Town's social media platforms;
- As all committee members were in favour of the concept, Cynthia Cakebread advised she will circulate a 'call for artists' on the town's various social media platforms once Trevor Martin completes it and pending the results of the number of submissions this will determine streaming implementations but the plan is to run the series at 7 pm on the Monday and Wednesday evenings of the 6 weeks preceeding Christmas if we receive enough submissions and if not, a few will get rerun.

#### **c) Fall/Winter Christmas Community Engagement Event**

- Diane Quinn-Ouellette advised that the committee has already reviewed the information sheet and the judging criteria she created and the provided feedback and comments will be made where applicable and went on to reiterate the timeline dates;
- Cynthia Cakebread advised that she has passed on all the information to her staff, Trevor Martin, to create a marketing package and once he is done she will circulate to committee for review and then meet with the Manager, Strategic

Communications, Alex Denonville to roll-out a media blitz which will commence at the beginning of November for the kick off date of November 16<sup>th</sup>;

- Submissions for event are from November 16 to December 2<sup>nd</sup>
  - Evaluation period from December 3 to 10<sup>th</sup>
  - Awarding of winners at the December 12<sup>th</sup> Essex Christmas Parade event;
  - Cynthia Cakebread advised that she has passed on the documents to Trevor Martin in her department to work on the design and format of the media campaign;
  - Cynthia Cakebread advised that she just had a session with her staff members today and they came up with a suggestion of creating a map of the locations of the submitted properties and rolling it out to the general public as a media promotion to download a copy of the map and view all the properties and streets with their light displays and that she can have the town's GIS department create a map that show all submitted applicants as a part of promoting the event to the public;
6. Lawn signs will need to be designed; and
  7. As publicity items become available, Cynthia Cakebread will circulate to the committee for final viewing and comment.

## **8. New Business**

### **a) Downtown Tea Party 2021**

- Brief discussion on potentially hosting two events in the new year pending status of pandemic and the regulations the community is under at that time, one at the Essex Train Station and the other at the Colchester Community Centre;
- We have the footprint from last year and will work off that;
- Item will be monitored and brought forward to the January 2021 agenda.

## **9. Next Meeting**

- The next meeting is scheduled for Wednesday November 11, 2020 via Zoom Video Conferencing at 4:30 pm. In the event that the declared emergency is rescinded, the meeting will be held in the Large Meeting Room at the Essex Centre Sports

Complex (Essex Twin Pad Arena) 60 Fairview Avenue West in the Shaheen Room at  
5:30 pm.

## **10. Adjournment**

Moved by: Diane Quinn-Ouellette

Seconded by: Patti Oshar

**(ACT20-10-025)** That this meeting adjourns at 5:08 PM. **"Carried"**

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Anthony Paniccia, Chair

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Janice Aloisio, Recording Secretary





## Drainage Board Meeting Minutes

July 9, 2020 5:00 p.m.

**Location: Zoom Video Conferencing**

**Crystal Beach Drain: Repair and Improvement of Covered Drains**

**Geographic Township of Colchester South, Town of Essex,**

**County of Essex, Project REI2018D012**

### **1. Roll Call**

Present: Dan Boudreau  
Kirk Carter  
Percy Dufour  
Felix Weigt-Bienze

Regrets: Luke Martin

Also Present: Kevin Girard, Director, Infrastructure Services  
Shelley Brown, Deputy Clerk  
Norm Nussio, Manager, Operations and Drainage  
Lindsay Dean, Drainage Superintendent  
Tanya Tuzlova, Operations/Drainage Clerk  
Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: As per attached Delegation List

The Deputy Clerk confirmed that all notices have been sent in accordance with The Drainage Act.

### **2. Declarations of Conflict of Interest**

None declared.

### **3. Adoption of Published Agenda**

i) Drainage Board Meeting Agenda

Moved by Board Member Weigt-Bienze

Seconded by Board Member Dufour

**(DB20-07-001)** That the published agenda for the July 9, 2020 Drainage Board Meeting be adopted as presented.

**Carried**

**4. Adoption of Minutes**

i) Consideration of Contract Price for Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny Quick (Part of Lots 6 & 7, Gore Concession), Geographic Township of Colchester South, Project REI2018D024, Town of Essex, County of Essex held on June 24, 2020.

Moved by Board Member Dufour

Seconded by Board Member Weigt-Bienzle

**(DB20-07-002) That** the minutes of the Drainage Board Meeting held on June 24, 2020, be adopted as circulated. **Carried**

**5. List of Written Appeals**

Lindsay Dean, Drainage Superintendent, has informed that a letter was received by the Town from the owners of the Crystal Beach Road to review the scope of works.

**6. Public Presentations**

i) Lindsay Dean, Drainage Superintendent

Re: Crystal Beach Drain: Repair and Improvement of Covered Drains project

Lindsay Dean, Drainage Superintendent, presented the overview of the Drainage Act procedures, Crystal Beach System historic information and current concerns, pipe condition, and current project costs. Ms. Dean presented the options to proceed with this report:

- Option 1: Replace the Crystal Beach South System and Legalize future replacement of the North System
- Option 2: Complete replacement of North and South Systems.

Ms. Dean also explained the next steps for each Option and the appeal process.

ii) Other public presentations.

**Ian Wright, 134 Crystal Beach Road**

Mr. Wright asked what the price of \$15,000 represented and if it is in addition to the incurred expenses.

Lindsay Dean, Drainage Superintendent, explained that this amount is the part of incidental costs that are incorporated in the report and represents the costs spent to date for the North part of the Drain.

Mr. Wright also asked if the big trees along the drain can be kept during repairs.

Mr. Rood explained that typically contractors try to avoid damaging trees during drainage works and he does not anticipate damage to trees. Mr. Rood added that small trees located on the road allowance may be restored.

Mr. Wright asked how the residents will be able to access their properties during construction.

Mr. Rood explained that the access to the properties will be restored as quickly as possible and that access will be provided by the contractor to ensure that emergency vehicles and residents have access to their properties.

Mr. Wright advised that he prefers Option 1, to replace the South System and to legalize the future replacement of the North System.

Mr. Wright also asked if the property owners will be liable for damages to the neighbours if Option 1 is chosen.

Lindsay Dean, Drainage Superintendent, explained that the Town of Essex Solicitor has advised that the private landowners should not be exposed to liability for the property damages since the Drainage Board (Town) will make the decision regarding this project.

The Chair has asked what liability levels would be to do nothing versus choosing Options 1 or 2.

Lindsay Dean, Drainage Superintendent, explained that the liability with not completing the drainage works would be high since the Town determined that the system is out of repair. Ms. Dean added that the Town may also be liable for damages under Option 1 if the repairs are not done on the North Part of the Drainage System as this may impact the South System.

Board Member Dufour commented that the drainage system should be repaired in whole and that the needs of all residents should be taken into consideration including those not present at this meeting.

**Eric Card, 130 Crystal Beach Road**

Mr. Card stated that he feels the problem is that the sand blocks the outlet into the lake and suggested that repairs be done to the outlet on the South part of the Drain.

Mr. Rood replied that repairs to the outlet only may help reduce levels of standing water during high lake levels. Mr. Rood explained that the problem is in the overall capacity of the drainage system to carry the flows to the repaired outlet. Mr. Rood added that the whole system needs to be improved to increase drain capacity and decrease maintenance costs and advised that the whole system should be improved since this option eliminates the liability to the Town and provides the most cost effective solution.

Mr. Card commented that, in his opinion, the system is functioning well and he believes that the replacement of the whole system is not necessary.

**Barbara Ross, 104 Crystal Beach Road**

Ms. Ross expressed concern that doing partial repairs such as attaching new pipes to the old pipes of different sizes would not solve the problem and the repairs to the whole street would be necessary later.

Ms. Ross also expressed concerns regarding the standing water on the road causing odour, algae and bacteria growth.

Norm Nussio, Manager, Operations and Drainage, explained that the asphalt repairs to the road will be done to minimize that problem.

Ms. Ross concluded that she would like the job to be done right the first time.

**Jean and John Stewart, 161 Crystal Beach Road**

Mr. and Mrs. Stewart advised that they do not have any questions.

**Travis Miller, 131 Crystal Beach Road**

Mr. Miller advised that he does not have any questions.

**William Young, 136 Crystal Beach Road**

Mr. Young asked how old the original drain was.

Lindsay Dean, Drainage Superintendent, explained that the majority of the system was installed in 1968 and South System on the east side of the road and the road crossings were installed prior to that.

**Terry Hodgins, 116 Crystal Beach Road**

Mr. Hodgins commented that there was a problem with flooding on the both sides of the road for many years and asked if the system will handle it.

Mr. Rood explained the current standard design requirements to the drainage system and explained that it is designed to handle a 1 in 10 year storm event. Mr. Rood added that a larger storm capacity system would be very costly and not practical and that the proposed system will provide an adequate level of service to the adjacent lands and roads.

Mr. Hodgins asked if the system would handle the water coming in during storms.

Mr. Rood explained that the water may stand for a couple hours and then go through the outlet which will be protected from waves and sand by the baffle system. Mr. Rood advised that there are about 5-6 baffle systems along the lake in the Town of Essex and they are working well.

Mr. Hodgins asked why there is \$2,500.00 extra charge on the assessment schedule to his property.

Mr. Rood explained that special benefit assessments are for the properties with hard surface driveways or special features that need to be repaired or replaced and this charge is included as per standard OMAFRA policies.

Mr. Hodgins asked if there is a possibility to remove that cost and repair the driveways themselves.

The Chair advised that there is an option for home owners to replace their driveways themselves.

Mr. Hodgins asked if jetties could be installed on the beach.

Mr. Rood explained that this can be an environmental issue and contradict requirements from ERCA, Department of Fisheries and Oceans and other authorities to complete construction in the lake. Mr. Rood advised that jetties obstruct movement of sand on shore lines and could cause damages to the adjacent properties.

**Carol MacPherson, 105 Crystal Beach Road**

Ms. MacPherson stated that there were damages to her property caused by standing water on the driveway that would not allow her to exit her home. Ms. MacPherson also has stated that she had water in her crawl space as well as an odour she believed was coming from the catch basins.

**Mark Hernandez, 111 Crystal Beach Road**

Mr. Hernandez asked about the location of North and South Parts of the Crystal Beach Drain.

Mr. Rood explained the division of the system into North and South parts based on the map provided in the report as per the change of water direction.

Mr. Hernandez advised that he prefers Option 1.

Mr. Rood advised that work relating to Option 1 would impact municipal addresses from 137 to 142 as they are adjacent to the South System.

**Jill Kennedy, 709 County Road 50**

Ms. Kennedy stated that water covers the road when it is windy. Ms. Kennedy asked if the Town would mail out a survey, so all the residents could vote on their preferred option.

Ms. Kennedy also asked what the interest rate is and when bills will be due.

Norm Nussio, Manager of Operations and Drainage, informed that debenture terms are 5 and 10 years.

Lindsay Dean, Drainage Superintendent, advised that Finance Department will consider special requests regarding the debenture thresholds and the payment term for this project.

The Deputy Clerk advised that the interest rate would depend on the timing of the debenture and the rate may change when the work is completed.

The Chair advised that the rate is determined when the debenture is sold.

The Chair asked Board Member Dufour about the survey that was proposed by Ms. Kennedy.

Board Member Dufour replied that the surveys are usually not a part of the Drainage Act.

The Deputy Clerk advised that the survey is not a part of the Procedural By-Law.

**John Kay, 155 Crystal Beach Road**

Mr. Kay said he received a drain bill for sand removal while he was told at the last meeting that there will be no more drain bills.

Norm Nussio, Manager, Operations and Drainage, replied that the recent drain bill was for cleaning out the pipe that was completely blocked.

Mr. Kay asked what improvements he will get and if he will get a catch basin.

Mr. Rood replied that he does not see a catch basin in front of 155 Crystal Beach Road and added that the owners have the right to connect as long as it is done through the Drainage Department or the owner may ask the contractor doing the drainage works to connect and this would be the most cost effective method.

Mr. Kay asked why the catch basin was not put in front of his property and why he has to pay extra to install the catch basin.

Mr. Rood replied that he investigated and there is a slope to direct water to the next catch basin. Mr. Rood explained that he tried to keep the project cost down by providing the minimum amount of catch basins. Mr. Rood added that every property owner has the right to connect to the system themselves.

Mr. Kay asked if the connection will be provided.

The Chair clarified that Mr. Kay may ask the contractor directly to install the connection during the works.

Mr. Kay commented that Mr. Rood should have provided the catch basins for all properties.

Mr. Rood explained that he has no responsibility to extend the scope of work by providing additional features and thus increasing the cost of the project.

Mr. Rood explained that the drain was designed to divert the water and if a property owner wants a catch basin, they may connect during the project.

**Laura Hasulo, 145 Crystal beach Road**

Ms. Hasulo advised that all her questions were addressed.

**Allison Van Geest, 120 Crystal Beach Road**

Ms. Van Geest asked if this project was already approved by ERCA.

Mr. Rood replied that the report was circulated to ERCA and they provided input regarding restrictions and limitations. Mr. Rood informed that ERCA has confirmed the permit will be granted when the project is approved by Council.

Ms. Van Geest expressed concern that the changes to the drainage system will not solve the flooding problem at the end of the road because flooding is caused by high lake levels.

Mr. Rood advised that there is no control over the lake levels and by doing this project the water will be able to go back to the lake. There is no other mechanisms that could be put in place to protect against the lake levels other than raising the properties and the road and this cannot be done under the Drainage Act. The project provides for the sufficient outlet, so water can get to the open outlet at the lake.

**Tamara Deneau on behalf of Ken Chapman, 139 Crystal Beach Road**

Ms. Deneau asked if the property owners will be compensated for their properties being dug up.

Mr. Rood advised that proposed works provide for the full restoration of the properties therefore no allowances are provided. Allowances are provided only for a property in the North part of the drain since the works may affect crops.

Ms. Deneau asked how long it will take to repair the road and how much that would be.

Norm Nussio, Manager, Operations and Drainage, advised that there will not be any cost assigned to residents for road repairs.

Ms. Deneau asked why a parcel on a Crystal Beach Lane is not connected to the Drain.



Mr. Rood advised that he has reviewed the previous reports and he did not see any additional connections to the drain.

**John Kay, 155 Crystal Beach Road**

Mr. Kay asked about if those in neighbouring parcels who have beach rights would share in the cost and if the Town has authority to perform work on the lake.

Mr. Rood replied that the drainage works under the current report have the right to work across the beach since that was done in the initial report by C.G.R. Armstrong. Mr. Rood explained that the Value of Outlet charges on the assessment schedule are assessed to the property owners who have the benefit of Drainage Outlet and the charges related to the beach rights should be addressed to the Town administration.

Moved by Board Member Carter  
Seconded by Board Member Dufour

**(DB20-07-004) That** the presentation be received and that the Drainage Board’s previous resolution on Item 6 from its May 21, 2020 meeting directing that a provisional by-law be prepared for Council’s consideration and that the Report proceed to a Court of Revision for the **Crystal Beach Drain: Repair and Improvement of Covered Drains, Geographic Township of Colchester South, Town of Essex, County of Essex, Project REI2018D012** as prepared by Gerard Rood, Professional Engineer dated April 15<sup>th</sup>, 2020, be re-affirmed accordingly. **Carried**

**7. Adjournment**

Moved by Board Member Dufour  
Seconded by Board Member Weigt-Bienzle

**(DB20-07-005) That** the meeting be adjourned at 6:23 pm “Carried”.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Date

**The Corporation of the Town of Essex**  
**Minutes of Regular Committee of Adjustment Meeting**  
**Tuesday September 15<sup>th</sup>, 2020**

A regular meeting of the Town of Essex Committee of Adjustment was held on Tuesday, September 15<sup>th</sup>, 2020 at 4:00 PM via Virtual Zoom Meeting.

