



Regular Council Meeting Agenda

December 7, 2020, 6:00 pm

Essex Civic Centre

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 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

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 December 7, 2020

Moved by _____

Seconded by _____

That the published agenda for the December 7, 2020 Regular Council Meeting be adopted as presented / amended.

5. Adoption of Minutes

5.1. Regular Council Meeting Minutes for November 16, 2020

1

Moved by _____

Seconded by _____

That the minutes of the Regular Council Meeting held November 16, 2020, be adopted as circulated.

5.2. Special Council Meeting Minutes for October 19, 2020

9

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held October 19, 2020, held for Council to provide their comments and questions to Strategy Corp with regards to the "Current State Assessment Report, Town of Essex Delivery Review, dated July 2020", as presented at the October 13, 2020 Special Council Meeting, be adopted as circulated.

5.3. Special Council Meeting Minutes for November 23, 2020

14

Moved by _____

Seconded by _____

That the minutes of the November 23, 2020 Special Council Meeting held for the purpose of a statutory Public Meeting to consider a Proposed Draft Plan of Subdivision known as Parkland Estates, Harrow, be adopted as circulated.

6. Public Presentations

6.1. Essex Accessibility Advisory Committee 22

Lisa Wallace, Vice Chair
RE: International Day of Persons with Disabilities (IDPD)

6.2. Surveillance Cameras on private property

6.2.1. Jennifer Weber 27

Concerns with personal security cameras directed into neighbouring yards

6.2.2. Ryan O'Connor 32

President of South Point Communications
RE: Surveillance cameras installed on private property

6.2.3. The following Notice of Motion was presented at the November 16, 2020 Regular Council Meeting and is being presented this evening for Council 's consideration:

Councillor Garon
RE: Adoption of a new by-law with respect to surveillance cameras

Moved by Councillor Garon
Seconded by _____
That Administration be directed to come back to Council with a by-law that protects the rights of all residents with respect to surveillance cameras installed on private property; and

That the Town of Essex prohibits homeowners from pointing security cameras at neighbouring properties or public property, and that any surveillance camera can only be used to monitor and/or record a homeowner's land and nothing beyond its borders.

7. Unfinished Business

8. Reports from Administration

8.1. Development Services Verbal Report

Lori Chadwick, Director of Development Services will be providing Council with a verbal report entitled "Upper Canada Growers ZBA/SPC Applications".

Moved by _____
Seconded by _____

That the verbal report from Lori Chadwick, Director of Development Services entitled "Upper Canada Growers ZBA/SPC Applications", be received.

8.2. Development Services Report 2020-03 37

RE: Housing Affordability and Opportunity in the Town of Essex

- Infill Development Presentation to Council
(March 16, 2020)

Moved by _____

Seconded by _____

That Development Services Report 2020-03, entitled "Housing Affordability and Opportunity in the Town of Essex", prepared by Lori Chadwick, Director, Development Services, dated December 7, 2020, be received; and

That Council consider the options and associated impacts to incentivize Infill Residential Development through the waiving of Development Charges in advance of 2021 Budget Deliberations.

8.3. Legal and Legislative Services Report 2020-19

73

RE: Court of Revision for Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Town of Essex, County of Essex

- By-Law 1968
Being a by-law to provide for the Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Project REI2016D0004

Moved by _____

Seconded by _____

That Legal and Legislative Services Report 2020-19, entitled "Court of Revision for Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Town of Essex, County of Essex, Project REI2016D004", dated December 7, 2020, prepared by Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, 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 Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Project REI2016D004, be scheduled for 5:00 PM on January 6, 2021, via electronic meeting; and

That By-Law 1968 being a by-law to provide for the Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Project REI2016D004, be read a first and a second time and provisionally adopted on December 7, 2020.