**1. Roll Call:**

Members Present	Percy Dufour, Chair Brian Gray, Vice Chair Phil Pocock Ray Beneteau Dan Boudreau
Also Present	Corinne Chiasson, Secretary Treasurer /Assistant Planner Rita Jabbour, Manager, Planning Services Sarah Aubin, Planning Assistant, Recording Secretary Lori Chadwick, Director of Development Services
Members of the Public	Paul Antonel Derek & Monica Hoffman Earnest Jay Martin Brian & Janice Garant Richard & Pauline Brockman Donato Digiovanni Elaine Robins Mike Nelson Vitra Vimalananthan Val Domingo

**2. Declaration of Conflict of Interest**

None

**3. Adoption of Published Agenda**

**3.1** That the published agenda for the September 15<sup>th</sup>, 2020 meeting of the Committee of Adjustment be adopted as circulated.

Moved by: Ray Beneteau

Seconded by: Dan Boudreau

**(COA-2020-09-56)** That the published agenda for September 15<sup>th</sup>, 2020 be adopted as presented

**“Carried”**

**4. Adoption of Minutes**

**4.1** That the minutes of the August 18<sup>th</sup> 2020 Committee of Adjustment meeting be adopted as circulated.

Moved by: Brian Gray

Seconded by: Phil Pocock

**(COA-2020-09-57)** That the Regular Minutes from the Committee of Adjustment Meeting of August 18<sup>th</sup> 2020 be adopted as circulated.

**“Carried”**

## **5. Reports / Applications**

### **5.1 Corinne Chiasson, Assistant Planner RE:**

#### **Application B-19-20 Derek and Monica Hoffman (Agent: Ernest Jay Martin) 13242 13<sup>th</sup> Concession Rd (Colchester North, Ward 2)**

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 13242 13<sup>th</sup> Concession Road in the former township of Colchester North. The applicants are proposing to sever a  $\pm 0.75$  acre parcel from the existing  $\pm 50$  acre agricultural lot for the purposes of lot addition. The severed parcel is proposed to be merged with the lands identified municipally as 13252 13<sup>th</sup> Concession to support infrastructure relating to the installation a septic system. The retained agricultural lot is proposed to have an area of  $\pm 49.25$  acres.

**Note:** An application for minor variance has also been received for the subject lands (File Number: A-19-20). The public notice for the minor variance application has been included with this notice.

#### **5.1.1 Public Presentations (if any)**

#### **Corinne Chiasson, Assistant Planner wrote:**

Official Plan Designation: “Agricultural”

Zoning: Agricultural District 1.1 (A1.1) –general agriculture and farm production support activities

Applications for consent and minor variance have been submitted for the agricultural lands located at 13242 13<sup>th</sup> Concession Road in the former township of Colchester North. The subject property is designated “Agricultural” under the Town’s Official Plan and zoned Agricultural District 1.1 (A1.1) for general agriculture and farm production support activities under the Town of Essex Zoning Bylaw, Bylaw 1037.

The applicants are proposing to sever a  $\pm 0.75$  acre grassed parcel from the existing  $\pm 50$  acre agricultural lot. The applicants are proposing this consent for the purpose of a lot addition. The severed parcel is proposed to be merged with the lands identified municipally as 13252 13<sup>th</sup> Concession to support infrastructure relating to the installation of a septic system.

The severed parcel is vacant, consists of manicured grass, and is not under agricultural production. As a result of the severance, the retained agricultural lot will be reduced to an area of  $\pm 49.25$  acres and will continue to be used for agricultural purposes. The proposed severance will not adversely impact the existing farming operation as the severed parcel is not actively farmed. Access to the retained parcel will continue to be by way of an existing access bridge via 13<sup>th</sup> Concession Road. The proposed severance will have no adverse impact on access to the retained agricultural lot.

#### Proposal Conformity with the PPS and Town of Essex Official Plan Policies

In accordance with section 6.4 of the Town of Essex Official Plan, in considering an application for consent, the Committee of Adjustment should have regard to:

a) *the proposal's consistency with Provincial legislation, policies and guidelines:*

The Provincial Policy Statement (PPS) states that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons. Legal or technical reasons include minor boundary adjustments which do not result in the creation of a new lot. The owners of 13242 13<sup>th</sup> Concession were approached by the owners of 13252 13<sup>th</sup> Concession Road to undertake this lot addition to provide the area needed for the installation of a new septic system. As a condition of this consent, the applicants will be responsible for submitting evidence that the severed parcel will be consolidated with the property at 13252 13<sup>th</sup> Concession Road;

b) *The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:*

Section 6.4 of the Town of Essex Official Plan states that consents should only be granted for lot adjustments or minor boundary changes provided both parcels comply with the provisions of the implementing zoning bylaw or such variances granted through the Committee of Adjustment and the consent is granted in accordance with section 50(3) of the Planning Act. The applicant has submitted a Minor Variance application to accommodate the reduction in lot area for the retained parcel.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections to the application for consent or minor variance. No other comments were received from circulated public authorities or agencies;

c) *The continuation of an orderly development pattern:*

The lot addition is not irregular in shape, and will not take agricultural land out of production.

d) *The adequate provision of potable water supply, sanitary sewage treatment and disposal and stormwater management in accordance with the Official Plan and to the satisfaction of the Town and the statutory approval authority having jurisdiction:*

Water supply, and stormwater management is not required as the proposal will not result in the creation of a new vacant buildable lot. The lot addition will permit the upgrade of the existing septic system at 13252 13<sup>th</sup> Concession Rd.

#### Requirement for Minor Variance

The minimum lot area required for lots zoned A1.1 under Bylaw 1037 is the lesser of 40 hectares (100 acres) or the existing lot size. As a result of the proposed severance, the lot area for the retained farm parcel will be reduced from  $\pm 50$  acres, the existing lot size, to  $\pm 49.25$  acres. As such, a variance to accommodate a reduction in lot area for the retained farm parcel is required.

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning Bylaw, the Committee of Adjustment should be satisfied that:

*a) The general intent of this Plan and the Zoning Bylaw are maintained:*

The main use of the retained farm parcel will remain agricultural.

*b) The variance(s) is minor and desirable for the appropriate use of the land:*

No agricultural land will be taken out of production as a result of this severance. The variance will not impact access to the retained parcel.

*c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

Agricultural lot sizes vary greatly in the agricultural district.

*d) The variance deals with circumstances particular to the site and development:*

The variance is necessary to accommodate an application for consent to facilitate a lot addition.

#### Agency and Public Comments

As a result of the giving of public notice, no phone calls or written correspondence have been received from members of the public as of Thursday September 10, 2020.

No comments were received from circulated internal agencies as of Thursday September 10, 2020.

#### **Actions:**

1. Should the Committee choose to approve this application, approval should be subject to satisfying the following conditions:

a) That at the time the conveyance is prepared for certification, three hard copies and one digital copy in a format compatible with AutoCAD 2000 of a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, must be submitted to the Town;

- b) That the appropriate documents for the conveyance be prepared in triplicate (three copies) and suitable for registration. All copies shall have original signatures and one copy will remain as a record with the Town;
- c) That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
- d) That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
- e) That the severed parcel be consolidated with the lands located at 13252 13<sup>th</sup> Concession Road. In accordance with Subsection 3 of Section 50 of the Planning Act, the applicant shall submit to the Secretary-Treasurer satisfactory evidence that the transferee of the severed portion of the property and the owner of the abutting property are identical, together with an undertaking from the applicant's solicitor to consolidate the severed portion and the abutting into one parcel. Within thirty days of the issuance of the certificate of consent to sever, the applicant shall provide evidence to the Secretary-Treasurer that an application to consolidate parcels has been filed with the Land Registry Office.
- f) That all of the above conditions be fulfilled on or before September 15, 2021.

**Additional comments resulting from circulation:**

**Michael Nelson, Watershed Planner, Essex Region Conservation Authority (ERCA), wrote**

**DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservation Authorities Act (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the 13th Concession Center Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

We have no objections to the application with respect to our natural hazards or regulatory perspective.

**PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority. The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection to the application with respect to natural heritage policies.

### **FINAL RECOMMENDATION**

ERCA has no objection to this application

#### **Discussion:**

Corinne Chiasson, Assistant Planner, explains the nature of the application

Moved by: Ray Beneteau

Seconded by: Phil Pocock

**(CAO-2020-09-58)** That application B-19-20 be granted to sever a  $\pm$  0.75 acre parcel from the existing  $\pm$  50 acre agricultural lot for the purposes of lot addition. The severed parcel is proposed to be merged with the lands identified municipally as 13252 13<sup>th</sup> Concession Road to support infrastructure relating to the installation a septic system

Conditions:

- a) That at the time the conveyance is prepared for certification, three hard copies and one digital copy in a format compatible with AutoCAD 2000 of a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, must be submitted to the Town;
- b) That the appropriate documents for the conveyance be prepared in triplicate (three copies) and suitable for registration. All copies shall have original signatures and one copy will remain as a record with the Town;
- c) That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
- d) That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
- e) That the severed parcel be consolidated with the lands located at 13252 13<sup>th</sup> Concession Road. In accordance with Subsection 3 of Section 50 of the Planning Act, the applicant shall submit to the Secretary-Treasurer satisfactory evidence that the transferee of the severed portion of the property and the owner of the abutting property are identical, together with an undertaking from the applicant's solicitor to consolidate the severed portion and the abutting into one parcel. Within thirty days of the issuance of the certificate of consent to sever, the

applicant shall provide evidence to the Secretary-Treasurer that an application to consolidate parcels has been filed with the Land Registry Office.

f) That all of the above conditions be fulfilled on or before September 15, 2021.

**Reasons for Decision:** The Application is in keeping with subsection 6.4 of the Town of Essex Official Plan respecting consents and subsection 6.5 Consents in Areas Designated “Agricultural”.

## **5.2 Corinne Chiasson, Assistant Planner RE:**

### **Application A-19-20 Derek and Monica Hoffman (Agent: Ernest Jay Martin) 13242 13<sup>th</sup> Concession Rd (Colchester North, Ward 2)**

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 13242 13<sup>th</sup> Concession Road in the former township of Colchester North. The minimum lot area for lots within Agricultural District 1.1 (A1.1) is 40 hectares (100 acres) or as existing. As a result of a proposed severance for lot addition, the lot area for the retained parcel will be reduced from  $\pm 50$  acres, the existing lot area, to  $\pm 49.25$  acres

#### **5.2.1 Public Presentations (if any)**

##### **Corinne Chiasson, Assistant Planner wrote:**

Official Plan Designation: “Agricultural”

Zoning: Agricultural District 1.1 (A1.1) –general agriculture and farm production support activities

Applications for consent and minor variance have been submitted for the agricultural lands located at 13242 13<sup>th</sup> Concession Road in the former township of Colchester North. The subject property is designated “Agricultural” under the Town’s Official Plan and zoned Agricultural District 1.1 (A1.1) for general agriculture and farm production support activities under the Town of Essex Zoning Bylaw, Bylaw 1037.

The applicants are proposing to sever a  $\pm 0.75$  acre grassed parcel from the existing  $\pm 50$  acre agricultural lot. The applicants are proposing this consent for the purpose of a lot addition. The severed parcel is proposed to be merged with the lands identified municipally as 13252 13<sup>th</sup> Concession to support infrastructure relating to the installation of a septic system.

The severed parcel is vacant, consists of manicured grass, and is not under agricultural production. As a result of the severance, the retained agricultural lot will be reduced to an area of  $\pm 49.25$  acres and will continue to be used for agricultural purposes. The proposed severance will not adversely impact the existing farming operation as the severed parcel is not actively farmed. Access to the retained parcel will continue to be by way of an existing



access bridge via 13<sup>th</sup> Concession Road. The proposed severance will have no adverse impact on access to the retained agricultural lot.

#### Proposal Conformity with the PPS and Town of Essex Official Plan Policies

In accordance with section 6.4 of the Town of Essex Official Plan, in considering an application for consent, the Committee of Adjustment should have regard to:

e) *the proposal's consistency with Provincial legislation, policies and guidelines:*

The Provincial Policy Statement (PPS) states that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons. Legal or technical reasons include minor boundary adjustments which do not result in the creation of a new lot. The owners of 13242 13<sup>th</sup> Concession were approached by the owners of 13252 13<sup>th</sup> Concession Road to undertake this lot addition to provide the area needed for the installation of a new septic system. As a condition of this consent, the applicants will be responsible for submitting evidence that the severed parcel will be consolidated with the property at 13252 13<sup>th</sup> Concession Road;

f) *The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:*

Section 6.4 of the Town of Essex Official Plan states that consents should only be granted for lot adjustments or minor boundary changes provided both parcels comply with the provisions of the implementing zoning bylaw or such variances granted through the Committee of Adjustment and the consent is granted in accordance with section 50(3) of the Planning Act. The applicant has submitted a Minor Variance application to accommodate the reduction in lot area for the retained parcel.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections to the application for consent or minor variance. No other comments were received from circulated public authorities or agencies;

g) *The continuation of an orderly development pattern:*

The lot addition is not irregular in shape, and will not take agricultural land out of production.

h) *The adequate provision of potable water supply, sanitary sewage treatment and disposal and stormwater management in accordance with the Official Plan and to the satisfaction of the Town and the statutory approval authority having jurisdiction:*

Water supply, and stormwater management is not required as the proposal will not result in the creation of a new vacant buildable lot. The lot addition will permit the upgrade of the existing septic system at 13252 13<sup>th</sup> Concession Rd.

#### Requirement for Minor Variance

The minimum lot area required for lots zoned A1.1 under Bylaw 1037 is the lesser of 40 hectares (100 acres) or the existing lot size. As a result of the proposed severance, the lot area

for the retained farm parcel will be reduced from  $\pm 50$  acres, the existing lot size, to  $\pm 49.25$  acres. As such, a variance to accommodate a reduction in lot area for the retained farm parcel is required.

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning Bylaw, the Committee of Adjustment should be satisfied that:

*e) The general intent of this Plan and the Zoning Bylaw are maintained:*

The main use of the retained farm parcel will remain agricultural.

*f) The variance(s) is minor and desirable for the appropriate use of the land:*

No agricultural land will be taken out of production as a result of this severance. The variance will not impact access to the retained parcel.

*g) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

Agricultural lot sizes vary greatly in the agricultural district.

*h) The variance deals with circumstances particular to the site and development:*

The variance is necessary to accommodate an application for consent to facilitate a lot addition.

#### Agency and Public Comments

As a result of the giving of public notice, no phone calls or written correspondence have been received from members of the public as of Thursday September 10, 2020.

No comments were received from circulated internal agencies as of Thursday September 10, 2020.

#### **Actions:**

1. Should the Committee choose to approve this application, approval should be subject to satisfying the following conditions:

- a) That at the time the conveyance is prepared for certification, three hard copies and one digital copy in a format compatible with AutoCAD 2000 of a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, must be submitted to the Town;
- b) That the appropriate documents for the conveyance be prepared in triplicate (three copies) and suitable for registration. All copies shall have original signatures and one copy will remain as a record with the Town;
- c) That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;

- d) That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
- e) That the severed parcel be consolidated with the lands located at 13252 13<sup>th</sup> Concession Road. In accordance with Subsection 3 of Section 50 of the Planning Act, the applicant shall submit to the Secretary-Treasurer satisfactory evidence that the transferee of the severed portion of the property and the owner of the abutting property are identical, together with an undertaking from the applicant's solicitor to consolidate the severed portion and the abutting into one parcel. Within thirty days of the issuance of the certificate of consent to sever, the applicant shall provide evidence to the Secretary-Treasurer that an application to consolidate parcels has been filed with the Land Registry Office.
- f) That all of the above conditions be fulfilled on or before September 15, 2021.

**Additional comments resulting from circulation:**

**Michael Nelson, Watershed Planner, Essex Region Conservation Authority (ERCA), wrote**

**DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservation Authorities Act (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the 13th Concession Center Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

We have no objections to the application with respect to our natural hazards or regulatory perspective.

**PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority. The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection to the application with respect to natural heritage policies.

## **FINAL RECOMMENDATION**

ERCA has no objection to this application

### **Discussion:**

Corinne Chiasson, Assistant Planner, explains the nature of the application

Moved by: Dan Boudreau

Seconded by: Brian Gray

**(CAO-2020-09-59)** That application A-19-20 be granted the severed and retained parcel will be reduced from  $\pm 50$  acres, the existing lot area, to  $\pm 49.25$  acres.

**Reasons for Decision:** The Application **is** in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

- a) the general intent of this Plan and the Zoning By-law are maintained;
- b) the variance(s) is minor and desirable for the appropriate use of the land;
- c) the variance is compatible with the established character of the neighbourhood, traffic and parking patterns;
- d) the variance deals with circumstances particular to the site and development

### **“Carried”**

### **Corinne Chiasson, Assistant Planner RE:**

#### **5.3 Application A-20-20 Brian and Janice Garant 110 Brien Ave West (Essex Centre, Ward 1)**

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 110 Brien Ave West in the Essex Centre. The applicants are proposing to construct a  $\pm 86.02$  square metre (926 square foot) addition to the existing dwelling for the purposes of a garage and living space. As a result, the rear yard depth will be reduced to  $\pm 1.2$  metres (4 feet). The minimum required rear yard depth for lands within Residential District 1.1 (R1.1) under Town of Essex Zoning By-law, By-law 1037, is 7.5 metres (25 feet). Thus the applicants are requesting a variance to accommodate a  $\pm 6.3$  metre (20 foot) reduction in the rear yard depth.

##### **5.3.1 Public Presentations (if any)**

### **Corinne Chiasson, Assistant Planner wrote:**

Official Plan Designation: “Residential”

Zoning: Residential District 1.1 (R1.1) –Low density housing on urban lots

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 110 Brien Ave West in Essex Centre. The subject property is designated “Residential” under the Town’s Official Plan and zoned Residential District 1.1

(R1.1) for low density housing on urban lots under Town of Essex Zoning Bylaw, Bylaw 1037. The applicants are proposing to construct a +86.02 square metre (926 square foot) addition to the existing dwelling for the purposes of a garage and living space. As a result, the rear yard depth will be reduced to 1.2 metres (4 feet).

The minimum rear yard depth for lands within Residential District 1.1 (R1.1) under the Town of Essex Zoning By-law 1037 is 7.5 metres (25 feet). Thus, the applicants are requesting a variance to accommodate a +6.3 metre (20 foot) reduction in the rear yard depth.

A *rear yard* is defined as a yard extending across the full width of a lot between the rear lot line or the intersection of the side lot lines and the nearest wall of a main building on such lot, under Bylaw 1037. A *rear lot line* is defined as the exterior or interior lot line which is farthest from the front lot line.

#### Proposal Conformity with Town of Essex Official Plan Policies

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning Bylaw, the Committee of Adjustment should be satisfied that:

a) *The general intent of this Plan and the Zoning Bylaw are maintained:*

A residential dwelling with an attached garage is a permitted main use in the R1.1 zoning district.

b) *The variance(s) is minor and desirable for the appropriate use of the land;*

The garage addition will replace an existing detached garage that is currently located less than 4 feet from the rear lot line. The new addition will be located 4 feet from the property line.

c) *The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

The new addition will be located at the rear of the existing dwelling, and will not be closer in proximity to any public road, or cause any changes to the existing driveway.

d) *The variance deals with circumstances particular to the site and development.*

The owners have identified that the existing garage is in disrepair and needs to be replaced. The new garage will be used for storage of dwelling items and for parking a family vehicle. The addition above the garage will provide further living space for the family. The owners are requesting this reduction in the rear yard setback to situate the new addition just behind the existing dwelling to not impede the existing basement windows. The addition footprint will only be a slight change from the existing garage footprint, and will improve the setback distance from the rear property line from 2 feet to 4 feet. No windows are proposed to be located on the rear or west side of the structure that faces the immediate neighbouring properties.

#### Public and Agency Comments

Through circulation of the public notice we received one comment on September 11, 2020 from Mr. and Mrs. Fairbairn, who live at the property address 122 Brien Ave. They stated they were in support of this application, and had no objections. No further comments were received from members of the public as of Thursday September 10, 2020.

Comments were received from Kevin Carter, Chief Building Official and Manager of By-law Enforcement. He had no objections.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections.

**Actions:**

To be determined by the Committee.

**Additional comments resulting from circulation:**

**Michael Nelson, Watershed Planner, Essex Region Conservation Authority (ERCA), wrote**

**DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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).

We have no objections to the application with respect to our natural hazards or regulatory perspective.

**PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority. The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection to the application with respect to natural heritage policies.

**FINAL RECOMMENDATION**

ERCA has no objection to this application

**Discussion:**

Corinne Chiasson, Assistant Planner, explains the nature of the application and advised the members of the Chief Building Official, Kevin Carters comments.

Please note that the Building Department has concerns regarding this minor variance if there are any proposed opening's (window's/doors/etc.) on the exterior walls facing the side and rear yards.

Ontario Building Code requires a minimum of 1.2 meters (3'-11") spatial fire separation from property lines to the face of a structure.

If the committee approves this minor variance with openings, the property owner/future property owner must "Fire Rate" the exterior exposed walls with 1hr. rating. Only the walls facing the side & rear yards will require a fire rating.

Please note that the Building Department discourages all minor variances of structures (House/Garage/etc.) abutting property line's less than 4'-0" from the side and rear yards in residential zones. The reason being, if approved today by the Committee of Adjustment, tomorrow or five years down the road the owner/future owner may wish to install a window/door without a permit which leads to the Town of Essex being exposed to liable legal actions.

In other words, if the committee proceeds with approvals please, place clear precise conditions before approving. Example/s no future openings in the rear or side yard. Supply the building department with an O.L.S. survey indicating exactly what all the existing yard setbacks are presently at before applying for a building permit.

Brian Garant, Applicant, advises the members that the addition to the existing dwelling is to provide a living space for his mother.

Ray Beneteau requests clarification on the exact distance of the proposed structure from the rear and side yard lot line as he would like to ensure the proposed structure would be greater than the build departments 3 ft 11inch requirement.

Corinne Chiasson, states that the proposed structure would be 4 ft away from the rear lot line and greater than the building department's requirements.

Dan Boudreau states that this application is not minor in nature as the applicant is requesting a 21 ft variance from the 25 ft required rear yard setback.

Brian Garant, Applicant, and states that his rear yard is only 27 ft therefore he would continue to require a variance to accommodate an added structure.

Dan Boudreau states that another concern is that the existing dwelling is a 1 storey and that the applicant is requesting an addition with a second storey roughly 16 ft above ground. He continues to state that it would provide an unpleasant view to a minimum of two adjoining neighbours as the structure would be 4ft from the rear and side lot line.

Brian Garant, advises that he spoke with the neighbours within the vicinity who advised they had no concerns with the proposal.

Brian Gray states that the proposed structure is a granny suite and independent from the main residence with only 1 entrance and exit.

Corinne Chiasson advises that the second dwelling unit would have access from the interior of the existing dwelling and would not have a separate access way. The entrance and exit to the existing residence would be the one utilized for the proposed structure.

Brian Gray asks the assistant planner if this application before the committee is a bit untimely.

Corinne Chiasson states that the planning department is currently reviewing an amendment to allow for a living space overtop a structure. She states that the application before the committee is to solve a living space concern. She states that the applicant and the planning department has worked closely to bring the best version to accommodate that concern to the committee.

Chair, Percy Dufour, states that he agrees with Brian Gray and states that the zoning by-law should align with an application prior to the committee reviewing it.

Phil Pocock, asks the applicant if there is a way to move the proposed structure forward to better accommodate the rear yard requirement.

Brian Garant, states that the proposed designed is the best version to accommodate all the required living space and esthetic view for the neighbourhood.

Rita Jabbour, Manager of Planning, she states that Corinne Chiasson, Assistant Planner, advised the members that the existing garage is 2ft from the rear lot line which does not currently meet the zoning requirements and that there is a need to accommodate the required setback. She states that the applicant has explained the reasons for such a variance and advised the members to review the 4 test that are required when reviewing a minor variance application.

Moved by: Phil Pocock

Seconded by: Brian Gray

Opposed by: Ray Beneteau

Opposed by: Dan Boudreau

**(CAO-2020-09-60)** That application A-20-20 be granted the variance to accommodate a  $\pm$  6.3 metre (20 foot) reduction in the rear yard depth in order to replace a detached accessory structure with an attached garage containing living space on the second storey. And that a condition be placed that the rear yard be a minimum of 4ft from the lot line.

**"Defeated"**

Moved by: Ray Beneteau

Seconded by: Dan Boudreau

**(CAO-2020-09-61)** That application A-20-20 be **denied** the variance to accommodate a  $\pm$  6.3 metre (20 foot) reduction in the rear yard depth in order to replace a detached accessory structure with an attached garage containing living space on the second storey.



**Reasons for Decision:** The Application **is not** in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

- a) the general intent of this Plan and the Zoning By-law are maintained;
- b) the variance(s) is minor and desirable for the appropriate use of the land;
- c) the variance is compatible with the established character of the neighbourhood, traffic and parking patterns;
- d) the variance deals with circumstances particular to the site and development

**“Carried”**

**5.4 Corinne Chiasson, Assistant Planner RE:**

**Application A-21-20 Richard and Pauline Brockman 290 Talbot St South (Essex Centre, Ward 1)**

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 290 Talbot Street South in the Essex Centre. The applicants are proposing to construct a  $\pm 101$  square metre (1088 square foot) accessory structure. The maximum gross floor area for an accessory structure in Residential District 1.1 (R1.1) is 70 square metres (750 square feet) under the Town of Essex Zoning By-law, By-law 1037.

**5.4.1 Public Presentations (if any)**

**Corinne Chiasson, Assistant Planner wrote:**

Official Plan Designation: “Residential”

Zoning: Residential District 1.1 (R1.1) –Low density housing on urban lots

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 290 Talbot Street South in Essex Centre. The subject property is designated “Residential” under the Town’s Official Plan and zoned Residential District 1.1 (R1.1) for low density housing on urban lots under the Town of Essex Zoning Bylaw, Bylaw 1037.

The applicants are proposing to construct a  $\pm 101$  square metre (1088 square foot) accessory structure. The maximum gross floor area for an accessory structure in Residential District 1.1 (R1.1) is 70 square metres (750 square feet) under Bylaw 1037. Thus, the applicants are seeking a variance to accommodate a GFA increase of  $\pm 31.4$  square metres (338 square feet) for the accessory structure. An *accessory structure* is defined as a completely detached building used for an *accessory use*. An *accessory use* is defined as a use that is customarily incidental, subordinate and exclusively devoted to the main use and is carried on with such main use on the same lot. The applicants require the accessory structure for storage of: family vehicles, yard and garden maintenance equipment; recreational vehicles (boat, UTV’s, ATV), and household/seasonal items.

The subject property is occupied by a single detached dwelling (the main use). No accessory structure presently exists on the subject property.

#### Proposal Conformity with Town of Essex Official Plan Policies

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning Bylaw, the Committee of Adjustment should be satisfied that:

*a) The general intent of this Plan and the Zoning Bylaw are maintained:*

The Town of Essex Official Plan permits uses accessory to the main use in areas designated Residential. The Town of Essex Zoning Bylaw, Bylaw 1037, permits the construction of any use accessory to the main use. The accessory structure will not exceed one (1) storey in height and will not be utilized as a dwelling unit or to accommodate a home occupation.

*b) The variance(s) is minor and desirable for the appropriate use of the land:*

The proposed accessory structure will satisfy all building regulations prescribed in the R1.1 zoning. The subject property is a large residential property that backs onto a vacant agricultural lot. Although Bylaw 1037 only permits an accessory structure of no greater than 70 square metres (750 square feet), lots within the R1.1 zoning district may have a combination of accessory buildings of no greater than 92 square metres (1000 square feet). This proposal only exceeds this provision by 88 square feet.

*c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

The owners have proposed a façade design that will match the exterior materials used in the dwelling. The structure will be set far back from the neighbouring properties and from the view of the street. The variance will not result in any disruptions to traffic or parking patterns.

*d) The variance deals with circumstances particular to the site and development:*

The subject property is considerably larger than the average lot in residential district 1.1, but is subject to the building regulations of that district. More storage space is required to accommodate the family's personal vehicles, and equipment needed for the care of the owner's special needs daughter.

#### Internal and External Agency Comments:

Internal departments were circulated. No comments or objections on the proposal were received.

External agencies were circulated. One (1) comment was received from the Essex Region Conservation Authority (ERCA). They had no objections.

#### Public Comment

As a result of the giving of public notice, no correspondences were received as of September 10, 2020.

**Action:**

To be determined by Committee

**Additional comments resulting from circulation:**

**Michael Nelson, Watershed Planner, Essex Region Conservation Authority (ERCA), wrote**

**DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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).

We have no objections to the application with respect to our natural hazards or regulatory perspective.

**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, 2014)**

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

**PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the

PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection to the application with respect to natural heritage policies.

**FINAL RECOMMENDATION**

Therefore, we have no objection to this application

**Discussion:**

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Moved by: Ray Beneteau

Seconded by: Phil Pocock

**(CAO-2020-09-62)** That application A-21-20 be granted to construct a  $\pm$  101 square metre (1088 square foot) accessory structure.

**“Carried”**

**Reasons for Decision:**

The Application is in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

- a) the general intent of this Plan and the Zoning By-law are maintained;
- b) the variance(s) is minor and desirable for the appropriate use of the land;
- c) the variance is compatible with the established character of the neighbourhood, traffic and parking patterns;
- d) the variance deals with circumstances particular to the site and development

**5.5 Corinne Chiasson, Assistant Planner RE:**

**Application A-17-20 Paul & Eva Antonel 581 County Road 50 East (Colchester South, Ward 3) (Previously deferred at August 18<sup>th</sup> Meeting)**

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 581 County Road 50 East in the former township of Colchester South (Ward 3). The applicants are proposing to construct a  $\pm$  126.5 square metre garage addition to the existing dwelling. As a result, the required exterior side yard width would be reduced to  $\pm$  1.2 metre (4 feet). The required exterior side yard width for exterior lots within the Residential District 1.1 (R1.1) under Town of Essex Zoning By-law, By-law 1037, is 4.5 metres (15 feet). Thus the applicants are requesting  $\pm$  3.3 metre (11 foot) reduction in the exterior side yard width

**5.5.1 Public Presentations (if any)**

**Corinne Chiasson, Assistant Planner wrote:**

Official Plan Designation: “Lakeshore Residential”

Zoning: Residential District 1.1 (R1.1) –Low density housing on urban lots

An application for minor variance has been submitted for the lands located at 581 County Road 50 East in the former township of Colchester South. The subject property is designated

"Lakeshore Residential" under the Town's Official Plan and zoned Residential District 1.1 (R1.1) for low density housing on urban lots under Town of Essex Zoning Bylaw, Bylaw 1037.