8.4. Legal and Legislative Services Report 2020-20

148

RE: Court of Revision for Shepley Drain: Bridge Replacement for Gorski Land Holdings Inc., Geographic Township of Colchester South, Town of Essex, County of Essex

- By-Law 1969
Being a by-law to provide for the Shepley Drain: Bridge Replacement for Gorski Land Holdings Inc., Geographic Township of Colchester South, Project REI2020D012

Moved by _____

Seconded by _____

That Legal and Legislative Services Report 2020-20, entitled "Court of

Revision for Shepley Drain: Bridge Replacement for Gorski Land Holdings Inc., Geographic Township of Colchester South, Town of Essex, County of Essex, Project REI2020D012", dated December 7, 2020, prepared by Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, 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 Shepley Drain: Bridge Replacement for Gorski Holdings Inc., Geographic Township of Colchester South, Project REI2020D012, be scheduled for 5:00 PM on January 6, 2021, via electronic meeting; and

That By-Law 1969 being a by-law to provide for the Shepley Drain: Bridge Replacement for Gorski Holdings Inc., Geographic Township of Colchester South, Project REI2020D012, be read a first and a second time and provisionally adopted on December 7, 2020.

8.5.

Legal and Legislative Services Report 2020-021

227

RE: 2021 Town Insurance Program RFP Results

Moved by _____

Seconded by _____

That Legal and Legislative Services Report 2020-021, entitled "2021 Town Insurance Program RFP Results", prepared by Robert Auger, Town Solicitor/Legal and Legislative Services/Clerk, dated December 7, 2020, be received; and

That Council awards the Request for Proposal for General Insurance Services to Frank Cowan Company Limited ("Cowan") for a one year term (January 1, 2021 to January 1, 2022) with the option to renew for each subsequent year (up to a maximum of 5 years) based on satisfactory performance, quotes and service.

8.6.

Community Services Report 2020-05

233

RE: HEIRS Lease Renewal at Harrow Arena

- By-Law 1970
Being a by-law to authorize the execution of a lease agreement between the Town of Essex and the Harrow Early Immigrant Research Society for property to operate a research library inside of the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario

Moved by _____

Seconded by _____

That Community Services Report 2020-05, entitled "HEIRS Lease Renewal at Harrow Arena", prepared by Doug Sweet, Director, Community Services/Deputy CAO, dated December 7, 2020, be received; and

That Council approves entering into a renewal agreement with the Harrow Early Immigrant Research Society for leased space at the Harrow Arena located at 243 McAfee Street for an additional ten year period commencing on the first day of January, 2021 and concluding on December 31, 2031, subject to the general terms and conditions as outlined in By-Law 1970; and

That By-Law 1970, being a by-law to authorize the execution of a lease

agreement between the Town of Essex and the Harrow Early Immigrant Research Society for property to operate a research library inside of 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 adopted on December 7, 2020.

8.7.

Drainage Report 2020-12

248

RE: Appointment of an Engineer under Section 78 of the Drainage Act to legalize a culvert installation on the Lawrence Quick Drain

Moved by _____

Seconded by _____

That Drainage Report 2020-12, entitled "Appointment of an Engineer under Section 78 of the Drainage Act to legalize a culvert installation on the Lawrence Quick Drain", prepared by Lindsay Dean, Drainage Superintendent, dated November 2, 2020, be received; and

That Council appoint Baird AE under Section 78 of the Drainage Act to legalize a culvert installation on the Lawrence Quick Drain.

8.8.

Planning Services Report 2020-27

251

RE: Draft Plan of Subdivision Approval, Parkland Estates
(Applicant: Noah Homes, 1552843 Ontario Limited) File No 37T20004

- Parkland Estates Harrow - Draft Plan (1)
- Parkland Estates Subdivision - Final Approval
- Draft Parkland Agreement (Final)

Moved by _____

Seconded by _____

That Planning Report 2020-27, entitled "Draft Plan of Subdivision Approval, Parkland Estates (1552843 Ontario Limited) File No. 37T20004", prepared by Rita Jabbour, RPP, Manager, Planning Services, dated December 7, 2020, be received, and

That Council request that the Manager of Planning Services for the County of Essex give draft plan of subdivision approval to 1552843 Ontario Limited (Noah Homes), for the development of the "Parkland Estates" subdivision on lands comprising Part of Lot 12, Second Range of the Gore, on the East side of County Road 13, south of Pollard Drive, to permit the development of single-detached and semi-detached dwellings, in accordance with the draft plan prepared by Verhaegen Land Surveyors and dated July 16, 2020 subject to the following:

1. That 1552843 Ontario Limited (Noah Homes) enter into a subdivision agreement with the Town for the provision of roads and other services and facilities to the subdivision, in accordance with the draft plan attached to this resolution;
2. Such other conditions requested by the Manager of Planning Services for the County of Essex, as a condition of draft plan of subdivision approval; and
3. That Council agrees to accept cash in lieu of a parkland dedication and to permit the construction of a storm water management pond and public parking area on Town lands, in accordance with the provisions of the subdivision agreement.