The applicants are proposing to construct a +126.5 square metre addition to the existing dwelling to accommodate an accessory use (an attached garage). As a result, the required exterior side yard width will be reduced to +1.2 metres (4 feet) from the private road right-of-way of Poplar Bluff Drive.

An *exterior side yard* is defined under Bylaw 1037 as a side yard of a corner lot between an *exterior side lot line* and the nearest wall of a main building on such lot. An *exterior lot line* is defined as a lot line which parallels and abuts a street. The required exterior side yard width for lots within Residential District 1.1 under Bylaw 1037 is 4.5 metres (15 feet), thus, the applicants are requesting a +3.3 metre (11 foot) reduction in the exterior side yard width.

This application was heard at the August 18<sup>th</sup>, 2020, Committee of Adjustment meeting. Committee members deferred decision on the application at that time pending submission of a site plan which depicts two (2) bay doors on the west side only. The owner has submitted two (2) new site plans to be considered by the Committee.

The preferred option, "Proposal A", shows the garage addition having 2 garage doors only located on the west side. "Proposal B" shows the garage doors only located on the north and south sides of the addition. Should the Committee have concerns regarding the reduction of the exterior side yard setback distance, or the proximity of the garage doors to the private road right of way, the applicant asks that "Proposal B" be considered by the Committee as a possible alternative solution.

#### Proposal Conformity with Town of Essex Official Plan Policies

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning Bylaw, the Committee of Adjustment should be satisfied that:

a) *The general intent of this Plan and the Zoning Bylaw are maintained:*

A single detached dwelling is a permitted main use for lands designated "Residential" and under the R1.1 zoning district. An accessory use is defined as use which is customarily incidental, subordinate and exclusively devoted to the main use and is carried on with such main use on the same lot. In accordance with Bylaw 1037, an accessory use may be situated within the main building (dwelling).

b) *The variance(s) is minor and desirable for the appropriate use of the land:* The garage addition will support the main use of the property which is for residential purposes. The garage addition will be located on the west side of the dwelling to satisfy County Road 50 setbacks, and Town of Essex front yard and rear yard setbacks. The addition to the dwelling will also fall within the lot coverage provisions for the R1.1 zoning district.

c) *The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:* Neighbouring residential properties contain attached and detached structures of relative size and use. The variance will allow access off Poplar Bluff Drive, a private road, as opposed to County Road 50, a highly travelled public road with cycling infrastructure. The owner has obtained permission to have a driveway access off of Polar Bluff Drive from the Poplar Drive Homeowners Association. The site plan provided ensures setbacks from the intersection of County Road 50 and Poplar Bluff Drive are maintained and do not affect traffic patterns;

d) *The variance deals with circumstances particular to the site and development:* Due to the configuration of the Poplar Bluff Drive road right-of-way allowance, County of Essex setbacks for County Road 50, and the Town of Essex exterior side yard setback provision of 4.5 metres (15 feet), development on the west side of this dwelling is very restrictive.

The proposed 1.2 metre (4 foot) setback from the property line to the addition is a typical setback for interior lots (lots that are not corner lots).

Although this relief would allow the southern corner of the addition to be 4 feet from the road allowance, the majority of the addition meets the 15 foot exterior side yard width.

As a condition of approval, no openings to accommodate vehicular ingress and egress will be permitted within 6 metres (20 feet) of the exterior side lot line to satisfy road safety concerns.

#### Town of Essex Internal Department Comments

Comments were received from Kevin Girard, Director, Infrastructure Services. He stated the following:

"I am amicable to accepting the 25' x 50' garage addition with a minor variance for reduction in exterior side yard to 4'. This proposal would meet the criteria specified to allow for a 20 metre right of way for Poplar Bluff Drive. We would require proof of permitted access to Poplar Bluff Drive from the homeowner's association. Driveway access beyond 25 feet wide should not be permitted within the road right of way."

In response, proposed conditions of approval will stipulate that the driveway access will be no wider than 7.5 metres (25 feet).

Comments were received from Kevin Carter, Chief Building Official and Manager of By-law Enforcement. He had no objections.

#### Public and Agency Comments

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections.

As a result of the recirculation of the public notice, no phone calls or written correspondence were received from members of the public as of Thursday September 10, 2020.

**Actions:**

The following conditions of approval are proposed:

- a) The minimum separation between the vehicular entrance to a garage and the exterior side lot line shall be 6 metres (20 feet);
- b) Driveway accesses will be no wider than 7.5 metres (25 feet);

**Additional comments resulting from circulation:**

**Michael Nelson, Watershed Planner, Essex Region Conservation Authority (ERCA), wrote**

**DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservation Authorities Act (Ontario Regulation No. 158/06). The parcel falls within the regulated area of Lake Erie. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. To date, our office has not received an application for permit to review.

**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, 2014)**

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

**PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the

PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection to the application with respect to natural heritage policies.

**FINAL RECOMMENDATION**

ERCA has no objection to the application for minor variance.

**Kristopher Balallo, Engineering Technician, County of Essex wrote:**

Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering related only. This application has not been reviewed from a planning perspective. The subject lands have frontage on County Road No. 50. The Applicant will be required to comply with the following County Road regulations:

County By-Law Number 2481 - A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.

County By-Law Number 2480 - A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original ROW of County Road No. 50. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures.

We are requesting a copy of the Decision of the aforementioned application. Thank you for your assistance and cooperation in this matter.

**Discussion:**

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Moved by: Dan Boudreau

Seconded by: Ray Beneteau

**(CAO-2020-09-63)** That application A-17-20 be granted the reduction in the exterior side yard width from 4.5 m (15 feet) to  $\pm$  1.2 metre (4 feet) in order to construct an attached garage addition.

**Actions:**

The following conditions of approval are proposed:

- a) The minimum separation between the vehicular entrance to a garage and the exterior side lot line shall be 6 metres (20 feet);
- b) Driveway accesses will be no wider than 7.5 metres (25 feet);

**“Carried”**

**Reasons for Decision:**

The Application is in keeping with the general intent and purpose of the Town of Essex Zoning Bylaw and the prescribed criteria for Minor Variances under subsection 9.8 of the Town of Essex Official Plan:

- a) the general intent of this Plan and the Zoning By-law are maintained;
- b) the variance(s) is minor and desirable for the appropriate use of the land;
- c) the variance is compatible with the established character of the neighbourhood, traffic and parking patterns;
- d) the variance deals with circumstances particular to the site and development



**6. Unfinished Business**

None

**7. Correspondence**

None

**8. New Business**

**8.1 B-26-19 Dan Digiovanni Condition Change (9531 Walker Road)**

Rita Jabbour, Manager of Planning, explain to the members that applicant Dan Digiovanni for application B-26-19, 9531 Walker Rd is requesting that condition (f) be amended to allow for the rear wall of the garage be reduced by 4ft to accommodate the side yard requirement. .

Ray Beneteau asks if the Chief Building Official, Kevin Carter, has reviewed the applicant's proposal.

She states that he has and that the drawings the applicant provided have been approved with the Chief Building Officials stamp.

Moved by: Phil Pocock

Seconded by: Ray Beneteau

**(CAO-2020-09-64)** That Condition (f) on application B-26-19 (9531 Walker Road) be granted to amend condition (f) to that the rear wall of the garage be permitted to have a 4ft reduction to accommodate the side yard requirements.

**"Carried"**

**9. Notices of Motion**

None.

**10. Adjournment**

Moved by: Ray Beneteau

Seconded by: Brian Gray

**(CAO-2020-09-65)** That the meeting be adjourned at 5:30 p.m.

**"Carried"**

**11. Next Meeting**

**11.1** October 20<sup>th</sup>, 2020 Virtual Zoom Meeting at 4:00 p.m.

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Chair

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Secretary-Treasurer



**Drainage Board**  
**Consideration of Report**  
**Minutes**

**October 21, 2020 4:30 p.m.**

**This meeting was held electronically during a time of Declared Emergency pursuant to  
Town of Essex By-Law 1902**

**North Rear Road Drain South Side: New Bridge for Grondin**  
**Geographic Township of Colchester North, Town of Essex,**  
**County of Essex, Project REI2020D010**

**1. Roll Call**

Present:            Dan Boudreau  
                         Kirk Carter  
                         Percy Dufour  
                         Luke Martin  
                         Felix Weigt-Bienzle

Regrets:            None

Also Present:      Shelley Brown, Deputy Clerk  
                         Lindsay Dean, Drainage Superintendent  
                         Tanya Tuzlova, Operations/Drainage Clerk  
                         Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public:    Gerald and Tom Grondin, 3477 North Malden Road

The Deputy Clerk confirmed that all notices have been sent in accordance with The Drainage Act.

**2. Declarations of Conflict of Interest**

None declared.

**3. Adoption of Published Agenda**

i) Drainage Board Meeting Agenda

Moved by Board Member Dufour

Seconded by Board Member Martin

**(DB20-10-001) That** the published agenda for the October 21, 2020 Drainage Board Meeting be adopted as presented.

**4. Adoption of Minutes**

i) Crystal Beach Drain (Additional Meeting of the Drainage Board) held on July 9, 2020.

Moved by Board Member Carter

Seconded by Board Member Dufour

**(DB20-10-002) That** the minutes of the Drainage Board Meeting held on July 9, 2020, be adopted as circulated.

The Chair asked if there are any errors or omissions in the minutes. Board Member Dufour replied that he does not see any errors or omissions.

## **5. List of Written Appeals**

The Chair asked if the Drainage Department, the Engineer or the Clerk's office have received any written appeals. The Deputy Clerk informed that no written appeals were received by the Clerk's Office.

## **6. Public Presentations**

i) Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated September 24<sup>th</sup>, 2020 regarding North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Project REI2020D010

Mr. Rood stated that the report provides for the construction of a new farm access bridge in the North Rear Road Drain South Side and is in accordance with Section 78 of the Drainage Act.

Mr. Rood explained that he has reviewed the 1967 report by C.G.R. Armstrong which was utilized to establish the design parameters of the drain. The 2004 report by Rood Engineering Inc. was utilized to establish the size parameters and the details of the proposed bridge.

Mr. Rood informed that the on-site meeting via Zoom took place on June 24, 2020. The future bridge location and its size was discussed at the meeting. Mr. Rood added that the incidentals and bridge construction costs will be borne by Mr. Grondin, but future maintenance would be shared by the owner and upstream affected lands and roads. Mr. Rood informed that Mr. Grondin preferred a top width of 8 metres with the most cost effective headwalls of riprap sloped end treatment on filter cloth.

Mr. Rood detailed the Essex Region Conservation Authority (ERCA) and Department of Fisheries and Oceans Canada (DFO) requirements and advised how those requirements will be satisfied.

Mr. Rood recommended that a new access bridge be constructed as per provided specifications for bridge construction and drawings.

Mr. Rood added that the proposed works will not be eligible for the agricultural grant since the severance occurred earlier this year caused the need for a new access bridge, and not prior to August 2004 as per OMAFRA's ADIP Policies.

Mr. Rood explained that after the completion of the bridge it shall be maintained in the future by the Town of Essex. Mr. Rood recommended that 63.5% of the future maintenance costs shall be assessed as a Benefit against the abutting agricultural property being served by the access bridge, which is currently owned by Gerald Grondin, and the remaining balance of 36.5% be assessed pro-rata against the upstream lands and roads based on their Outlet Liability.

Board Member Dufour asked if anybody else approached the Town regarding the works on the drain knowing that a bridge will be constructed under this report.

Mr. Rood replied that there was a discussion at the on-site meeting about a potential bridge, but the owner failed to submit the request to the Town so the scope of the report remained as originally requested.

Mr. Grondin asked to clarify the top width of the bridge.

Mr. Rood explained that the top width is 8.0 metres which is slightly larger than the 24 feet originally requested because the pipe manufacturer requires the length to be rounded up to an even metre.

Mr. Grondin asked about the timing of the project and if it could be completed by the spring before the planting season.

Lindsay Dean, Drainage Superintendent, has informed that since Mr. Grondin is the only owner assessed into this project he can waive his rights to appeal at the Court of Revision to expedite the project. Ms. Dean added that the construction might be completed prior to fish window in March. Ms. Dean asked Mr. Grondin to contact her about the procedure.

Board member Dufour asked the Chair if a motion is needed to waive the Court of Revision.

The Chair explained that the Court of Revision still happens and added that by signing a letter Mr. Grondin waives the right to appeal his cost and his assessment.

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Carter

**(DB20-10-003) That** the presentation by Gerard Rood be received and that the Report for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Town of Essex, County of Essex, Project

REI2020D010 as prepared by Gerard Rood, Professional Engineer dated September 24<sup>th</sup>, 2020 be received and recommended for adoption, and that it be recommended that a provisional by-law be prepared for Council’s consideration and that the Report proceed to a Court of Revision to be scheduled.

**7. Adjournment**

Moved by Board Member Carter

Seconded by Board Member Martin

**(DB20-10-004) That** the meeting be adjourned at 5:06 pm. “Carried”

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Date



## **September 2020 Bank Payments Report**

### Contents Include

General Account Cheque Register

Pre-Authorized Payments

Payroll



General Account Cheque Register for September 2020

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Amount
51855	WOL001	Wolf Hooker Professional Corpo	September 4, 2020	\$153,236.48
51856	1614804	1614804 Ontario Inc.	September 4, 2020	\$500.00
51857	538436	538436 Ontario Ltd.	September 4, 2020	\$56.50
51858	BRI016	BRIGHT YOGA	September 4, 2020	\$500.00
51859	CAN071	The Canadian Shield	September 4, 2020	\$191.98
51860	CED004	Cedar Manor Farms	September 4, 2020	\$6,568.09
51861	COM023	COMMISSIONAIRES	September 4, 2020	\$4,227.44
51862	DPM002	DPM Insurance - Essex	September 4, 2020	\$500.00
51863	DRO007	Drouillard, Joseph Ernest	September 4, 2020	\$40.00
51864	DUL001	PPG AC Canada Inc.	September 4, 2020	\$1,581.48
51865	GAR018	Garfield's On The Corner	September 4, 2020	\$500.00
51866	GER007	Gerald A. Smith Funeral Home L	September 4, 2020	\$500.00
51867	GIO001	Giorgi Bros Inc.	September 4, 2020	\$105,994.00
51868	GLF001	GL Fraser & Associates Inc.	September 4, 2020	\$267.32
51869	ICT001	ICT Limited	September 4, 2020	\$500.00
51870	JEM002	Jem Glamorganic Spa	September 4, 2020	\$500.00
51871	JET001	Jet Ice Limited	September 4, 2020	\$394.23
51872	KEN020	KENNEDY FUNERAL HOME	September 4, 2020	\$500.00
51873	LAK008	Lakeshore Mobile Powerwash	September 4, 2020	\$1,350.00
51874	LEN002	Len Taylor & Sons Ltd	September 4, 2020	\$339.00
51875	MAX006	Maximum Edge 1243490 Ont. Inc.	September 4, 2020	\$500.00
51876	MIL006	Mill-Am Corporation	September 4, 2020	\$25,990.63
51877	OXL005	Oxley Estate Winery	September 4, 2020	\$500.00
51878	OXL006	Oxley Beach Golf Course	September 4, 2020	\$500.00
51879	PHA002	Phasor Industrial	September 4, 2020	\$1,469.00
51880	PRA001	Praxair Canada Inc	September 4, 2020	\$317.65
51881	RCI002	R C International Staffing Age	September 4, 2020	\$500.00
51882	SHO009	Shooter's Roadhouse	September 4, 2020	\$500.00
51883	SHR001	Shred-it International ULC	September 4, 2020	\$151.23
51884	TAL002	Talbot Street Animal Hospital	September 4, 2020	\$75.00
51885	TEC008	Tech's R Us Ltd.	September 4, 2020	\$500.00
51886	TOW002	Town of Essex	September 4, 2020	\$350.00
51887	VIV001	Vivier, Evelyn	September 4, 2020	\$20.00
51888	WEG002	Weglarz, Michelle MSW, RSW	September 4, 2020	\$280.06
51889	PRI025	Prieur, Kelly (Lottery)	September 8, 2020	\$504.00
51890	BIG001	Big Beaver Ice & Coffee Co.	September 11, 2020	\$221.50
51891	BLA020	Blackburn, Jaclyn	September 11, 2020	\$106.55
51892	BUS010	Busiku, Kasereka	September 11, 2020	\$25,100.00
51893	CCD001	Essex Countryside Chrysler-Dod	September 11, 2020	\$118.65
51894	CED004	Cedar Manor Farms	September 11, 2020	\$6,285.63
51895	COT006	Cottam Radiator	September 11, 2020	\$1,211.37
51896	ESS017	Essex Free Press	September 11, 2020	\$1,684.47
51897	ESS097	Essex Region Conservation Foun	September 11, 2020	\$500.00
51898	EST003	Estate of John Mueller	September 11, 2020	\$61.31
51899	GUA004	Guardian Fence	September 11, 2020	\$2,226.10
51900	JBR001	JBR Construction	September 11, 2020	\$1,423.80
51901	JEF004	Jeff Smith's County Chevrolet	September 11, 2020	\$108.04
51902	JET001	Jet Ice Limited	September 11, 2020	\$1,643.74
51903	KON005	Kona Ice Windsor-Essex	September 11, 2020	\$197.97
51904	MAN004	Managed Network System Inc	September 11, 2020	\$225.94
51905	MUN012	Munger Plumbing & Electric	September 11, 2020	\$904.00
51906	SIE007	Siefker, Dale	September 11, 2020	\$16,386.63
51907	STE023	Sterlmar Equipment	September 11, 2020	\$2,841.75
51908	THO020	Thorburn, Richard	September 11, 2020	\$173.00
51909	UNI015	United Rentals of Canada Inc.	September 11, 2020	\$2,927.63
51910	WIN056	Windsor Body Magazine	September 11, 2020	\$974.06
51911	ABE001	Abell Pest Control	September 18, 2020	\$73.45
51912	ACT004	Hwy 22 Action Sales	September 18, 2020	\$5,208.34
51913	AIR005	Airon Hvac & Control Ltd	September 18, 2020	\$10,735.00
51914	ALF002	Alford, Carl	September 18, 2020	\$500.00
51915	ANG006	Angers, Mindy Lee	September 18, 2020	\$250.00
51916	APP006	Appleby, Julie Lynn	September 18, 2020	\$250.00
51917	BRO050	Brooks, William Spencer	September 18, 2020	\$250.00
51918	COM023	COMMISSIONAIRES	September 18, 2020	\$3,623.52
51919	COR013	Cordeiro, Melissa Irma	September 18, 2020	\$206.00



General Account Cheque Register for September 2020

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Amount
51920	DIG003	Bart DiGiovanni Construction L	September 18, 2020	\$1,000.00
51921	DUF016	Dufour, Gladys	September 18, 2020	\$575.32
51922	EVE006	Evergreen Lawns	September 18, 2020	\$932.25
51923	EXP002	EXP Services Inc.	September 18, 2020	\$1,930.89
51924	FIL002	Filiault, Leonard Lawrence	September 18, 2020	\$500.00
51925	FRY002	Fryer, Joseph	September 18, 2020	\$500.00
51926	GOM006	Gomes Fresh Produce Ltd	September 18, 2020	\$250.00
51927	GOR017	Gorick, Glenn	September 18, 2020	\$500.00
51928	GYO002	Gyori Farms, Inc	September 18, 2020	\$1,195.54
51929	HOL018	Holmes, Scott E	September 18, 2020	\$250.00
51930	HUN016	Hunter, Brenda	September 18, 2020	\$250.00
51931	KRO001	Krown Leamington	September 18, 2020	\$152.55
51932	KUM001	Kumar, Rakesh	September 18, 2020	\$500.00
51933	LEN002	Len Taylor & Sons Ltd	September 18, 2020	\$254.25
51934	MCC008	McCormick, David	September 18, 2020	\$250.00
51935	MUN012	Munger Plumbing & Electric	September 18, 2020	\$15,244.78
51936	NEV003	Nevan Construction Incorporate	September 18, 2020	\$368,208.01
51937	ONT018	On-Trux Ltd	September 18, 2020	\$62.15
51938	PIS001	Pisciuneri Construction Co.	September 18, 2020	\$1,000.00
51939	PRA001	Praxair Canada Inc	September 18, 2020	\$58.41
51940	PRO019	Project Hope Windsor Essex	September 18, 2020	\$1,000.00
51941	RAD004	Radvanski, Josif	September 18, 2020	\$500.00
51942	RFG002	RFG Electrical	September 18, 2020	\$3,497.35
51943	RIC018	Richards, Bruce Alexander	September 18, 2020	\$250.00
51944	RIV016	Riverside Rentals	September 18, 2020	\$519.80
51945	SAN018	Santos, Paul RGD	September 18, 2020	\$339.00
51946	SEX001	SEXAUER LTD	September 18, 2020	\$102.38
51947	SHI009	The Shield Fire and Security	September 18, 2020	\$678.00
51948	SIM009	SIMAS, CARLOS MANUEL	September 18, 2020	\$250.00
51949	SNA002	Snap-on Tools	September 18, 2020	\$8.02
51950	STE013	Stephens, Jason	September 18, 2020	\$250.00
51951	STE038	Sterling Ridge Infrastructure	September 18, 2020	\$220,197.79
51952	TAL002	Talbot Street Animal Hospital	September 18, 2020	\$150.00
51953	TAR001	Target Building Materials	September 18, 2020	\$131.07
51954	TIN005	Tindall, Paul Simon	September 18, 2020	\$250.00
51955	UNI030	Unique Impressions	September 18, 2020	\$983.10
51956	WIL007	Williamson, Donald Howard	September 18, 2020	\$250.00
51957	WIN082	Windsor-Essex County Associati	September 18, 2020	\$226.00
51958	PAR038	Pare, Anne	September 24, 2020	\$598.90
51980	BIK002	Bike Windsor Essex	September 25, 2020	\$400.00
51981	CED004	Cedar Manor Farms	September 25, 2020	\$5,438.13
51982	COM023	COMMISSIONAIRES	September 25, 2020	\$3,439.57
51983	COT006	Cottam Radiator	September 25, 2020	\$1,211.37
51984	DAR001	Darch Fire	September 25, 2020	\$847.09
51985	GAR018	Garfield's On The Corner	September 25, 2020	\$262.73
51986	GIB015	Gibb, William	September 25, 2020	\$578.65
51987	JOH017	Johnson Controls #T6067	September 25, 2020	\$3,821.10
51988	MCG013	McGrail Farm Equipment LP	September 25, 2020	\$38,827.03
51989	MCL021	McLean, Kyle	September 25, 2020	\$197.74
51990	PKI001	P & K ICE SERVICES	September 25, 2020	\$2,147.00
51991	PRA001	Praxair Canada Inc	September 25, 2020	\$899.39
51992	ROY017	Royal Hair Co.	September 25, 2020	\$500.00
51993	SNA002	Snap-on Tools	September 25, 2020	\$254.19
51994	SNG001	Stop N Go	September 25, 2020	\$879.75
51995	SXC001	SX Communications	September 25, 2020	\$500.00
51996	TEC004	Technical Standards & Safety A	September 25, 2020	\$273.86
51997	TOR007	Toritto Paving Inc.	September 25, 2020	\$21,309.54
51998	ULI002	ULINE CANADA CORPORATION	September 25, 2020	\$752.99
51999	UNI030	Unique Impressions	September 25, 2020	\$452.00
52000	UPS001	UPS Canada	September 25, 2020	\$85.49
52001	AND015	Anderdon Developments Ltd.	September 28, 2020	\$183,422.41
52002	LLO002	Lloyd Bag Company	September 28, 2020	\$3,955.00
52003	MAR077	Margie's	September 28, 2020	\$141.25
52004	MUN012	Munger Plumbing & Electric	September 28, 2020	\$565.00
52006	BJO002	Bjorkman, Mary-Anne & Steven	September 28, 2020	\$4,308.42





General Account Cheque Register for September 2020

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Amount
EFT003118	120001	1206662 Ontario Ltd	September 4, 2020	\$2,101.80
EFT003119	AGR002	Agris Co-Operative Ltd.	September 4, 2020	\$1,737.36
EFT003120	ARC004	Architecttura	September 4, 2020	\$5,650.00
EFT003121	AUT001	Auto Barn Parts	September 4, 2020	\$171.51
EFT003122	BAR031	Barrette Excavating Inc.	September 4, 2020	\$35,799.08
EFT003123	BEZ001	Bezaire, Mike	September 4, 2020	\$3,849.53
EFT003124	CAR019	Cardinal Services Group	September 4, 2020	\$461.44
EFT003125	CED003	Cedar Signs	September 4, 2020	\$542.93
EFT003126	CHE003	Checker Industrial Ltd	September 4, 2020	\$5,227.14
EFT003127	CIN001	Cintas Canada Limited	September 4, 2020	\$7,784.75
EFT003128	CLS001	Canadian Linen and Uniform Ser	September 4, 2020	\$50.10
EFT003129	COR004	Corporate Billing	September 4, 2020	\$419.68
EFT003130	CUL001	Culligan Water	September 4, 2020	\$90.72
EFT003131	DAV013	Davey Tree Expert Co. of Canad	September 4, 2020	\$2,712.00
EFT003132	ESB001	Hubb-Cap Limited	September 4, 2020	\$2,415.09
EFT003133	ESS030	Essex Windsor Solid Waste Auth	September 4, 2020	\$61,913.72
EFT003134	ESS084	Essex County K9 Services	September 4, 2020	\$500.00
EFT003135	FEE001	The Feed Store	September 4, 2020	\$113.76
EFT003136	GRE003	Greater Essex County District	September 4, 2020	\$5,179.54
EFT003137	HOL001	Holland Cleaning Solutions Ltd	September 4, 2020	\$1,469.00
EFT003138	HUR007	Hurricane SMS Inc.	September 4, 2020	\$5,014.38
EFT003139	KEL001	Kelcom - Windsor Copier Inc.	September 4, 2020	\$57.91
EFT003140	KEL015	Kelcom - Radio Division	September 4, 2020	\$2,778.67
EFT003141	LAS001	Laser Art Inc	September 4, 2020	\$895.10
EFT003142	MER001	Merchants Paper Company Windso	September 4, 2020	\$401.57
EFT003143	ROO002	Rood Engineering	September 4, 2020	\$31,871.65
EFT003144	SHE005	Wilf Shepley Electrical & Plum	September 4, 2020	\$169.50
EFT003145	SKY004	SkyMobile	September 4, 2020	\$2,124.40
EFT003146	SNY001	Snyder Automotive	September 4, 2020	\$309.33
EFT003147	STE004	Stewart Gilbert Limited	September 4, 2020	\$466.58
EFT003148	SUN010	Sunparlour Locksmiths Mobile S	September 4, 2020	\$57.63
EFT003149	VAL009	Valvoline Express Care	September 4, 2020	\$49.66
EFT003150	WIN010	Windsor-Essex County Humane So	September 4, 2020	\$300.00
EFT003151	WOL004	Wolseley Canada Inc	September 4, 2020	\$9,769.95
EFT003152	WUR001	Wurth Canada Limited	September 4, 2020	\$257.30
EFT003153	AGR002	Agris Co-Operative Ltd.	September 11, 2020	\$144.00
EFT003154	CAR019	Cardinal Services Group	September 11, 2020	\$9,435.50
EFT003155	CCC002	Colonial Coffee Co. Ltd.	September 11, 2020	\$34.65
EFT003156	CIM001	CIMCO Refrigeration	September 11, 2020	\$734.04
EFT003157	CLA007	Classic Displays	September 11, 2020	\$259.20
EFT003158	CLS001	Canadian Linen and Uniform Ser	September 11, 2020	\$182.51
EFT003159	COL001	Colenutt Signs Limited	September 11, 2020	\$116.39
EFT003160	COU023	CountrySide Drilling Ltd.	September 11, 2020	\$2,203.50
EFT003161	CTY002	County of Essex	September 11, 2020	\$11,459.55
EFT003162	EMC002	EMCO Corporation	September 11, 2020	\$4,353.43
EFT003163	EMP003	Empire Communications	September 11, 2020	\$452.01
EFT003164	ESS084	Essex County K9 Services	September 11, 2020	\$237.30
EFT003165	FEE001	The Feed Store	September 11, 2020	\$31.05
EFT003166	GRE004	Greg Bailey Limited	September 11, 2020	\$17.49
EFT003167	GRE005	Green Shield Canada	September 11, 2020	\$53,884.44
EFT003168	HAR001	The Harrow News & County Print	September 11, 2020	\$1,240.46
EFT003169	HER005	Hernandez Sanitation Services	September 11, 2020	\$452.00
EFT003170	HOL001	Holland Cleaning Solutions Ltd	September 11, 2020	\$634.70
EFT003171	HOM006	Homenuik, Jeff	September 11, 2020	\$169.49
EFT003172	JUT001	Jutzi Water Technologies	September 11, 2020	\$192.10
EFT003173	KEL015	Kelcom - Radio Division	September 11, 2020	\$1,728.90
EFT003174	KEN002	Ken Lapain & Sons Ltd.	September 11, 2020	\$1,931.93
EFT003175	KIN009	Kingsville Roofing	September 11, 2020	\$339.00
EFT003176	LAS001	Laser Art Inc	September 11, 2020	\$99.16
EFT003177	LIF001	Lifesaving Society	September 11, 2020	\$176.10
EFT003178	NEP003	Neptune Security Services Inc	September 11, 2020	\$5,785.60
EFT003179	OME001	OMERS	September 11, 2020	\$3,195.60
EFT003180	PLA008	Plant Products Inc.	September 11, 2020	\$92.66
EFT003181	PUR001	Purolator Inc.	September 11, 2020	\$149.16
EFT003182	REN002	Larry Renaud Ford & RV Sales	September 11, 2020	\$1,635.51