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. COVID-19 Virus Correspondence

11.1.1.1. Bereavement Authority of Ontario (BAO) Effective November 14, 2020 289

RE: Registrar's Directive

BAO issues colour code for regional restrictions that licensees and establishments must follow

- Colour Code Chart

11.1.1.2. Ministry of Municipal Affairs and Housing, Kate Manson-Smith, Deputy Minister MAH 292

RE: Enforcement of Orders under the Reopening Ontario Act, 2020

- Ministry of the Solicitor General
RE: Further Changes under the Reopening Ontario Act, 2020

11.1.1.3. Association of Municipalities of Ontario (AMO) 320

AMO Policy Update (November 20, 2020)

RE: Updated COVID-19 Measures, New LTC Projects, Emergency Orders Extended and AODA Items

11.1.1.4. Media Release - Town of Essex 324

RE: COVID-19 Response: Community Update (November 30, 2020)

Operations to be suspended at Essex and Harrow Arenas

11.1.1.5. Windsor Essex County Health Unit (WECHU) 326

RE: Public Health Memo COVID-19 (Update for the week of November 30, 2020)

11.1.2. Media Release- Town of Essex

November 18, 2020

RE: Town of Essex Seeking Youth Council Members

11.1.3. Media Release - Town of Essex 333

November 24, 2020

	RE: Town of Essex Announces Provincial Funding for Local Streetscape Projects	
11.1.4.	Media Release - Town of Essex November 30, 2020 RE: Town of Essex to Honour Frontline Workers with Christmas Tree Lighting Ceremony Livestream	335
11.1.5.	Minister Seniors and Accessibility (MSAA) RE: Reply to Town of Essex correspondence supporting the Town of Amherstburg's <i>Accessibility for Ontarians with Disability Act, 2005</i> (AODA) website compliance extension request. <ul style="list-style-type: none"> Town's correspondence dated October 28, 2020 	336
11.1.6.	Office of Chris Lewis, MP Essex RE: Reply to Town of Essex correspondence supporting the Township of Blanford-Blenheim's concerns relating to unlicensed and unmonitored cannabis grow operations. <ul style="list-style-type: none"> Town's correspondence dated November 16, 2020 	342
11.1.7.	William Dent and Stephanie Wilhelm RE: Rural Fibre Expansion concerns Correspondence to Council from William Dent and Stephanie Wilhelm from County Road 20 West, Harrow advising Council of their concerns that their neighbourhood is not included in the rural fibre expansion through SWIFT.	346
11.1.8.	Ministry of Finance RE: Property Tax and Assessment Measures in the 2020 Ontario Budget (November 5, 2020)	348
11.1.9.	Ministry of Municipal Affairs and Housing RE: Ontario Rebuilding and Recovery Act: Accelerating Infrastructure Initiatives Municipal Engagement	352
11.1.10.	Rural Ontario Municipal Association (ROMA) Update RE: Funding and Resources for Improved Connectivity Reminder - Universal Broadband Fund and Improving Connectivity for Ontario	358
11.1.11.	Union Water Supply System RE: Joint Board of Management Minutes - October 21, 2020	360
11.1.12.	Municipal Property Assessment Corporation (MPAC) RE: 2021 Property Values and COVID-19	368
11.1.13.	Township of Howick Resolution RE: Amending the Tile Drain Loan Program	370

Correspondence from the Township of Howick, dated November 19, 2020 requesting the Ontario Ministry of Agriculture, Food and Rural Affairs to consider lowering the interest rate on Tile Drain Loans to 4% and increasing the yearly loan limit to \$100,000