General Account Cheque Register for September 2020

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Amount
EFT003183	RIV009	Riverside Elevators	September 11, 2020	\$135.60
EFT003184	SEC002	Security One Alarm Systems Ltd	September 11, 2020	\$210.46
EFT003185	SNI001	Snively, Lawrence	September 11, 2020	\$218.89
EFT003186	SUN002	Sun Life Assurance Company of	September 11, 2020	\$16,038.86
EFT003187	TSC002	TSC Stores LP	September 11, 2020	\$62.14
EFT003188	TWO001	Two Way Automotive	September 11, 2020	\$48.97
EFT003189	WAD001	Waddick Fuels	September 11, 2020	\$5,938.99
EFT003190	WAV002	Wave Direct Telecommunications	September 11, 2020	\$463.00
EFT003191	WOL004	Wolseley Canada Inc	September 11, 2020	\$183.06
EFT003192	XER001	Xerox Canada	September 11, 2020	\$160.54
EFT003193	ROS002	Ross, David	September 11, 2020	\$284.75
EFT003194	AIR004	Airvoix Communciations Inc	September 18, 2020	\$2,751.55
EFT003195	APP005	Applied Computer Solutions Inc	September 18, 2020	\$4,683.58
EFT003196	BEZ001	Bezaire, Mike	September 18, 2020	\$3,849.53
EFT003197	BLA011	Black & McDonald Limited	September 18, 2020	\$6,147.27
EFT003198	BOW001	Bowman, Morley	September 18, 2020	\$110.68
EFT003199	CAR011	Carrier Centers	September 18, 2020	\$465.91
EFT003200	CLS001	Canadian Linen and Uniform Ser	September 18, 2020	\$251.71
EFT003201	COL001	Colenutt Signs Limited	September 18, 2020	\$192.10
EFT003202	COR004	Corporate Billing	September 18, 2020	\$397.00
EFT003203	DAV013	Davey Tree Expert Co. of Canad	September 18, 2020	\$960.50
EFT003204	ELK001	E.L.K. Solutions Inc	September 18, 2020	\$8,511.61
EFT003205	EMP003	Empire Communications	September 18, 2020	\$730.31
EFT003206	EMP006	Empire Business Continuity Con	September 18, 2020	\$536.07
EFT003207	ERC001	Essex Region Conservation Auth	September 18, 2020	\$400.00
EFT003208	ESB001	Hubb-Cap Limited	September 18, 2020	\$327.42
EFT003209	FEE001	The Feed Store	September 18, 2020	\$407.06
EFT003210	GAL009	Gallagher McDowall Associates	September 18, 2020	\$567.83
EFT003211	GRA040	Graybar Canada	September 18, 2020	\$339.00
EFT003212	GRE003	Greater Essex County District	September 18, 2020	\$6,719.13
EFT003213	GRE004	Greg Bailey Limited	September 18, 2020	\$10.50
EFT003214	HAM010	Hamilton, Nathan	September 18, 2020	\$335.59
EFT003215	HAR060	Harrow Animal Hospital	September 18, 2020	\$270.00
EFT003216	HOL001	Holland Cleaning Solutions Ltd	September 18, 2020	\$895.41
EFT003217	JAC001	Jack's Auto Service	September 18, 2020	\$2,830.15
EFT003218	JEF003	Jeffrey, Ed	September 18, 2020	\$320.00
EFT003219	KRI004	KRIS KELLY SIGNS WINDSOR LTD	September 18, 2020	\$480.25
EFT003220	LEK001	Lekter Industrial Services Inc	September 18, 2020	\$55,370.00
EFT003221	LIF001	Lifesaving Society	September 18, 2020	\$447.10
EFT003222	MAR060	Martynse, Bruce	September 18, 2020	\$112.99
EFT003223	RCS001	RC Spencer Associates Inc.	September 18, 2020	\$23,429.42
EFT003224	SCL001	Stantec	September 18, 2020	\$10,014.29
EFT003225	SEC002	Security One Alarm Systems Ltd	September 18, 2020	\$309.33
EFT003226	SUN010	Sunparlour Locksmiths Mobile S	September 18, 2020	\$90.40
EFT003227	TSC002	TSC Stores LP	September 18, 2020	\$48.89
EFT003228	VAL009	Valvoline Express Care	September 18, 2020	\$46.09
EFT003229	WAT007	Water & Ice North America Inc	September 18, 2020	\$320.07
EFT003230	WAV002	Wave Direct Telecommunications	September 18, 2020	\$320.68
EFT003231	WIN027	Windsor Starter's Powerhouse	September 18, 2020	\$178.54
EFT003232	WUR001	Wurth Canada Limited	September 18, 2020	\$44.82
EFT003233	XER001	Xerox Canada	September 18, 2020	\$369.65
EFT003234	AIR001	Air Liquide Canada Inc.	September 25, 2020	\$21.37
EFT003235	AQU001	Aquam Inc	September 25, 2020	\$812.53
EFT003236	AUT001	Auto Barn Parts	September 25, 2020	\$258.05
EFT003237	CAR011	Carrier Centers	September 25, 2020	\$225.16
EFT003238	CAR019	Cardinal Services Group	September 25, 2020	\$4,087.89
EFT003239	CCC002	Colonial Coffee Co. Ltd.	September 25, 2020	\$34.65
EFT003240	CIN001	Cintas Canada Limited	September 25, 2020	\$561.88
EFT003241	CLA007	Classic Displays	September 25, 2020	\$2,672.45
EFT003242	CLS001	Canadian Linen and Uniform Ser	September 25, 2020	\$397.39
EFT003243	COL038	Colliers Project Leaders	September 25, 2020	\$1,161.04
EFT003244	COM030	Commercial Cleaning Services	September 25, 2020	\$10,463.80
EFT003245	CON002	Conseil scolaire catholique Pr	September 25, 2020	\$78,778.13
EFT003246	CON004	Conseil Scolaire Viamonde	September 25, 2020	\$11,072.03
EFT003247	COR004	Corporate Billing	September 25, 2020	\$359.60



General Account Cheque Register for September 2020

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Amount
EFT003248	CTS001	County Towing Inc.	September 25, 2020	\$132.78
EFT003249	CTY002	County of Essex	September 25, 2020	\$2,337,303.36
EFT003250	CUP001	Canadian Union of Public Emplo	September 25, 2020	\$2,631.58
EFT003251	ESS030	Essex Windsor Solid Waste Auth	September 25, 2020	\$63,096.62
EFT003252	ESS084	Essex County K9 Services	September 25, 2020	\$2,585.72
EFT003253	FEE001	The Feed Store	September 25, 2020	\$37.34
EFT003254	GFL001	GFL Environmental Inc.	September 25, 2020	\$169.50
EFT003255	GRA040	Graybar Canada	September 25, 2020	\$339.00
EFT003256	GRE003	Greater Essex County District	September 25, 2020	\$904,429.67
EFT003257	HOL001	Holland Cleaning Solutions Ltd	September 25, 2020	\$1,908.58
EFT003258	JUT001	Jutzi Water Technologies	September 25, 2020	\$96.05
EFT003259	KEL015	Kelcom - Radio Division	September 25, 2020	\$2,778.67
EFT003260	KEN002	Ken Lapain & Sons Ltd.	September 25, 2020	\$313.24
EFT003261	KOL004	Kolasa, Zak	September 25, 2020	\$364.48
EFT003262	LAS001	Laser Art Inc	September 25, 2020	\$1,530.81
EFT003263	LIF001	Lifesaving Society	September 25, 2020	\$60.45
EFT003264	MET006	Metcalfe Megan	September 25, 2020	\$217.00
EFT003265	MUN010	Munger Lawnscape Inc	September 25, 2020	\$1,695.00
EFT003266	OME001	OMERS	September 25, 2020	\$97,402.44
EFT003267	QUE001	Questica Inc.	September 25, 2020	\$339.00
EFT003268	ROO002	Rood Engineering	September 25, 2020	\$28,638.72
EFT003269	SEC002	Security One Alarm Systems Ltd	September 25, 2020	\$373.51
EFT003270	STE004	Stewart Gilbert Limited	September 25, 2020	\$316.40
EFT003271	SUN010	Sunparlour Locksmiths Mobile S	September 25, 2020	\$114.13
EFT003272	VEH001	Vehicle Venture	September 25, 2020	\$5,411.72
EFT003273	WAD001	Waddick Fuels	September 25, 2020	\$5,810.24
EFT003274	WAS004	Waste Connections of Canada In	September 25, 2020	\$1,269.35
EFT003275	WIN022	Windsor-Essex Catholic Distric	September 25, 2020	\$324,948.27
EFT003276	XER001	Xerox Canada	September 25, 2020	\$30.45
EFT003277	DES026	DesRosiers, Dan	September 25, 2020	\$1,000.00
EFT003278	AGR002	Agris Co-Operative Ltd.	September 28, 2020	\$4,549.87
EFT003279	BEZ001	Bezaire, Mike	September 28, 2020	\$2,084.85
EFT003280	BRO041	Brown, Shelley	September 28, 2020	\$37.12
EFT003281	DAV013	Davey Tree Expert Co. of Canad	September 28, 2020	\$1,356.00
EFT003282	HUR007	Hurricane SMS Inc.	September 28, 2020	\$1,652.63
EFT003283	LAW010	Lawns R Us	September 28, 2020	\$4,062.35
EFT003284	SEC002	Security One Alarm Systems Ltd	September 28, 2020	\$186.44
EFT003285	SKY004	SkyMobile	September 28, 2020	\$2,124.40
EFT003286	SOU007	Southwestern Sales Corporation	September 28, 2020	\$1,494.87
EFT003287	WIN010	Windsor-Essex County Humane So	September 28, 2020	\$1,475.00
EFT003288	ESS019	Essex Home Hardware	September 29, 2020	\$1,458.81
EFT003289	HHH001	Harrow Home Hardware	September 29, 2020	\$1,214.14
Total Cheques				\$5,667,144.23



Preauthorized Payments for September 2020

Date	Vendor	Description	Amount
September 2, 2020	API Alarm Monitoring	Miscellaneous Payment	\$22.60
September 15, 2020	957590 Global Leasing	Bill Payment	\$319.89
September 17, 2020	Allstream	Bill Payment	\$69.72
September 17, 2020	Allstream	Bill Payment	\$69.72
September 17, 2020	Allstream	Bill Payment	\$71.52
September 17, 2020	Allstream	Bill Payment	\$128.20
September 21, 2020	Allstream	Bill Payment	\$65.81
September 21, 2020	Allstream	Bill Payment	\$73.63
September 21, 2020	Allstream	Bill Payment	\$120.38
September 21, 2020	Allstream	Bill Payment	\$170.79
September 22, 2020	Allstream	Bill Payment	\$45.32
September 24, 2020	Allstream	Bill Payment	\$65.81
September 24, 2020	Allstream	Bill Payment	\$65.81
September 24, 2020	Allstream	Bill Payment	\$74.85
September 24, 2020	Allstream	Bill Payment	\$76.73
September 30, 2020	Allstream	Bill Payment	\$66.56
September 30, 2020	Allstream	Bill Payment	\$103.12
September 30, 2020	Allstream	Bill Payment	\$224.54
September 15, 2020	BAM Fee	Lease Payment	\$17.20
September 2, 2020	Bell Canada	Bill Payment	\$385.86
September 14, 2020	Bell Canada	Bill Payment	\$163.12
September 21, 2020	Bell Canada	Bill Payment	\$226.96
September 23, 2020	Bell Canada	Bill Payment	\$102.54
September 23, 2020	Bell Canada	Bill Payment	\$155.27
September 23, 2020	Bell Canada	Bill Payment	\$164.92
September 23, 2020	Bell Canada	Bill Payment	\$203.87
September 25, 2020	Bell Canada	Bill Payment	\$68.79
September 28, 2020	Bell Canada	Bill Payment	\$81.40
September 1, 2020	Cogeco Connexion	Bill Payment	\$141.19
September 8, 2020	Cogeco Connexion	Bill Payment	\$101.64
September 8, 2020	Cogeco Connexion	Bill Payment	\$124.24
September 8, 2020	Cogeco Connexion	Bill Payment	\$169.44
September 9, 2020	Cogeco Connexion	Bill Payment	\$137.74
September 25, 2020	Cogeco Connexion	Bill Payment	\$101.64
September 28, 2020	Cogeco Connexion	Bill Payment	\$124.24
September 29, 2020	Cogeco Connexion	Bill Payment	\$124.24
September 16, 2020	Dell Finance	Lease Payment	\$463.05
September 2, 2020	Dell Finance	Lease Payment	\$87.21
September 16, 2020	Dell Finance	Lease Payment	\$699.44
September 21, 2020	Dell Finance	Lease Payment	\$2,407.93
September 21, 2020	Dell Finance	Lease Payment	\$164.77
September 8, 2020	Dell Finance	Lease Payment	\$124.71
September 30, 2020	Dell Finance	Lease Payment	\$260.74
September 28, 2020	Dell Finance	Lease Payment	\$2,491.03
September 21, 2020	ELK Energy	Bill Payment	\$12.82
September 21, 2020	ELK Energy	Bill Payment	\$14.49
September 21, 2020	ELK Energy	Bill Payment	\$14.49
September 21, 2020	ELK Energy	Bill Payment	\$14.49
September 21, 2020	ELK Energy	Bill Payment	\$15.56
September 21, 2020	ELK Energy	Bill Payment	\$15.83
September 21, 2020	ELK Energy	Bill Payment	\$19.43
September 21, 2020	ELK Energy	Bill Payment	\$19.69
September 21, 2020	ELK Energy	Bill Payment	\$19.98
September 21, 2020	ELK Energy	Bill Payment	\$20.16
September 21, 2020	ELK Energy	Bill Payment	\$21.32
September 21, 2020	ELK Energy	Bill Payment	\$22.23
September 21, 2020	ELK Energy	Bill Payment	\$22.59
September 21, 2020	ELK Energy	Bill Payment	\$24.48
September 21, 2020	ELK Energy	Bill Payment	\$28.69
September 21, 2020	ELK Energy	Bill Payment	\$24.65





Preauthorized Payments for September 2020

Date	Vendor	Description	Amount
September 21, 2020	ELK Energy	Bill Payment	\$36.99
September 21, 2020	ELK Energy	Bill Payment	\$39.97
September 21, 2020	ELK Energy	Bill Payment	\$40.37
September 21, 2020	ELK Energy	Bill Payment	\$42.41
September 21, 2020	ELK Energy	Bill Payment	\$43.93
September 21, 2020	ELK Energy	Bill Payment	\$46.37
September 21, 2020	ELK Energy	Bill Payment	\$47.94
September 21, 2020	ELK Energy	Bill Payment	\$48.08
September 21, 2020	ELK Energy	Bill Payment	\$61.13
September 21, 2020	ELK Energy	Bill Payment	\$90.46
September 21, 2020	ELK Energy	Bill Payment	\$93.64
September 21, 2020	ELK Energy	Bill Payment	\$95.28
September 21, 2020	ELK Energy	Bill Payment	\$103.45
September 21, 2020	ELK Energy	Bill Payment	\$105.37
September 21, 2020	ELK Energy	Bill Payment	\$105.39
September 21, 2020	ELK Energy	Bill Payment	\$110.04
September 21, 2020	ELK Energy	Bill Payment	\$118.69
September 21, 2020	ELK Energy	Bill Payment	\$119.25
September 21, 2020	ELK Energy	Bill Payment	\$121.31
September 21, 2020	ELK Energy	Bill Payment	\$134.46
September 21, 2020	ELK Energy	Bill Payment	\$134.46
September 21, 2020	ELK Energy	Bill Payment	\$157.66
September 21, 2020	ELK Energy	Bill Payment	\$203.62
September 21, 2020	ELK Energy	Bill Payment	\$204.68
September 21, 2020	ELK Energy	Bill Payment	\$205.23
September 21, 2020	ELK Energy	Bill Payment	\$210.33
September 21, 2020	ELK Energy	Bill Payment	\$242.34
September 21, 2020	ELK Energy	Bill Payment	\$257.60
September 21, 2020	ELK Energy	Bill Payment	\$288.69
September 21, 2020	ELK Energy	Bill Payment	\$307.61
September 21, 2020	ELK Energy	Bill Payment	\$423.94
September 21, 2020	ELK Energy	Bill Payment	\$611.34
September 21, 2020	ELK Energy	Bill Payment	\$900.72
September 21, 2020	ELK Energy	Bill Payment	\$997.78
September 21, 2020	ELK Energy	Bill Payment	\$1,371.00
September 21, 2020	ELK Energy	Bill Payment	\$1,695.33
September 21, 2020	ELK Energy	Bill Payment	\$1,889.10
September 21, 2020	ELK Energy	Bill Payment	\$2,084.03
September 21, 2020	ELK Energy	Bill Payment	\$2,106.45
September 21, 2020	ELK Energy	Bill Payment	\$2,107.85
September 21, 2020	ELK Energy	Bill Payment	\$2,438.12
September 21, 2020	ELK Energy	Bill Payment	\$3,593.88
September 21, 2020	ELK Energy	Bill Payment	\$6,519.62
September 21, 2020	ELK Energy	Bill Payment	\$7,778.56
September 21, 2020	ELK Energy	Bill Payment	\$10,093.43
September 1, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$33.82
September 1, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$34.34
September 2, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$26.27
September 3, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$35.79
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$33.82
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$33.82
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$34.04
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$89.74
September 8, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$110.50
September 9, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 9, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$33.45
September 9, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$92.24
September 22, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43



Preauthorized Payments for September 2020

Date	Vendor	Description	Amount
September 22, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 22, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 22, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$31.36
September 23, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$28.78
September 24, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 28, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$25.43
September 28, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$46.43
September 28, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$1,705.39
September 30, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$33.74
September 30, 2020	Enbridge Gas Inc. (Union Gas)	Bill Payment	\$47.26
September 28, 2020	GFL (WDS)	Miscellaneous Payment	\$56,335.52
September 2, 2020	Hydro One	Bill Payment	\$1,888.30
September 8, 2020	Hydro One	Bill Payment	\$29.41
September 8, 2020	Hydro One	Bill Payment	\$143.27
September 9, 2020	Hydro One	Bill Payment	\$169.92
September 9, 2020	Hydro One	Bill Payment	\$3,189.48
September 14, 2020	Hydro One	Bill Payment	\$5.86
September 14, 2020	Hydro One	Bill Payment	\$65.77
September 14, 2020	Hydro One	Bill Payment	\$537.85
September 15, 2020	Hydro One	Bill Payment	\$6,960.73
September 15, 2020	Hydro One	Bill Payment	\$6,966.88
September 15, 2020	Hydro One	Bill Payment	\$7,958.81
September 16, 2020	Hydro One	Bill Payment	\$28.96
September 16, 2020	Hydro One	Bill Payment	\$28.96
September 16, 2020	Hydro One	Bill Payment	\$92.68
September 16, 2020	Hydro One	Bill Payment	\$258.45
September 16, 2020	Hydro One	Bill Payment	\$436.76
September 21, 2020	Hydro One	Bill Payment	\$28.98
September 21, 2020	Hydro One	Bill Payment	\$29.19
September 21, 2020	Hydro One	Bill Payment	\$41.33
September 21, 2020	Hydro One	Bill Payment	\$506.52
September 22, 2020	Hydro One	Bill Payment	\$28.30
September 22, 2020	Hydro One	Bill Payment	\$32.73
September 22, 2020	Hydro One	Bill Payment	\$557.80
September 23, 2020	Hydro One	Bill Payment	\$567.10
September 24, 2020	Hydro One	Bill Payment	\$30.63
September 28, 2020	Hydro One	Bill Payment	\$28.96
September 28, 2020	Hydro One	Bill Payment	\$73.39
September 28, 2020	Hydro One	Bill Payment	\$92.08
September 28, 2020	Hydro One	Bill Payment	\$92.35
September 28, 2020	Hydro One	Bill Payment	\$93.21
September 28, 2020	Hydro One	Bill Payment	\$99.53
September 28, 2020	Hydro One	Bill Payment	\$2,576.61
September 29, 2020	Hydro One	Bill Payment	\$42.49
September 30, 2020	Hydro One	Bill Payment	\$2,038.54
September 10, 2020	Ontario Clean Water	Miscellaneous Payment	\$90,242.35
September 17, 2020	Reliance Comfort	Bill Payment	\$33.90
September 23, 2020	Reliance Comfort	Bill Payment	\$28.70
September 24, 2020	Reliance Comfort	Bill Payment	\$22.60
September 28, 2020	Reliance Comfort	Bill Payment	\$28.70
September 29, 2020	Reliance Comfort	Bill Payment	\$16.95
September 29, 2020	Reliance Comfort	Bill Payment	\$28.70
September 29, 2020	Reliance Comfort	Bill Payment	\$159.10
September 30, 2020	Superpass	Bill Payment	\$250.87
September 18, 2020	Telus Mobility	Bill Payment	\$8,861.21
September 9, 2020	US Bank	Bill Payment	\$17,478.08
September 4, 2020	Union Water WBP	Bill Payment	\$61,790.14
Total Pre-Authorized Payments			\$333,527.86



Payroll for September 2020

Pay Week Ending	Pay Date	Amount
August 29, 2020	September 3, 2020	\$90,942.44
September 5, 2020	September 10, 2020	\$93,343.72
September 12, 2020	September 17, 2020	\$96,944.23
September 19, 2020	September 24, 2020	\$90,640.43
Firefighter Pay	September 10, 2020	\$83,908.75
Council Remuneration	September 24, 2020	\$12,661.67
Total		\$468,441.24

## **The Corporation of the Town of Essex**

### **By-Law Number 1960**

#### **Being a by-law to confirm the proceedings of the October 19, 2020, Regular Meeting of Council of The Corporation of the Town of Essex**

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;

And 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;

And 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 Essex at its meetings be confirmed and adopted by by-law.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the actions of the Council of The Corporation of the Town of Essex in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other actions passed and taken by the Council of The Corporation of the Town of Essex, documents and transactions entered into during the October 19, 2020 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of Essex are hereby authorized and directed to do all the things necessary to give effect to the actions of the Council of The Corporation of the Town of Essex during the said October 19, 2020 meeting referred to in paragraph 1 of this by-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the actions 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 Essex to all documents referred to in said paragraph 1.



**Read a first and a second time and provisionally adopted on October 19, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally adopted on November 2, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **The Corporation of the Town of Essex**

### **By-Law Number 1961**

#### **Being a by-law to provide for the issue of debentures in the amount of \$182,518.95 for works completed for drainage**

**Whereas** the Council of the Corporation of the Town of Essex by way of By-Law approved works for the Drains outlined in Schedule "A" to this By-Law;

**And whereas** certain benefitting property owners as set out in Schedule "A" have opted to have their portion of the costs for the Drain works added to their annual tax bill over a five-year or ten-year period as detailed in Schedule "B" attached to this By-Law;

**And whereas** the Town of Essex Landfill Reserve has sufficient funds to provide such long-term borrowing in the amount of \$182,518.95;

**And whereas** the Council of the Corporation of the Town of Essex is, by Section 408 of the Municipal Act, 2001 and amendments thereto, authorized to enact as hereinafter set forth;

**Now therefore the Council of The Corporation of the Town of Essex hereby enacts as follows:**

1. The amounts authorized to be borrowed in lawful money of Canada by this by-law is hereby consolidated into the sum of \$182,518.95 in lawful money of Canada and debentures shall be issued in the principal amount of \$182,518.95 and shall be payable as to both principal and interest in lawful money of Canada.
2. Certain debentures under drainage bylaw 1961 shall be dated the 2<sup>nd</sup> day of November, 2020 and shall be payable in five (5) annual installments of principal on the 31st day of July in each of the years 2021 to 2025, inclusive, and shall bear interest payable annually commencing on July 31<sup>st</sup>, 2021, and in each of the years 2021 to 2025 inclusive, with final interest payable in 2025 as set forth in Schedule "B" attached hereto and forming part of this by-law. The debentures maturing in the years 2021 to 2025, inclusive, shall bear interest at a rate of 3.02% per annum. Interest and principal shall be proportionately added to the tax accounts of the property owners specified in Schedule "A" at the amounts set out in Schedule "B".
3. Certain debentures under drainage bylaw 1961 shall be dated the 2<sup>nd</sup> day of November, 2020 and shall be payable in ten (10) annual installments of principal on the 31st day of July in each of the years 2021 to 2030, inclusive, and shall bear

interest payable annually commencing on July 31, 2021, and in each of the years 2021 to 2030 inclusive, with final interest payable in 2030 as set forth in Schedule “B” attached hereto and forming part of this by-law. The debentures maturing in the years 2021 to 2030, inclusive, shall bear interest at a rate of 3.42% per annum. Interest and principal shall be proportionately added to the tax accounts of the property owners specified in Schedule “A” at the amounts set out in Schedule “B”.

- 3. The rates established by this by-law shall be levied, collected and applied for the purpose of providing for the payment of the debentures issued under this by-law and the interest thereon, as set forth in Schedule “B”.
- 4. This by-law shall come into force and effect on November 2<sup>nd</sup>, 2020.

Read a first, a second and a third time and finally passed this 2<sup>nd</sup> day of November 2020.

\_\_\_\_\_

Mayor

\_\_\_\_\_

Clerk

**The Corporation of the Town of Essex**

Schedule "A" to By-Law Number 1961

Approved Drain Works

Description of Drain Works	Roll Number	By-Law Number	Amount to be Debentured
Sydenham Street Drain	640-000-24100-0000	1824	\$ 4,698.92
Sydenham Street Drain	640-000-23610-0000	1824	\$ 6,337.35
Sydenham Street Drain	640-000-23620-0000	1824	\$ 5,477.14
Batten Drain Harms Bridge	480-000-00100-0000	1860	\$ 1,291.67
Sydenham Street Drain	640-000-24200-0000	1824	\$ 4,685.23
Sydenham Street Drain	640-000-23640-0000	1824	\$ 5,498.81
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-01000-0000	1807	\$ 878.92
Sydenham Street Drain	640-000-21500-0000	1824	\$ 3,753.44
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00400-0000	1807	\$ 4,571.56
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-01100-0000	1807	\$ 4,763.74
Sydenham Street Drain	640-000-21700-0000	1824	\$ 2,197.31
Sydenham Street Drain	640-000-21710-0000	1824	\$ 2,196.16
Sydenham Street Drain	640-000-23606-0000	1824	\$ 7,626.53
Sydenham Street Drain	640-000-21730-0000	1824	\$ 2,200.73
Sydenham Street Drain	640-000-23000-0000	1824	\$ 5,690.63
Sydenham Street Drain	640-000-23630-0000	1824	\$ 5,487.41
Sydenham Street Drain	640-000-22000-0000	1824	\$ 982.28
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00302-0000	1807	\$ 2,505.94
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00600-0000	1807	\$ 610.47
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00700-0000	1807	\$ 1,946.05
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00800-0000	1807	\$ 6,228.89
Sydenham Street Drain	640-000-24000-0000	1824	\$ 4,591.68
Sydenham Street Drain	640-000-22900-0000	1824	\$ 3,222.94
Sydenham Street Drain	640-000-21800-0000	1824	\$ 3,298.24
Sydenham Street Drain	640-000-23605-0000	1824	\$ 8,675.97
Sydenham Street Drain	640-000-23500-0000	1824	\$ 2,459.70
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00900-0000	1807	\$ 3,660.73
Sydenham Street Drain	640-000-23600-0000	1824	\$ 3,784.25
Sydenham Street Drain	640-000-23400-0000	1824	\$ 2,611.44
Sydenham Street Drain	640-000-23300-0000	1824	\$ 3,797.94
Sydenham Street Drain	640-000-21600-0000	1824	\$ 2,207.57
Sydenham Street Drain	640-000-23650-0000	1824	\$ 5,511.36
Sydenham Street Drain	640-000-23950-0000	1824	\$ 4,726.30
Sydenham Street Drain	640-000-21720-0000	1824	\$ 2,197.31
Sydenham Street Drain	640-000-23930-0000	1824	\$ 4,749.12
Sydenham Street Drain	640-000-23700-0000	1824	\$ 2,554.40
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00101-0000	1807	\$ 2,030.38
James Shepley Drain K. Neudorf Bridge and Updated Maintenance Schedule	510-000-00200-0000	1807	\$ 3,305.95
Sydenham Street Drain	640-000-24400-0000	1824	\$ 4,237.84
Sydenham Street Drain	640-000-22200-0000	1824	\$ 1,575.53
Sydenham Street Drain	640-000-22300-0000	1824	\$ 1,566.41
8th Conession West Drain Preston Bridge	370-000-05800-0000	1808	\$ 4,000.00
Shepley Drain Chisholm Bridge and Updated Maintenance Schedule	710-000-03100-0000	1682	\$ 21,308.35
Sydenham Street Drain	640-000-23601-0000	1824	\$ 6,816.36
			<b>\$ 182,518.95</b>

**The Corporation of the Town of Essex**

Schedule "B" to by-Law Number 1961

Approved Drain Works - Long-Term Borrowing Repayment

Year	Principal Payment		Interest Payment		Total Principal and Interest	Unmatured Principal
						\$182,518.95
2021	\$	30,890.95	\$	5,647.33	\$36,538.28	\$151,628.00
2022	\$	31,835.43	\$	4,702.85	\$36,538.28	\$119,792.57
2023	\$	32,808.83	\$	3,729.46	\$36,538.28	\$86,983.75
2024	\$	33,812.03	\$	2,726.25	\$36,538.28	\$53,171.72
2025	\$	34,845.95	\$	1,692.33	\$36,538.28	\$18,325.77
2026	\$	3,422.88	\$	626.74	\$4,049.62	\$14,902.88
2027	\$	3,539.95	\$	509.68	\$4,049.62	\$11,362.94
2028	\$	3,661.01	\$	388.61	\$4,049.62	\$7,701.93
2029	\$	3,786.22	\$	263.41	\$4,049.62	\$3,915.71
2030	\$	3,915.71	\$	133.92	\$4,049.62	\$0.00

## THE CORPORATION OF THE TOWN OF ESSEX

### BY-LAW NUMBER 1962

#### A BY-LAW OF THE CORPORATION OF THE TOWN OF ESSEX TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF \$12,550.00 TOWARDS THE COST OF SHORELINE LOAN PROGRAM

WHEREAS subsection 401 (1) of the *Municipal Act, 2001*, as amended (the “**Act**”) provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

WHEREAS the Council of The Corporation of The Town of Essex (the “**Municipality**”) has passed the By-law(s) enumerated in column (1) of Schedule “A” attached hereto and forming part of this By-law to authorize the capital work(s) described in column (2) of Schedule “A” (the “**Capital Work(s)**”), to authorize the long-term borrowing from Ontario Infrastructure and Lands Corporation (“**OILC**”) in respect of the Capital Work(s) and to confirm, ratify and approve the execution by the Treasurer of the application to OILC for financing the Capital Work (the “Application”) and the submission by such authorized official of the Application; and to execute and deliver to OILC the rate offer letter agreement in respect of such long-term borrowing for the Capital Work(s);

WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof (if any) the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any) the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any) would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority (if any) by the Local Planning Appeal Tribunal pursuant to such regulation was not required;

WHEREAS the Municipality has submitted the Application to OILC and the Application has been approved;

AND WHEREAS to provide long-term financing for the Capital Work(s) it is now deemed to be expedient to borrow money by the issue of amortizing debentures in the

aggregate principal amount of \$12,550.00 dated November 16, 2020 and maturing on November 16, 2030, and payable in semi-annual instalments of combined principal and interest on the sixteenth day of May and on the sixteenth day of November in each of the years 2021 to 2030, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESSEX ENACTS AS FOLLOWS:

1. THAT for the Capital Work(s), the borrowing upon the credit of the Municipality at large of the aggregate principal amount of \$12,550.00 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.
2. THAT the Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said aggregate principal amount of \$12,550.00 (the “**Debentures**”). The Debentures shall bear the Municipality’s municipal seal and the signatures of Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.
3. THAT the Debentures shall be in fully registered form as one or more certificates in the aggregate principal amount of \$12,550.00, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule “B” hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.
4. THAT in accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness of the Municipality to OILC under the Debentures and to pay such amounts to OILC from the Consolidated Revenue Fund.
5. THAT the Debentures shall all be dated November 16, 2020, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 1.43% per annum and mature during a period of 10 year(s) years from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by November 16, 2030 and be payable in equal semi-annual instalments of combined principal and interest on the sixteenth day of May and on the sixteenth of November in each of the years

2021 to 2030, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, as set forth in Schedule "C" attached hereto and forming part of this By-law ("**Schedule "C"**").