11.1.14.	Essex-Windsor Solid Waste Authority	371
	RE: New Recycling Collection Contractor for Essex County	
	Announcement that effective December 1, 2020 the City of Windsor is the new Essex County recycling collection contractor.	
11.1.15.	Essex-Windsor Solid Waste Authority	373
	RE: Essex-Windsor Regional Landfill Quarterly Operations Report (April - June 2020)	
11.1.16.	Town of Fort Erie	388
	RE: City of Hamilton - Request to the Premier and Minister of Attorney General - Amending the AGCO Process to Consider Radial Separation from other Cannabis Locations	
	Correspondence dated November 17, 2020 requesting the Province to consider amending its licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations.	
11.1.17.	Ministry of the Environment, Conservation and Parks (MECP)	392
	RE: Essex Drinking Water System - Harrow-Colchester South Inspection Report	
11.1.18.	Kim Dennison	414
	RE: Concerned Business Owner and Citizen	
	Correspondence dated December 1, 2020 bringing forward her concerns and frustrations as a small business owner in the Town of Essex and COVID-19 restrictions.	
11.1.19.	Ministry of Municipal Affairs and Housing (MMAH)	417
	RE: Staffing Changes at the Western Municipal Services (MSO-W) of the Ministry of Municipal Affairs and Housing in London	

11.2. Correspondence to be considered for receipt and support

12. Committee Meeting Minutes

Moved by _____

Seconded by _____

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

12.1.	Drainage Board Minutes - November 25, 2020	418
	RE: Court of Revision	
	North Rear Road Drain South Side: New Bridge for Grondin	

12.2.	Committee of Adjustment - October 20, 2020	427
12.3.	Drainage Board Minutes - November 25, 2020	471
	RE: Consideration of Reports	
	Shepley Drain: Bridge Replacement for Gorski Landings Inc.	
	Szakacs Drain: Repair and Improvement	
13.	Financial	
13.1.	October 2020 Bank Payments Report	477
	Moved by _____	
	Seconded by _____	
	That the Bank Payments Report, including the October cheque register, cheque number 52007 to cheque number 52148 inclusive in the amount of \$3,504,786.91, the Preauthorized Payments for the month of October in the amount of \$352,614.29; and Payroll for the month of October in the amount of \$608,925.29, be ratified as submitted.	
14.	New Business	
15.	Notices of Motion	
16.	Reports and Announcements from Council Members	
17.	By-Laws	
17.1.	By-Laws that require a third and final reading	488
17.1.1.	By-Law 1964	489
	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	
	Moved by _____	
	Seconded by _____	
	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 third time and finally passed on December 7, 2020.	
17.1.2.	By-Law 1967	559
	Being a by-law to confirm the proceedings of the November 16, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex	
	Moved by _____	
	Seconded by _____	
	That By-Law 1967 being a by-law to confirm the proceedings of the November 16, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on December 7, 2020.	

Being a by-law to enter into an Agreement between The Corporation of the Town of Essex (the "Municipality") and Her Majesty The Queen In Right of Ontario (as represented by the Minister of Community Safety and Correctional Services) (the "Ministry") and The Essex Police Services Board (the "Board")

Moved by _____

Seconded by _____

That By-Law 1972 being a by-law to enter into an Agreement between The Corporation of the Town of Essex (the "Municipality") and Her Majesty The Queen In Right of Ontario (as represented by the Minister of Community Safety and Correctional Services) (the "Ministry") and The Essex Police Services Board (the "Board"), be read a first, a second and a third time and finally passed December 7, 2020.

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

17.2.1. By-Law 1971

587

Being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$83,397.76 towards the cost of Shoreline Loan Program

Moved by _____

Seconded by _____

That By-Law 1971 being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$83,397.76 towards the cost of Shoreline Loan Program, be read a first, a second and a third time and finally passed on December 7, 2020.

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

17.3.1. By-Law 1973

615

Being a by-law to confirm the proceedings of the December 7, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 1973 being a by-law to confirm the proceedings of the December 7, 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 December 7, 2020.

18. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

19. Future Meetings

19.1. Monday, December 14, 2020 - 6:00 - 9:00 pm Special Council Meeting

RE: 2021 Budget Deliberations

Location: Zoom Meeting

19.2. Monday, December 21, 2020 - 4:30 - 6:00 PM Special Council Meeting

RE: Zoning By-Law Amendment - 1110 Ridge Road

Location: Zoom Meeting

19.3. Monday, December 21, 2020 - 6:00 - 9:00 PM Regular Council Meeting

Location: Zoom Meeting