6. THAT payments in respect of principal of and interest on the Debentures shall be made only on a day, other than Saturday or Sunday, on which banking institutions in Toronto, Ontario, Canada and the Municipality are not authorized or obligated by law or executive order to be closed (a "**Business Day**") and if any date for payment is not a Business Day, payment shall be made on the next following Toronto Business Day.
7. THAT interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

"**Prime Rate**" means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of the Debentures: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "**Prime Rate**" shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. THAT in each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last 'non-equal' instalment, there shall be raised as part of the Municipality's general levy the amounts of principal and interest payable by the Municipality in each year as set out in Schedule "C" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
9. THAT the Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.



10. THAT the Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.
11. THAT the Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. When a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.
12. THAT the Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
13. THAT the Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.
14. THAT the Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if

any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

15. THAT the cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.
16. THAT reasonable fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.
17. THAT except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.
18. THAT the Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.
19. THAT the money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.
20. THAT subject to the Municipality's statement of investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on

such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

21. AND THAT this By-law takes effect on the day of passing.

Read a first and second time this 2nd day of November, 2020.

Read a third time and finally passed this 2nd day of November, 2020.

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Larry Snively  
Mayor

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Robert W. Auger  
Clerk

THE CORPORATION OF THE TOWN OF ESSEX

Schedule "A" to By-law Number 1962

(1)	(2)	(3)	(4)	(5)	(6)
By-law	Project Description	Approved Amount to be Financed Through the Issue of Debentures	Amount of Debentures Previously Issued	Amount of Debentures to be Issued	Term of Years of Debentures
1942	Shoreline Loan Porgram	\$3,000,000.00	\$71,100.00	\$12,550.00	10 year(s)

**Schedule "B" to By-law Number 1962**

No. 1962

\$12,550.00

C A N A D A  
Province of Ontario  
THE CORPORATION OF THE TOWN OF ESSEX

FULLY REGISTERED 1.43% AMORTIZING DEBENTURE

THE CORPORATION OF THE TOWN OF ESSEX (the "**Municipality**"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("**OILC**")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "**Conditions**"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (November 16, 2030), the principal amount of

TWELVE THOUSAND FIVE HUNDRED FIFTY DOLLARS

----- (\$12,550.00) -----

by equal semi-annual instalments of combined principal and interest on the sixteenth day of May and on the sixteenth day of November in each of the years 2021 to 2030, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "**Amortization Schedule**") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (November 16, 2020), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 1.43% per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "**OILC Act, 2011**") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of any unpaid indebtedness under this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The Town of Essex as at the 16th day of November, 2020.

IN TESTIMONY WHEREOF and under the authority of By-law Number 1962 of the Municipality duly passed on the 2nd day of November, 2020 (the “**By-law**”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: November 16, 2020.

\_\_\_\_\_

Larry Snively, Mayor

(Seal) \_\_\_\_\_

Jeffrey Morrison, Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: \_\_\_\_\_  
Authorized Signing Officer

by: \_\_\_\_\_  
Authorized Signing Officer

**By-Law Number 1965**

**The Corporation of the Town of Essex**

**By-Law Number 1965**

Being a by-law to authorize the execution of a lease assignment between the Town of Essex, Robbie Ross Klie carrying on business as South Shore Fitness and Mike Huston for rentable space within the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario

**Whereas** the Town is the owner of the property and building located at 243 McAfee Street, Harrow, Ontario

**And Whereas** Robbie Ross Klie carrying on business as South Shore Fitness is currently the Lessee of designated space at the Harrow and Colchester South Recreation Complex located at 243 McAfee Street but is now desirous to assign their current lease with the Town;

**And Whereas** Mike Huston is desirous of being the assignee of the designated space in order to operate a fitness and training centre to be known as Huston's training and Fitness Centre;

**And Whereas** the Town accordingly is desirous of entering into an Assignment of Lease Agreement with the aforementioned parties as noted above;

**Now therefore** the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute an Assignment of Lease Agreement for Mike Huston to lease space to operate a fitness and training centre to be located in space within the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario, as designated in Appendix "A" to By-Law 1965 a copy of which is attached hereto; and
2. That this by-law shall come into force and take effect upon the final passing thereof.

**Read a first, second, and third time and finally passed on November 2, 2020.**

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Mayor

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Clerk

**This Agreement** made in duplicate this 2<sup>nd</sup> day of November, 2020

**Between**

**Robbie Ross Klie**

**Carrying on Business as South Shore Fitness**

(the "Assignor")

**Huston's Training and Fitness Centre**

**Represented by Mike Huston**

(the "Assignee")

**The Corporation of the Town of Essex**

(the "Landlord")

**Whereas** by a lease (the "Lease") made March 21, 2016, the Landlord, as Landlord, leased to the Robbie Klie, certain premises (the "Premises") being approximately 4, 718 square feet of rentable area of the building municipally known as 243 McAfee Street, Harrow, Ontario N0R 1G0, (the "Building") upon the terms and conditions set forth in the Lease;

**And whereas** by an Assignment dated December, 2013, the Town consented to an Assignment of the Lease from Pauline Van Vaerenberghe to Robbie Klie, the latter of whom is herein referred to as the "Assignor";

**And whereas** the Lease contains a covenant on the part of the Tenant not to assign, sublet, transfer or part with possession of all or any part of the Premises without the Landlord's prior written approval;

**And whereas** the Assignor has applied to the Landlord for the Landlord's consent to an assignment of the Lease to the Assignee as of November 1, 2020 (the Assignment");

**And whereas** the Landlord has agreed to grant its consent to the Assignment, subject to the terms and conditions set out herein;

**Now therefore this indenture witnesses** that in consideration of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by all parties hereto, the parties hereto hereby covenant and agree as follows:

1. The Landlord hereby grants its consent to the Assignment, subject to following the terms and conditions of the current lease;



2. The parties hereto acknowledge that the consent of the Landlord does not constitute a waiver of the necessity for obtaining consent to any further assignment or subletting of or other transfer of the Lease or the Premises, nor shall it be construed or interpreted as a forfeiture or waiver of any of the rights of the Landlord contained in the Lease;
3. By giving its consent, the Landlord does not acknowledge or approve of any of the terms of the Assignment as between the Assignor and the Assignee;
4. The Assignee hereby covenants and agrees with the Landlord that it shall observe, comply with and perform all terms, conditions and covenants in the Lease on the part of the Tenant to be observed and performed, as and when the same are due to be observed or performed by the Tenant pursuant to the terms of the Lease during the balance of the term of the Lease;
5. The Landlord (save and except for any covenants that may survive this lease or which the Assignor failed to observe prior to this assignment), hereby releases the Assignor from all of its covenants in the Lease and from any and all claims, demands, actions, causes of actions, suits, debts, covenants and contracts whatsoever which the Landlord may have, had or otherwise hereafter can, shall or may have for or by reason of or in any way arising out of any cause, matter or thing whatsoever with respect to the Lease or Premises;
6. The Assignor agrees to reimburse the Landlord for all reasonable costs, legal or otherwise, incurred by the Landlord in respect of the Assignment and the Landlord's consent thereto;
7. Each party agrees to make such further assurances as may be reasonably required from time to time by the others to more fully implement the true intent of this Agreement; and
8. This Agreement shall be binding upon, extend to and enure to the benefit of each of the Landlord, the Assignee and the Assignor and to each of their respective legal representatives, heirs, executors, administrators, successors and permitted assigns.

All notices or other documents required or which may be given under the Lease or this Agreement shall be in writing, duly signed by the party giving such notice and transmitted by registered or certified mail or facsimile as follows:

**The Corporation of the Town of Essex**

33 Talbot Street South

Essex, Ontario N8M 1A8

Telephone: (519) 776-7336

Fax: (519) 776-8811

**Huston's Training and Fitness Centre**

Represented by Mike Huston

310 Sinasac Street West

Harrow, ON N0R 1G0

Mobile Telephone: (519) 965-7104

mike@thedietiansoffice.com

**In Witness Whereof** the said parties hereto have duly executed this Agreement.

**Signed, Sealed and Delivered** in the presence of:

## South Shore Fitness

Witness as to signature of

Robbie Klie

Witness as to signature of

Mike Huston

**Signed, Sealed and Delivered** in the presence of:

## The Corporation of the Town of Essex

Witness as to signature of

Mayor, Larry Snively

Witness as to signature of

Clerk, Robert Auger

We have authority to bind the Corporation

**Receipt of Lease Agreement:**

I hereby acknowledge receiving a duplicate original copy of the herein of the Assignment of Lease Agreement.

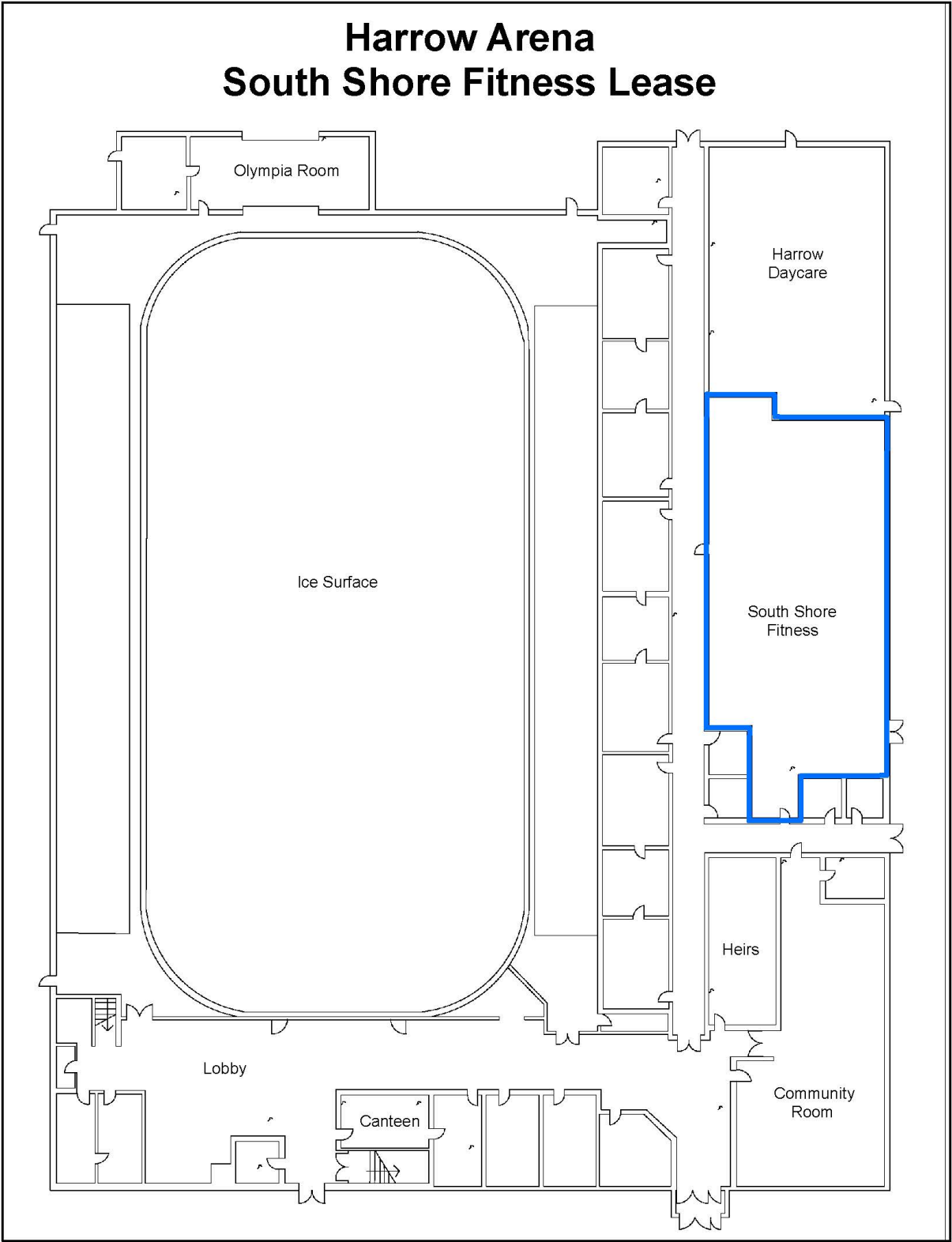
**South Shore Fitness**

\_\_\_\_\_  
Robbie Klie

I hereby acknowledge receiving a duplicate original copy of the herein of the Assignment of Lease Agreement.

\_\_\_\_\_  
Mike Huston

Appendix “A” – Leased Area



# **The Corporation of the Town of Essex**

## **By-Law Number 1963**

### **Being a by-law to confirm the proceedings of the November 2, 2020, Regular Meeting of Council of The Corporation of the Town of Essex**

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;

And 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;

And 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 Essex at its meetings be confirmed and adopted by by-law.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the actions of the Council of The Corporation of the Town of Essex in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other actions passed and taken by the Council of The Corporation of the Town of Essex, documents and transactions entered into during the November 2, 2020 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of Essex are hereby authorized and directed to do all the things necessary to give effect to the actions of the Council of The Corporation of the Town of Essex during the said November 2, 2020 meeting referred to in paragraph 1 of this by-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the actions 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 Essex to all documents referred to in said paragraph 1.

**Read a first and a second time and provisionally adopted on November 2, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally adopted on November 16, 2020.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk