



Regular Council Meeting Agenda

January 18, 2021, 6:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

Pages

1.	Call to Order	
2.	National Anthem	
3.	Closed Meeting Report	
4.	Declarations of Conflict of Interest	
5.	Adoption of Published Agenda	
5.1.	Regular Council Meeting Agenda for January 18, 2021	
	Moved by _____	
	Seconded by _____	
	That the published agenda for the January 18, 2021 Regular Council Meeting be adopted as presented / amended.	
6.	Adoption of Minutes	
6.1.	Regular Council Meeting Minutes for December 21, 2020	1
	Moved by _____	
	Seconded by _____	
	That the minutes of the Regular Council Meeting held December 21, 2020 be adopted as circulated.	
6.2.	Special Council Meeting Minutes for December 1, 2020	15
	Moved by _____	
	Seconded by _____	
	That the minutes of the Special Council Meeting held December 1, 2020 be adopted as circulated.	
7.	Public Presentations	
7.1.	James Flynn and Kim Lewis	18
	RE: 195 Bagot (Colchester School House Property)	
7.2.	Laurie Brett, Town of Essex Heritage Committee	23
	RE: 195 Bagot (Colchester School House Property)	
7.3.	Lynda Leopold and Heidi Affleck	28
	RE: 195 Bagot (Colchester School House Property)	
7.4.	Perry Basden	33
	RE: 195 Bagot (Colchester School House Property)	

By-Law 1981

Being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex

At the December 18, 2020 Regular Council Meeting the Resolution R20-12-470 was tabled by Resolution R20-12-471 as follows:

R20-12-470

Moved By Councillor Bowman
Seconded By Councillor Vander Doelen

That By-Law 1981 being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex be read a first, a second and a third time and be finally passed.

R20-12-471

Moved By Councillor Bondy
Seconded By Deputy Mayor Meloche

That Resolution R20-12-470 in respect of By-Law 1981 being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex, be tabled until the January 18, 2021 regular meeting of Council.

Carried

Moved By _____
Seconded By _____

That Resolution R20-12-470 in respect of By-Law 1981 being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex be taken from the table.

9. Reports from Administration

9.1. Economic Development-2021-01 37

RE: December 2020 Building Report and the Development Overview for 2020

Moved by _____
Seconded by _____

That Economic Development 2021-01 entitled Building Report and Development Overview 2020 prepared by Nelson Silveira, Economic Development Officer dated January 18, 2021 be received.

9.2. Economic Development-2021-03 45

RE: Agri-Tourism Strategy 2021

Moved by _____
Seconded by _____

That Economic Development 2021-03 entitled Agri-Tourism Strategy 2021 prepared by Nelson Silveira, Economic Development Officer dated

January 18, 2021 be received.

- 10. Reports from Youth Members
- 11. County Council Update
- 12. Correspondence

12.1. Correspondence to be received

Moved by _____

Seconded by _____

That all of the correspondence listed in Agenda Item 12.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

12.1.1.	Correspondence related to 195 Bagot (Colchester School House Property) matter.	52
12.1.2.	Correspondence relating to COVID-19 Pandemic	
12.1.2.1.	Windsor-Essex County Health Unit	119
	RE: Elected Representatives Weekly Report January 4, 2021	
12.1.2.2.	Town of Lincoln	121
	RE: Funding for Community Groups and Service Clubs affected by Pandemic	
12.1.2.3.	Province of Ontario	126
	RE: Enhancing Public Health and Workplace Safety Measures in the Provincewide Shutdown January 12, 2021	
12.1.2.4.	Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)	181
	RE: Second Provincial Declaration of Emergency	
12.1.2.5.	Province of Ontario	186
	RE: Ontario Regulation 11/21: Stay at Home Order	
12.1.3.	Province of Ontario	189
	RE: 2019-2020 Chief Drinking Water Inspector Annual Report	
12.1.4.	The Corporation of the Town of Amherstburg	206
	RE: Bill C-213 The Canada Pharmacare Act	
12.1.5.	The Corporation of the Town of Amherstburg	210
	RE: Bill 197 Development Approval Requirements for Landfills	
12.1.6.	Essex Region Conservation Authority	214
	RE: 2021 Fee Schedule	

12.1.7.	Essex-Windsor Solid Waste Authority	219
	RE: 2019 Regional Landfill Operations Report	
12.1.8.	Gravel Watch Ontario	261
	RE: Gravel Watch Municipal Letter January 2021	
12.1.9.	Wridgeview Greenhouses Ltd.	273
	RE: By-Law 79-20 (Light Abatement) (Bylaw) from Leamington Council	
12.1.10.	Union Water Supply System	275
	RE: November 17, 2020 Meeting Minutes	
12.1.11.	The Corporation of the Town of Amherstburg	279
	RE: Opposition to Further Amalgamation	
12.1.12.	The Corporation of the Town of Tecumseh	284
	RE: Removal of the Windsor International Airport from NAV Canada closure list	
12.1.13.	The Corporation of the Town of Amherstburg	286
	RE: Removal of Windsor International Airport from NAV Canada Closure List	
12.1.14.	Town of Kingsville	290
	RE: Opposition to Further Amalgamation	
12.1.15.	Town of Lincoln	292
	RE: Amending AGCO Process for Cannabis Retail Stores	
12.1.16.	Town of Lincoln	296
	RE: Accessibility for Ontarians with Disabilities Act - Website Support	
12.1.17.	Province of Ontario	299
	RE: Minister's Annual Report on Drinking Water (2020)	
12.1.18.	Municipality of Charlton and Dack	312
	RE: Municipal Insurance in the Province of Ontario	
12.1.19.	Township of Huron-Kinloss	314
	RE: Property Tax Exemptions for Veteran Clubs	

12.2. Correspondence to be considered for receipt and support

13. Committee Meeting Minutes

Moved by _____

Seconded by _____

That all the Committee Meeting minutes listed in Agenda Item 13, together with

any recommendations to Council noted therein, be received, approved and adopted as circulated.

13.1.	Essex Climate Adaptation Team Meeting October 7, 2020	315
13.2.	Police Service Board November 5, 2020	318
13.3.	Heritage Committee Meeting October 29, 2020	322
13.4.	Committee of Adjustment November 17, 2020	328
13.5.	Court of Revision January 6, 2021	382
13.6.	Drainage Board January 6, 2021	389
14.	Financial	
15.	New Business	
16.	Notices of Motion	
16.1.	The following Notices of Motions was presented at the December 21, 2020 Regular Council Meeting and are being brought forward this evening for Council's consideration:	
16.1.1.	Deputy Mayor Meloche RE: Victoria Avenue in Essex Centre Moved by: Deputy Mayor Meloche Seconded by: _____ That in view of the fact that Victoria Avenue in Essex Centre is one of premier routes in and out of Essex Centre, and that this road has been in disrepair for many years, that the Victoria Avenue rehabilitation road project be included as part of the Downtown Essex Centre Revitalization.	
16.1.2.	Deputy Mayor Meloche RE: Drainage Billings That in order for Council to be fully aware of outstanding billings for drainage projects, it is hereby requested that a detailed Drainage Billings Report be brought by Administration to Council in January/February 2021 for a full review of the Town's standing on such bills.	
16.1.3.	Deputy Mayor Meloche RE: Standards for Property Development Moved by: Deputy Mayor Meloche Seconded by: _____ That with regard to Administration's current review of property development standards, that Council request the following additional change be brought forward to Administration as part of its property development standards review; Whereas if a builder has been given relief on yard depths,	

including any side yard, as compared to our standard, that the type of home built on the property be thereby limited to one story meaning no second story and/or no back split; and

As well, the shortened requirement would be inclusive of any allowable additional structure such as a deck that may be permitted as part of the new structure.

16.2. The following Notices of Motion are being presented this evening and will be brought forward for Council's consideration at the February 1, 2021 Regular Council Meeting

16.2.1. Councillor Bondy

RE: Declaring Cultural or Historic Property Surplus

That in advance of Council designating any public property surplus which has Cultural or Historic value, that the public is first consulted by means of social media, newspaper, town website, open houses, public meetings etc. and when properties are deemed to have heritage value, the Heritage Committee is also given notice and time to provide a recommendation to Council.

16.2.2. Councillor Bondy

RE: Designating Public Property as Surplus

That only two readings be given to by-laws for designating public property surplus followed by third and final reading on the next agenda to guarantee public notice and transparency.

16.2.3. Councillor Bondy

RE: Surplus Property Sold in Open Market

That when Council deems public property as surplus such property will be sold by request for proposal and/or listed on the open market to ensure that properties are sold in a transparent manner and for the highest price.

16.2.4. Councillor Bondy

RE: Ad-Hoc Committee

That Essex Council establish an Ad-Hoc committee to come together to propose regulations and policies around Short Term Rental accommodations in the Town of Essex.

17. Reports and Announcements from Council Members

18. By-Laws

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

18.1.1. By-Law 1977

394

Being a by-law to confirm the proceedings of the December 21, 2020 Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____
That By-Law 1977 being a by-law to confirm the proceedings of the December 21, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on January 18, 2021.

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

18.2.1. By-Law 1982 396

Being a by-law to provide for an interim tax levy and to provide for payment of taxes and to provide for penalty and interest

Moved by _____
Seconded by _____
That By-Law 1982 being a by-law to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest be read a first, a second and a third time and finally passed on January 18, 2021.

18.2.2. By-Law 1983 398

Being a by-law to impose a local improvement charge and to provide for the issue of debentures in the amount of \$167,047.76 for shoreline assistance loans

Moved by _____
Seconded by _____
That By-Law 1983 being a by-law to impose a local improvement charge and to provide for the issuance of debentures in the amount of \$167,047.76 for shoreline assistance loans be read a first, a second and a third time and finally passed on January 18, 2021.

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

18.3.1. By-Law 1984 401

Being a by-law to confirm the proceedings of the January 18, 2021 Regular Meeting of the Council of The Corporation of the Town of Essex.

Moved by _____
Seconded by _____
That By-Law 1984 being a by-law to confirm the proceedings of the January 18, 2021 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 January 18, 2021.

19. Adjournment

Moved by _____
Seconded by _____
That the meeting be adjourned at [TIME].

20. Future Meetings

20.1. Monday, February 1, 2021 - 6:00 - 9:00 PM Regular Council Meeting

Location: Zoom Meeting

20.2. Monday, February 8, 2021 - 5:00 - 7:00 Special Council Meeting

RE: Essex Climate Adaptation Plan

Location: Zoom Meeting

20.3. Tuesday, February 16, 2021 - 6:00 - 9:00 PM Regular Council Meeting

Location: Zoom Meeting



The Corporation of the Town of Essex

Regular Council Meeting Minutes

**This meeting was held electronically during a time of Declared Emergency
pursuant to Town of Essex By-Law 1902**

December 21, 2020, 6:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

This meeting was hosted and chaired 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: Mayor Larry Snively
Deputy Mayor Richard Meloche
Councillor Joe Garon
Councillor Morley Bowman
Councillor Kim Verbeek
Councillor Steve Bjorkman
Councillor Chris Vander Doelen
Councillor Sherry Bondy

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

1. Call to Order

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

2. Closed Meeting Report

The Clerk reported that earlier this evening Council met in closed session to discuss a land matter and such discussion in closed session was permitted by Section 239 (2) (c) of the Municipal Act. In that closed meeting Council gave further direction with respect to that proposed land matter.

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 December 21, 2020

R20-12-464

Moved By Councillor Garon

Seconded By Councillor Bowman

That the published agenda for the December 21, 2020 Regular Council Meeting be adopted with the following changes and additions:

1. That the following be added as delegations regarding Agenda Item 17.2.4 and By-Law 1981:
 - i. Agenda Item 6.5: Anne Beneteau and Monica Caruthers representing the Old Schoolhouse Community Group
 - ii. Agenda Item 6.6 :Perry Basden
 - iii. Agenda Item 6.7: Sandra McKee
 - iv. Agenda Item 6.8 : Carol and Lynn
2. That Agenda Item 17.2.4 be moved to Agenda Item 6.9
3. That Thomas Brew be added as a delegation regarding Agenda Item 8.5 and that Agenda Item 8.5 be moved to Agenda Item 6.10
4. At the request of the mover, that the Notion of Motion in Agenda Item 15.1.1 be deferred to the Special Meeting where Council will have a roundtable discussion.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for December 7, 2020

R20-12-465

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

That the minutes of the Regular Council Meeting held December 7, 2020 be adopted as circulated.

Carried

6. Public Presentations

6.1 Grahame Soley and Mitchell Johnson, Cogeco Connexion Inc.

RE: Update to Council on the Southwestern Integrated Fibre Technology Initiative (SWIFT) and the broadband internet Cogeco-SWIFT Project

- Power Point Presentation

Mr. Soley and Mr. Johnson provided Council with an overview on the SWIFT-Cogeco Project to expand the delivery of fibre broadband into the rural parts of the county with the funding available. Approximately 1,544 additional homes in the town of Essex are expected to have access to high-speed broadband internet as a result of this project by the end of 2022. Upon completion of this Project it is expected that broadband

coverage in the Town of Essex County will increase from 67% of premises to 85% of premises.

R20-12-466

Moved By Councillor Vander Doelen
Seconded By Councillor Bowman

That the presentation by Grahame Soley and Mitchell Johnson, Cogeco Connexion Inc. be received.

Carried

6.2 Kathy Beaudoin, Essex Food Basket

RE: Request to use the Scout Hall on McAfee Street in Harrow during the pandemic to store non-perishable goods.

R20-12-467

Moved By Councillor Garon
Seconded By Councillor Verbeek

That the Essex Food Bank be permitted to use the Scout Hall on McAfee Street in Harrow during the pandemic to store non-perishable goods.

Carried

6.3 Zachary Bastien and Hans Kogel, Haerko Inc.

RE: Essex Non-Profit Homes Inc. (ENPH) Renewal and Repair Project and Request for Support.

Mr. Bastien and Mr. Kogel advised Council on their Renewal and Repair Project to make certain improvements designed to stabilize their housing units. This project requires additional government funding and so applications for funding are being made with the Central Mortgage Housing Corporation and the Federation of Canadian Municipalities. The group is also seeking support and/or funding from Municipalities in Essex County.

R20-12-468

Moved By Councillor Bondy
Seconded By Councillor Bjorkman

That the presentation be received and that a Letter of Support for the Project be sent to the County of Essex.

Carried

6.4 Jill Kennedy, 709 County Road 50 West

RE: Request for Tender - Construction of Crystal Beach Drain

Ms. Kennedy spoke to her letter of Appeal and request that this Drainage project be reconsidered.

6.4.1 Drainage-2020-14

RE: Results of Request for Tender – Construction of Crystal Beach Drain

- Letter of Appeal received from Resident

R20-12-469

Moved By Councillor Vander Doelen

Seconded By Councillor Verbeek

That Drainage-2020-14 Report entitled "Results for Request for Tender - Construction of Crystal Beach Drain" prepared by Lindsay Dean, Drainage Superintendent dated December 21, 2020, be received, and

That Council award the Request for Tender - Construction of Crystal Beach Drain (RFT-ID-20-021) to Sterling Ridge Infrastructure Inc. in the amount of \$457,207.68 including non-refundable Harmonized Sales Tax.

Carried

6.5 Anne Beneteau and Monica Carruthers, Old Schoolhouse Community Garden

The delegate (s) spoke to their concerns over the proposed sale of 195 Bagot.

6.6 Perry Basden, 70 Harrison Street

The delegate (s) spoke to their concerns over the proposed sale of 195 Bagot.

6.7 Sandra McKee, 325 Prado

The delegate (s) spoke to their concerns over the proposed sale of 195 Bagot.

6.8 Carol and Lynn Quick, 55 Sullivan

The delegate (s) spoke to their concerns over the proposed sale of 195 Bagot.

6.9 By-Law 1981

Being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex

R20-12-470

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

That By-Law 1981 being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex be read a first, a second and a third time and be finally passed.

Tabled

R20-12-471

Moved By Councillor Bondy

Seconded By Deputy Mayor Meloche

That By-Law 1981 being a by-law for the Declaration and Disposition of Surplus Land at 195 Bagot by The Corporation of the Town of Essex be tabled until the January 18, 2021 regular meeting of Council.

Carried

R20-12-472

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

That the delegations in respect of Agenda item 6.5 be received

6.10 Thomas Brew, 3714 3rd Concession

Mr. Brew spoke to his continuing concerns over the amount of truck traffic and speeding that he and other neighbors along the third concession have witnessed. He further spoke to his petition request regarding the same.

6.10.1 Infrastructure Services-2020-10

RE: 3rd Concession Truck Traffic Petition

R20-12-473

Moved By Councillor Bowman

Seconded By Councillor Bondy

That Infrastructure Services-2020-10 report entitled "3rd Concession Truck Traffic Petition" prepared by Kevin Girard, Director, Infrastructure Services dated December 21, 2020, be received;

That the petition filed by the residents of the 3rd Concession between County Road 11 (Walker Road) and County Road 23 (Arner Townline), be received; and

That the 3rd concession remain a Class "B" road but that the resident concerns and subsequent speed limit reduction petition be addressed through the Town's Policy for Establishing Speed Limits.

Carried

7. Unfinished Business

8. Reports from Administration

8.1 Chief Administrative Officer Verbal Report

RE: Update on Large Development Projects Toolbox

Mr. Auger , Town Solicitor/Clerk, provided on behalf of the CAO, an update to Council and advised that a proposed agreement with a local developer to finance the costs of infrastructure for a local large scale residential development was close to being finalized , which agreement could serve as a model policy to guide the Town in the future relating to the ability of the town to assist in the up front financing of infrastructure costs relating to other large scale residential and/or commercial developments. Mr. Auger further reported that it was expected that the proposed model policy would come to Council in the early new year hopefully at the first meeting in January.

R20-12-474

Moved By Deputy Mayor Meloche

Seconded By Councillor Garon

That the verbal report regarding the Large Development Projects Toolbox be received.

Carried

8.2 Director, Community Services/Deputy Chief Administrative Officer Verbal Report

RE: Waiving of fees for Town leases during lockdown (Grey)

Mr. Sweet spoke to the recommendation that the Town waive Town lease fees during this current level of COVID-19 restrictions (Grey status).

R20-12-475

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

That the Town waive all fees for Town leases for the duration of the current level of COVID-19 restrictions (Grey).

Carried

8.3 Economic Development-2020-20

RE: Building Report and Development Overview November 2020

R20-12-476

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

That Economic Development -2020-20 Report entitled "Building Report and Development Overview November 2020" prepared by Nelson Silveira, Economic Development Officer dated December 21, 2020 be received for information.

Carried

8.4 Corporate Services Report-2020-05

RE: Revised Schedules to By-Laws 1812, 1331 and 1850

R20-12-477

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

That Corporate Services Report-2020-05 report entitled "Revised Schedules to By-Laws 1812, 1331 and 1850" be received, and

That the following three schedules be revised as indicated effective as of January 1, 2021:

- i. Schedule "C" to By-Law Number 1812, being a by-law respecting the maintenance, management, regulation and control of any cemetery owned by The Corporation of the Town of Essex,
- ii. Schedule "A" to By-Law Number 1331, being a by-law to establish a schedule of miscellaneous fees and charges, and
- iii. Schedule "B" to By-Law Number 1850, being a by-law for the imposition of Development Charges.

Carried

8.5 Infrastructure Services-2020-14

RE: Proposed Allocation of Remaining Union Water Supply System ("UWSS") Treatment Capacity

Mr. Girard, Director of Infrastructure Services, provided a brief summary of the report.

R20-12-478

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

That Infrastructure Services-2020-14 report entitled "Proposed Allocation of Remaining Union Water Supply Sewer Treatment Capacity" prepared by Kevin Girard, Director, Infrastructure Services dated December 21, 2020, together with the attached correspondence from Union Water Supply System dated November 2, 2020 be received, and

That Council authorize the Director, Infrastructure Services to draft and send a response letter of non-support for the correspondence received on November 2, 2020 from Union Water Supply System regarding the proposed allocation of remaining water treatment capacity.

Carried

8.6 Infrastructure Services-2020-13

RE: Sanitary Service Area Amendment

R20-12-479

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

That Infrastructure Services-2020-13 report entitled "Sanitary Sewer Area Amendment" prepared by Kevin Girard, Director, Infrastructure Services, dated December 21, 2020 be received, and

That Council appoint Stantec Consulting Ltd. to provide consulting services to complete an amendment to the "Town of Essex Improvements to Ward 1 Community Sanitary Sewer System - Class Environmental Assessment (EA) Phase 1 and 2 Report" dated December 7, 2015, in accordance with the completed request under Section 22 of the Town of Essex Procurement By-Law 1043.

Carried

8.7 Planning-2020-29

RE: Site Specific Zoning Amendment and Site Plan Control Approval (1110 Ridge Road, Colchester South, Ward 3)

R20-12-480

Moved By Councillor Bowman

Seconded By Councillor Garon

That Planning Report 2020-29 entitled "Site Specific Zoning Amendment and Site Plan Control Approval (1110 Ridge Road, Colchester South, Ward 3): prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 21, 2020 be received;

That By-law 1978, Being a By-law to amend By-law 1037 (the Comprehensive Zoning By-law for the Town of Essex), to permit the construction of two (2) new ancillary dwellings to accommodate the housing of farm help; and the use of the existing single detached dwelling(s) to accommodate the housing of farm help, be read a first, a second and a third time and be finally passed; and

That By-law 1979, being a By-law to enter into a Site Plan Control Agreement between the Corporation of the Town of Essex and Upper Canada Growers (UGC) Land INC for the establishment of two (2) ancillary dwellings for the accommodation of housing farm help at 1110 Ridge Road, be read a first, a second and a third time and be finally passed.

Carried

9. Reports from Youth Members

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

R20-12-481

Moved By Councillor Garon

Seconded By Deputy Mayor Meloche

That all of the 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 COVID-19 Virus Correspondence

11.1.1.1 AMO Policy Update - COVID-19 Municipal Financial Impacts

11.1.1.2 AMO Policy Update - New Stronger Public Health Measures

11.1.1.3 Public Health Memo COVID-19

RE: Elected Representatives Weekly Report
December 14, 2020

11.1.1.4 Corporation of the Town of Carleton Place

RE: COVID-19 and Childcare Funding Impacts

11.1.2 Windsor Essex County Environmental Committee

RE: November 7, 2020 Meeting

11.1.3 Dog Pound Committee Meeting Agenda

RE: December 2, 2020 Agenda

11.1.4 Ministry of Heritage, Sport, Tourism and Culture Industries

RE: Tourism Economic Development and Recovery Fund

11.1.5 Dillon Consulting Limited

RE: Notice of Study of Commencement (Highway 3 Widening in the Town of Essex)

11.1.6 Municipality of Southwest Middlesex

RE: Municipal Drainage Matters and need for coordination with the national railways.

11.1.7 Dufferin County

RE: Changes to the Aggregate Resource Property Valuation Assessment Criteria

11.1.8 Town of Howick Resolution

RE: Amending Tile Drainage Installation Act

11.1.9 Essex Business Improvement Area (BIA)

RE: Small Business Support Letter dated December 15, 2020

11.2 Correspondence to be considered for receipt and support

11.2.1 Municipality of Leamington

RE: Support of Municipality of Tweed Resolution 343 regarding Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines

R20-12-482

That the correspondence listed in Agenda Item 11.2.1 be received and supported and that the appropriate letter of support be sent.

12. Committee Meeting Minutes

R20-12-483

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

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

Carried

12.1 Arts, Culture and Tourism Committee November 18, 2020

12.2 Arts, Culture and Tourism Committee December 10, 2020

12.3 Essex Accessibility Advisory Committee November 25, 2020

EAAC20-11-014

Moved by: Sherry Bondy

Seconded by: Ron McDermott

Recommendation to Council : That council support a recommendation to have administration draft a letter to all municipal businesses informing them of the availability of potential accessibility funding through the Town's CIP program and further advising them that the funding will lapse at the end of 2021 and ensure circulation to all businesses within the

Town and further to support a promotional social media campaign setting forth the same information and promoted through the Town’s various social media platforms. **Carried**

EAAC20-11-017

Motion by: Sherry Bondy

Seconded by: Ron McDermott

Recommendation to Council That Council support the Committee’s recommendation and instruct administration in the Public Works department to complete the connection on Cranberry Court by providing a curb-cut and sidewalk connections between the two existing roads and to report back to the Committee on a time-line for completion. **Carried**

EAAC20-11-019

Moved by: Lisa Wallace

Seconded by: Ron McDermott

Recommendation to Council: That Council support the Committee’s recommendation that the Manager of Planning Services or an alternate from the Development Services Department take the course and that funds for the course come from the Accessibility Committee’s budget. **Carried**

EAAC20-11-020

Moved by: Lisa Wallace

Seconded by: Geraldine Dozois

Recommendation to Council: That Council support and direct administration to complete a town Facility Accessibility Design Standards document including all applicable AODA regulations and Ontario Building Code standards as they relate to Town’s policies and make the same available on the Town’s website under the Accessibility Committee’s. **Carried**

12.4 Drainage Board December 9, 2020

RE: Consideration of Contract Price for Crystal Beach Drain: Repair and Improvement of Covered Drains

13. Financial

13.1 November Bank Payments Report

R20-12-484

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

That the Bank Payments Report, including the November cheque register, cheque number 52149 to cheque number 52255 inclusive in the amount of \$1,525,705.87, the Preauthorized Payments for the month of November in the amount of \$333,582.23; and Payroll for the month of November in the amount of \$396,073.64, be ratified as submitted.

Carried

14. New Business

15. Notices of Motion

15.1 The following notice of Motion was presented at the December 7, 2020 Regular Council Meeting and is being brought forward this evening for Council's consideration:

15.1.1 Councillor Bondy

RE: Bill 229 Conservation Authorities Act

At the request of Councillor Bondy, this Notice of Motion was deferred to the Special Meeting of Council (Roundtable Discussion) to be scheduled.

Moved by: Councillor Bondy

Seconded by: _____

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications;

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process

THEREFORE BE IT RESOLVED

THAT the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act;

THAT the Province of Ontario delay enactment of clauses affecting municipal concerns;

THAT the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes;

THAT the Province respect the current conservation authority/municipal relationships;

AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

AND THAT a copy of this resolution accordingly be forwarded to the Province of Ontario.

Moved By Councillor Bondy

15.2 That the following Notice of Motion is being presented this evening and will be brought forward at the January 18, 2021 Regular Council Meeting for Council's consideration:

15.2.1 Deputy Mayor Meloche

RE: Victoria Avenue in Essex Centre

That in view of the fact that Victoria Avenue in Essex Centre is one of premier routes in and out of Essex Centre, and that this road has been in disrepair for many years, that the Victoria Avenue rehabilitation road project be included as part of the Downtown Essex Centre Revitalization Project scheduled for 2022.

15.2.2 Deputy Mayor Meloche

RE: Drainage Billings

That in order for Council to be fully aware of outstanding billing's for drainage projects, it is hereby requested that a detailed Drainage Billing's Report be brought by Administration to Council in January/February 2021 for a full review of the Town's standing on such bills.

15.2.3 Deputy Mayor Meloche

RE: Standards for Property Development

That with regard to Administration's current review of property development standards, that Council request the following additional change be brought forward to Administration as part of its property development standards review;

Whereas if a builder has be given relief on yard depths, including any side yard, as compared to our standard, that the type of home built on the property be thereby limited to one storey meaning no second story and/or no back split; and

As well, the shortened requirement would be inclusive of any allowable additional structure such as a deck that may be permitted as part of the new structure.

16. Reports and Announcements from Council Members

Each of the Council Members were 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 1973

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

R20-12-485

Moved By Councillor Bowman

Seconded By Deputy Mayor Meloche

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 third time and finally passed on December 21, 2020.

Carried

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

17.2.1 By-Law 1975

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Essex and the Corporation of the City of Windsor (Pathway to Potential).

R20-12-486

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

That By-Law 1975 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Essex and The Corporation of the City of Windsor, be read a first, a second and a third time and finally passed on December 21, 2020.

17.2.2 By-Law 1976

Being a by-law to authorize an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Heritage, Sport, Tourism and Culture (the "Province") and The Corporation of the Town of Essex (Agri-Tourism Grant)

R20-12-487

Moved By Councillor Vander Doelen

Seconded By Deputy Mayor Meloche

That By-Law 1976 being a by-law to authorize an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Heritage, Sport, Tourism and Culture Industries (the "Province") and The Corporation of the Town of Essex be read a first, a second and a third time and finally passed on December 21, 2020.

Carried

17.2.3 By-Law 1980

Being a by-law to Amend By-Law 1953 Being a by-law to enter into an Agreement between The Corporation of the Town of Essex and its Non-Union Employees.

R20-12-488

Moved By Councillor Garon

Seconded By Councillor Bjorkman

That By-Law 1980 Being a by-law to Amend By-Law 1953 Being a by-law to enter into an Agreement between The Corporation of the Town of Essex and its Non-Union Employees, be read a first, a second time and a third time and finally adopted on December 21, 2020.

Carried

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1977

Being a by-law to confirm the proceedings of the December 21, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex.

R20-12-489

Moved By Councillor Garon

Seconded By Councillor Bowman

That By-Law 1977 being a by-law to confirm the proceedings of the December 21, 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 21, 2020.

Carried

18. Adjournment

R20-12-490

Moved By Councillor Verbeek

Seconded By Councillor Vander Doelen

That the meeting be adjourned at 9:38 PM.

Carried

Mayor

Clerk



The Corporation of the Town of Essex
Special Council Meeting Minutes

December 1, 2020, 5:30 pm

Location: <https://www.youtube.com/user/EssexOntario>

This meeting was hosted from the Town of Essex Municipal Building, 33 Talbot Street South, Essex. Due to the ongoing COVID-19 pandemic, this meeting can only be viewed by the public electronically via livestream on YouTube.

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

Also Present: Chris Nepszy, Chief Administrative Officer
Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk
Shelley Brown, Deputy Clerk, Legal and Legislative Services
Doug Sweet, Director, Community Services/Deputy CAO
Jeffrey Morrison, Director, Corporate Services and Treasurer
Lori Chadwick, Director, Development Services
Kevin Girard, Director, Infrastructure Services
Chris Loreto, Strategy Corporation
Yael Boyd, Strategy Corporation
Tony Haddad, Strategy Corporation
Umar Shaikh, Strategy Corporation
Lauren Wyman, Strategy Corporation

The purpose of this meeting is for Strategy Corp to provide an overview of their report entitled "Final Report, Town of Essex Service Delivery Review", dated November 2020.

1. Call to Order

Mayor Snively called the meeting to order at 5:34

2. Declarations of Conflict of Interest

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

3. Adoption of Published Agenda

3.1 Special Council Meeting Agenda for December 1, 2020

SP20-12-001

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

That the published agenda for the December 1, 2020 Special Council Meeting be adopted as presented.

Carried

4. Reports from Administration

4.1 StrategyCorp: Chris Loreto, Tony Haddad, Lauren Wyman, Yael Boyd, Umar Shaikh

RE: Presentation to Council by Strategy Corp regarding the Town of Essex Service Delivery Review

Chris Loreto, Principal, StrategyCorp presented a detailed overview of the Final Report for the Town of Essex Service Delivery Review dated November 2020. Mr. Loreto provided a walk through of the various components of the report that was included with the meeting agenda including the identification of Enterprise-Wide Opportunities, Department-Specific Opportunities and Shared Service Opportunities - South Shore Shared Initiatives. While a timeline and next steps were presented on page 73 of the report it was further explained that the report presented was merely an initial vision of the potential opportunities and that the implementation together with any next steps for said opportunities would be subject to resource availability, buy-in among the various participants and ultimately council approval.

SP20-12-002

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

That the presentation and the Current State Assessment Report on the Town of Essex Service Delivery Review as presented by StrategyCorp, be received.

Carried

5. Public Presentations

There were no public presentations.

6. Adjournment

SP20-12-003

Moved By Deputy Mayor Meloche
Seconded By Councillor Bowman

That the meeting be adjourned at 8:47 PM.

Carried

Mayor

Delegation Request Form

This form must be completed and submitted to the Clerk of the Town of Essex by all persons wishing to address Council at a scheduled meeting of Council. Delegation requests must be submitted by 2:00 p.m. on the Tuesday prior to the scheduled meeting.

Any person who wishes to appear before Council as a Delegation on a matter that relates specifically to a matter contained in the Regular Council Meeting Agenda shall submit a Delegation Request Form no later than 4:30 PM on the Friday immediately preceding the date of the Regular Council Meeting. The Clerk shall have the sole authority to determine if the subject matter does in fact relate specifically to a matter contained in the Regular Council Meeting Agenda for purposes of allowing or denying the Delegation and the Clerk will introduce such Delegation Request Form(s) at the time of adopting the Published Agenda.

Presentations to Council are limited to 5 minutes per person to a maximum of 10 minutes for a group of two persons or more.

Personal information that you provide on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your request. Please note that this form, if approved, will appear in the published Council Agenda and may be included in the Council Meeting minutes, both of which become part of the public record and are posted on our municipal website.

Name *

James Flynn

Date of Request *

1/11/2021



Are you representing a group? *

☒ Yes

☐ No

Name of Group (if applicable)

Jim Flynn of "The Grove Hotel " & Kim Lewis (Proposed Developers)

Provide details on the issue(s) you wish to present to Council and any actions you will be asking Council to take. *

We are seeking for Council to allow for the sale of the property at 195 Bagot Street in the Hamlet of Colchester in accordance with the conditional signed offer.

We have a presentation prepared to share our vision for the proposed development. We will be prepared to discuss concerns as raised at the previous council meeting.

Have you consulted with Town staff on this issue? *

☒ Yes

☐ No

If you've consulted with Town staff, please provide the names of staff members you've talked to and the details of those discussions.

Lori M. Chadwick, RPP, MCIP | Director, Development Services
Nelson Silveira | Economic Development Officer
Rita Jabbour, RPP, BA, MSc | Manager, Planning Services

We have discussed the purchase of the property, current and potential zoning, intended vision for the property, servicing requirements and conformance with the CIP and the Colchester secondary plan.

If this is a property matter, are you an owner?

☐ Yes

☒ No

☐ Not applicable

Have you appeared before Council in the past regarding this issue? *

☐ Yes

☒ No

If you've appeared before Council in the past on this issue, please tell us the year in which you appeared.

Will you have written or printed materials to distribute? If so, please submit 12 copies of printed materials to the Clerk before the meeting. *

☐ Yes

☒ No

Will you be delivering an electronic presentation that requires access to a computer and software? If so, please submit your presentation on CD, DVD or flash drive by noon on the Friday before the Council meeting. *

☒ Yes

☐ No

Please describe any special needs you may have for your presentation.

Your Address or Group Contact Address (full mailing address including postal code) *

James Flynn
1717 Heritage Road
Kingsville, ON
N9Y 2E6

Your Phone Numbers

Home

5197966353

Work

5197966353

Cell

5197966353

Email Address

james@flynnngroup.ca

Name and address of all representatives attending, including their positions *

James Flynn - potential owner / developer
1717 Heritage Road
Kingsville, ON
N9Y 2E6

Kim Lewis - potential owner / developer
1526 County Rd 20 W
Kingsville, ON
N9Y 2E6

Thank you!

Thank you for completing the Delegation Request Form.

The Clerk's Office will contact you in the near future to review your request.

Robert Auger, LL.B.

Manager of Legislative Services and Clerk

Town of Essex

33 Talbot Street South, Essex, Ontario N8M 1A8

519-776-7336, extension 1132

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Name *

Laurie Brett

Date of Request *

1/11/2021



Are you representing a group? *

☒ Yes

☐ No

Name of Group (if applicable)

Town of Essex Municipal Heritage Committee

Provide details on the issue(s) you wish to present to Council and any actions you will be asking Council to take. *

The Heritage Committee is meeting on Jan. 14th to discuss heritage matters related to the proposed sale of surplus land at 195 Bagot Street, commonly referred to as the Colchester Schoolhouse. As the resolutions passed at that meeting will not formally appear in the Jan. 18th agenda, I would like the opportunity to bring them to Council's attention immediately after the proponents give their presentation, if that's possible, or soon thereafter. I think it is important for the Heritage Committee to get Council's ear on this matter early in the night's proceedings before fatigue and repetition set in.

To assist Council in this matter, I will provide 12 copies of the resolutions passed at the January 14th Heritage Committee meeting. Councillor Bjorkman has been consulted and may move passage of these resolutions at the January 18th meeting with a view to early adoption.

Should it be determined that the Heritage Committee does not need to speak formally, I will withdraw my request on Monday before Council.

Have you consulted with Town staff on this issue? *

☒ Yes

☐ No

If you've consulted with Town staff, please provide the names of staff members you've talked to and the details of those discussions.

I have been in touch with Rita Jabbour, both by phone and by email, to prepare for the January 14th meeting and to discuss heritage matters related to the potential sale of land at 195 Bagot.

If this is a property matter, are you an owner?

☐ Yes

☒ No

☐ Not applicable

Have you appeared before Council in the past regarding this issue? *

☐ Yes

☒ No

If you've appeared before Council in the past on this issue, please tell us the year in which you appeared.

Will you have written or printed materials to distribute? If so, please submit 12 copies of printed materials to the Clerk before the meeting. *

☒ Yes

☐ No

Will you be delivering an electronic presentation that requires access to a computer and software? If so, please submit your presentation on CD, DVD or flash drive by noon on the Friday before the Council meeting. *

☐ Yes

☒ No

Please describe any special needs you may have for your presentation.

None.

Your Address or Group Contact Address (full mailing address including postal code) *

Town of Essex Municipal Heritage Committee
Town Hall

Your Phone Numbers

Home

5195627709

Work

Use format 519-
776-7336

Cell

5195627709

Email Address

lbrett7@yahoo.ca

Name and address of all representatives attending, including their positions *

Laurie Brett, Chair
Town of Essex Municipal Heritage Committee

Thank you!

Thank you for completing the Delegation Request Form.

The Clerk's Office will contact you in the near future to review your request.

Robert Auger, LL.B.

Manager of Legislative Services and Clerk

Town of Essex

33 Talbot Street South, Essex, Ontario N8M 1A8

519-776-7336, extension 1132

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Name *

Lynda Leopold and Heidi Affleck

Date of Request *

1/11/2021



Are you representing a group? *

☐ Yes

☒ No

Name of Group (if applicable)

Provide details on the issue(s) you wish to present to Council and any actions you will be asking Council to take. *

The issue of the potential sale of the Colchester Schoolhouse has revealed an intersection of many different issues, with many stakeholders interested in providing feedback. Heidi and myself are specifically concerned with the overall impact of the proliferation of Short Term Rental (STR) properties in the area. We would like to address council on Jan 18 to present the results of a survey on STRs as well as a petition urging council to regulate these types of properties.

Have you consulted with Town staff on this issue? *

☐ Yes

☒ No

If you've consulted with Town staff, please provide the names of staff members you've talked to and the details of those discussions.

If this is a property matter, are you an owner?

☒ Yes

☐ No

☐ Not applicable

Have you appeared before Council in the past regarding this issue? *

☐ Yes

☒ No

If you've appeared before Council in the past on this issue, please tell us the year in which you appeared.

Will you have written or printed materials to distribute? If so, please submit 12 copies of printed materials to the Clerk before the meeting. *

☐ Yes

☒ No

Will you be delivering an electronic presentation that requires access to a computer and software? If so, please submit your presentation on CD, DVD or flash drive by noon on the Friday before the Council meeting. *

☒ Yes

☐ No

Please describe any special needs you may have for your presentation.

None-- I am comfortable sharing from
My PC or I can submit to you to 'drive' the presentation.

Your Address or Group Contact Address (full mailing address including postal code) *

Lynda Leopold
130 Wright Road
Harrow On
N0R 1G0

Your Phone Numbers

Home

519-819-3983

Work

Use format 519-
776-7336

Cell

Use format 519-
776-7336

Email Address

Lynda.m.leopold@gmail.com

Name and address of all representatives attending, including their positions *

Heidi Affleck
67 Sullivan
Harrow On
N0R 1G0

Thank you!

Thank you for completing the Delegation Request Form.

The Clerk's Office will contact you in the near future to review your request.

Robert Auger, LL.B.

Manager of Legislative Services and Clerk

Town of Essex

33 Talbot Street South, Essex, Ontario N8M 1A8

519-776-7336, extension 1132

Auger, Robert

Subject: FW: Council Meeting re: Notice of Declaration of Surplus Property (195 Bagot)

From: Perry Basden [REDACTED]
Sent: Monday, January 11, 2021 9:45 AM
To: Brown, Shelley <sbrown@essex.ca>
Subject: Council Meeting re: Notice of Declaration of Surplus Property (195 Bagot)

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

Good morning,

Would you please place my name on the agenda as a delegation for the upcoming Council meeting that will address the above matter. Unfortunately, I don't know the time and date when meeting will be held at this time. It was my understanding that the above item was to be on January 18th but I now see that this meeting is a special meeting regarding Covid-19.

Best regards

Perry Basden
70 Harrison Street, RR 1
Harrow, Ontario N0R 1G0
[REDACTED]
[REDACTED]

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The Corporation of the Town of Essex

By-Law Number 1981

Being a by-law for the Declaration and Disposition of Surplus Lands by The Corporation of the Town of Essex

Whereas Council of The Corporation of the Town of Essex did pass By-Law Number 855, being a by-law to establish policies for the sale of disposition of surplus lands, on November 7, 2007;

And whereas the Town has an interest in the land known municipally as 195 Bagot Street and legally described as Lot 5 w/s Bagot St. Plan 18 Colchester; Part Lot 5 e/s Sydenham St. Pl 18 Colchester Pt 2, 12R6837, Essex.

And whereas such interest in this land so described was hereby first presented to Council to be surplus to the needs of the Town and whereas such lands were so declared by Resolution of Council at its Regular council Meeting of December 7, 2020.

And whereas Notice of the Towns Declaration of Surplus Property and Intention to sell the subject land was provided in open meeting at the December 7, 2020 Regular Meeting of Council and such notice was thereafter published in the local newspaper and posted to the Towns Website.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the Town's interest in the land legally described as land known municipally as 195 Bagot Street and legally described as Lot 5 w/s Bagot St. Plan 18 Colchester; Part Lot 5 e/s Sydenham St. Pl 18 Colchester Pt 2, 12R6837, Essex. is hereby confirmed to be surplus to municipal needs and authorization is hereby provided for such interest to be released or disposed of by way of private sale in accordance with the provisions of By-Law Number 855 being a by-law to establish Policies and Procedures for the Sale and Disposition of Surplus Land by the Town of Essex.;
2. That the Mayor and Clerk be hereby authorized to sign such further documents and give such further assurances as may be necessary to give effect to this By-law; and
3. That this By-Law shall come into full force upon the final passing thereof.

Read a first, a second and a third time and finally passed on December 21, 2020.

Mayor

Clerk

SCHEDULE “A”



Report to Council

Department: Development Services
Division: Economic Development
Date: January 18, 2021
Prepared by: Nelson Silveira, Economic Development Officer
Report Number: Economic Development-2021-01
Subject: Building Report and Development Overview 2020
Number of Pages: 2

Recommendation(s)

That Economic Development -2021-01 entitled Building Report and Development Overview 2020 prepared by Nelson Silveira, Economic Development Officer dated January 18, 2021 be received for information.

Purpose

To provide council with an annual update on total construction values and real estate data in the Town of Essex.

Background and Discussion

Please refer to attached Building Report and Development Overview.

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:	Building Report and Development Overview 2020 - Economic Development-2021-01.docx
Attachments:	<ul style="list-style-type: none">- Building 2020-12 (002).pdf- Development Overview - 2020.pdf
Final Approval Date:	Jan 13, 2021

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



Lori Chadwick, Director, Development Services - Jan 11, 2021 - 9:46 AM



Chris Nepszy, Chief Administrative Officer - Jan 13, 2021 - 3:03 PM

Report Number: Building 2020-12
Date: January 6, 2021
Subject: December 2020 Building Report

Number of Permits and Construction Value

Permit Type	Permits Issued	Prior Months	Year Total	Cancelled Permits	Monthly Construction Value	Prior Months Construction Value	Less Cancelled Construction Values	Jan-Dec 2020 Construction Values	Jan-Dec 2019 Construction Values
Single Family Residence									
Ward 1	6	72	78		\$ 2,789,250.00	\$ 36,556,475.00	\$ -	\$ 39,755,225.00	\$ 19,983,250.00
Ward 2	0	3	3		\$ -	\$ 2,031,750.00	\$ -	\$ 2,031,750.00	\$ 3,941,000.00
Ward 3	3	19	22		\$ 2,477,550.00	\$ 15,161,500.00	\$ -	\$ 17,639,050.00	\$ 9,437,175.00
Ward 4	16	10	26		\$ 6,240,000.00	\$ 3,896,100.00	\$ -	\$ 10,136,100.00	\$ 3,124,800.00
Multiple Residential	1	0	1		\$ 600,000.00	\$ -	\$ -	\$ 600,000.00	\$ 14,000,000.00
Addition/Sunrooms	2	23	25		\$ 505,000.00	\$ 2,657,650.00	\$ -	\$ 3,162,650.00	\$ 2,457,000.00
Garages/Carports	0	30	30		\$ -	\$ 1,094,102.00	\$ -	\$ 1,094,102.00	\$ 1,747,500.00
Decks/Porches	2	20	22		\$ 50,000.00	\$ 255,500.00	\$ -	\$ 305,500.00	\$ 275,350.00
Fences/Pools	1	72	73		\$ 5,000.00	\$ 1,322,000.00	\$ -	\$ 1,327,000.00	\$ 1,079,600.00
Demolition	0	9	9		\$ -	\$ 112,000.00	\$ -	\$ 112,000.00	\$ 192,000.00
House Raising	0	1	1		\$ -	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 245,000.00
Pole Barns	2	36	38		\$ 51,400.00	\$ 2,747,600.00	\$ -	\$ 2,799,000.00	\$ 2,819,700.00
Commercial/Industrial	0	7	7		\$ -	\$ 16,445,400.00	\$ -	\$ 16,445,400.00	\$ 2,700,000.00
Miscellaneous	1	16	17		\$ 100,000.00	\$ 217,480.50	\$ -	\$ 317,480.50	\$ 671,200.00
Shed	0	14	14		\$ -	\$ 166,500.00	\$ -	\$ 166,500.00	\$ 241,000.00
Roof	0	14	14		\$ -	\$ 407,200.00	\$ -	\$ 407,200.00	\$ 236,000.00
Septic System	0	14	14		\$ -	\$ 360,000.00	\$ -	\$ 360,000.00	\$ 340,000.00
Sign	6	22	28		\$ 51,100.00	\$ 40,300.00	\$ -	\$ 91,400.00	\$ 93,300.00
Green Houses/Winery	0	2	2		\$ -	\$ 1,122,250.00	\$ -	\$ 1,122,250.00	\$ -
Renovations	2	13	15		\$ 90,000.00	\$ 993,020.00	\$ -	\$ 1,083,020.00	\$ 588,500.00
Additions/Renovation-Commercial/Industrial/Insti	0	13	13		\$ -	\$ 4,877,800.00	\$ -	\$ 4,877,800.00	\$ 2,005,000.00
Plumbing only	0	3	3		\$ -	\$ 55,000.00	\$ -	\$ 55,000.00	\$ -
Demolition Out Buildings	0	2	2		\$ -	\$ 6,000.00	\$ -	\$ 6,000.00	\$ 8,000.00
Total Permits/Construction Value	42	415	457	0	\$ 12,959,300.00	\$ 90,545,627.50	\$ -	\$ 103,914,427.50	\$ 66,185,375.00

Permit Fee Totals		Development Charges	Monthly Totals	Year To Date
Monthly Total	\$ 87,484.42	Charged - SFR	\$ 98,156.00	\$ 1,092,158.00
Yearly Total	\$ 637,249.62	Charged - Com/Ind/Inst	\$ -	\$ -
Previous Year Total	\$ 436,600.19	Waived - SFR	\$ 174,832.00	\$ 299,836.00
		Waived - Com/Ind/Inst	\$ -	\$ 238,530.27

Monthly Building Permit Totals

Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Total	Cancelled Permits	Year Total
Single Family Residence															
Ward 1	9	12	5	5	5	4	8	0	6	1	17	6	78		78
Ward 2	0	0	0	0	0	0	2	0	0	0	1	0	3		3
Ward 3	0	0	2	1	2	4	3	1	2	2	2	3	22		22
Ward 4	0	0	0	0	0	0	0	0	0	6	4	16	26		26
Multiple Residential	0	0	0	0	0	0	0	0	0	0	0	1	1		1
Addition/Sunrooms	2	0	2	1	0	2	6	2	7	1	0	2	25		25
Garages/Carports	2	1	3	1	0	2	4	4	6	6	1	0	30		30
Decks/Porches	0	0	0	0	5	1	6	3	2	1	2	2	22		22
Fences/Pools	0	1	6	1	11	9	20	9	8	6	1	1	73		73
Demolition	2	1	1	0	1	0	1	0	0	0	3	0	9		9
House Raising	0	0	0	0	0	0	0	1	0	0	0	0	1		1
Pole Barns	0	0	4	5	5	4	4	7	2	3	2	2	38		38
Commercial/Industrial	0	0	1	0	0	1	1	3	1	0	0	0	7		7
Miscellaneous	0	0	0	1	2	1	2	4	5	1	0	1	17		17
Shed	1	0	0	0	2	0	2	2	4	2	1	0	14		14
Roof	0	0	1	0	1	2	4	3	1	2	0	0	14		14
Septic System	0	1	1	1	4	1	2	1	2	1	0	0	14		14
Sign	0	0	1	0	0	6	2	2	0	7	4	6	28		28
Green Houses/Winery	0	0	0	0	0	0	0	0	0	0	2	0	2		2
Renovations	0	0	0	1	1	1	3	0	5	0	2	2	15		15
Additions/Renovation-Commercial/Industrial/Institutional	4	0	4	0	1	2	1	0	0	0	1	0	13		13
Plumbing only	1	1	0	0	0	0	0	1	0	0	0	0	3		3
Demolition Out Buildings	0	1	0	0	0	0	0	0	1	0	0	0	2		2
Total	21	18	31	17	40	40	71	43	52	39	43	42	457	0	457

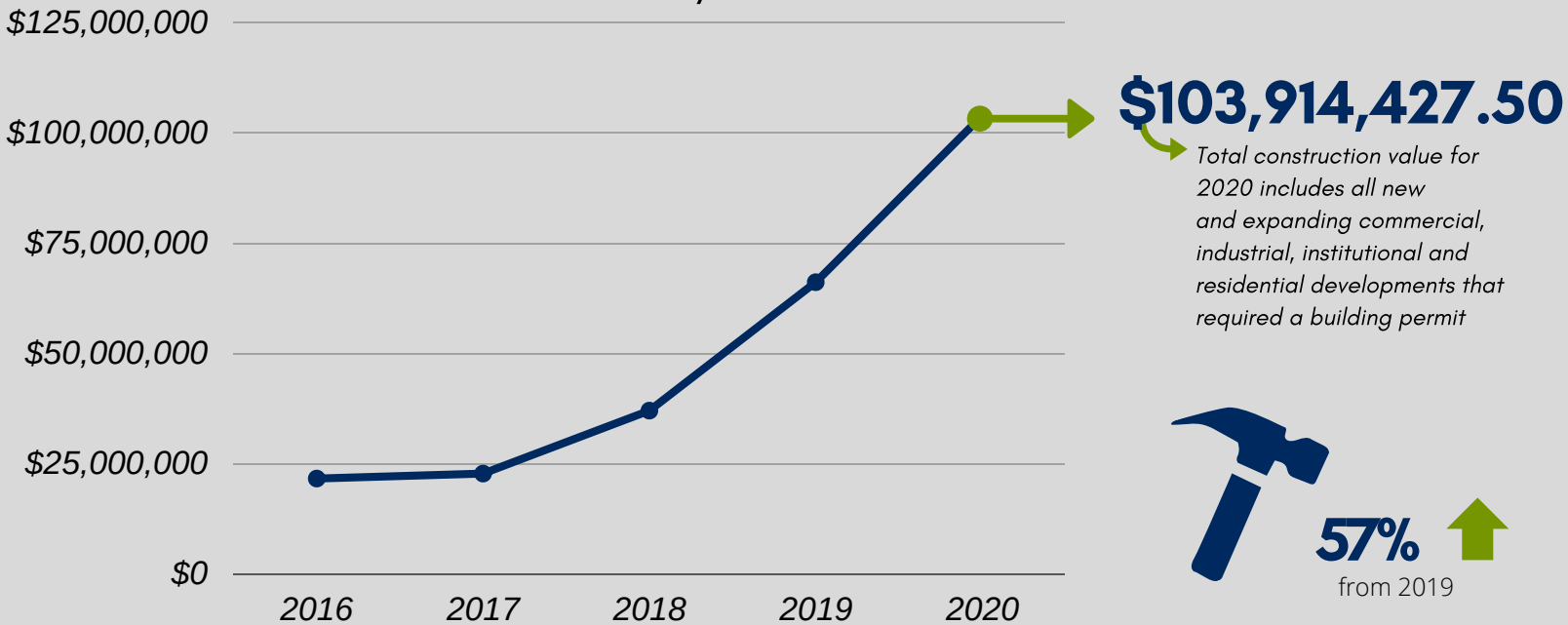
Monthly Permit Fee Totals

Permit Categories													Cancelled		Year Total
	January	February	March	April	May	June	July	August	September	October	November	December	Total	Permits	
Single Family Residence	\$ 25,213.15	\$ 33,093.30	\$ 20,452.06	\$ 22,147.55	\$ 23,652.60	\$ 21,934.65	\$ 50,354.00	\$ 2,077.00	\$ 23,208.55	\$ 27,752.46	\$ 70,819.65	\$ 63,221.70	\$ 383,926.67	\$ -	\$ 383,926.67
Single Family Residence-Plumbing	\$ 5,400.00	\$ 7,200.00	\$ 4,200.00	\$ 3,600.00	\$ 4,200.00	\$ 4,800.00	\$ 7,800.00	\$ 600.00	\$ 4,800.00	\$ 5,850.00	\$ 14,400.00	\$ 16,500.00	\$ 79,350.00	\$ -	\$ 79,350.00
Single Family Residence-Septic	\$ -	\$ -	\$ 700.00	\$ 700.00	\$ 1,400.00	\$ 1,400.00	\$ 3,500.00	\$ -	\$ 700.00	\$ 1,400.00	\$ 1,400.00	\$ 2,100.00	\$ 13,300.00	\$ -	\$ 13,300.00
Multiple Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,350.80	\$ -	\$ 2,350.80
Additions/Sunrooms	\$ 1,770.00	\$ 100.00	\$ 576.80	\$ 4,224.00	\$ -	\$ 683.46	\$ 5,652.20	\$ 1,026.00	\$ 5,075.39	\$ 3,330.40	\$ -	\$ 1,395.00	\$ 23,833.25	\$ -	\$ 23,833.25
Garages/Carports	\$ 304.00	\$ 247.50	\$ 414.40	\$ 135.00	\$ -	\$ 664.45	\$ 473.60	\$ 598.00	\$ 2,076.00	\$ 1,855.20	\$ 100.00	\$ -	\$ 6,868.15	\$ -	\$ 6,868.15
Decks/Porches	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100.00	\$ 649.75	\$ 331.25	\$ 265.00	\$ 100.00	\$ 200.00	\$ 200.00	\$ 1,846.00	\$ -	\$ 1,846.00
Fences/Pools	\$ -	\$ 60.00	\$ 360.00	\$ 60.00	\$ 700.00	\$ 760.00	\$ 1,420.00	\$ 800.00	\$ 600.00	\$ 420.00	\$ 60.00	\$ 60.00	\$ 5,300.00	\$ -	\$ 5,300.00
Demolition	\$ 200.00	\$ 100.00	\$ 100.00	\$ -	\$ 100.00	\$ -	\$ 100.00	\$ -	\$ -	\$ -	\$ 300.00	\$ -	\$ 900.00	\$ -	\$ 900.00
House Raising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -	\$ 200.00
Pole Barns	\$ -	\$ -	\$ 2,333.60	\$ 2,866.60	\$ 1,420.40	\$ 1,152.20	\$ 1,971.20	\$ 2,013.60	\$ 1,634.40	\$ 581.60	\$ 787.20	\$ 307.20	\$ 15,068.00	\$ -	\$ 15,068.00
Commercial/Industrial	\$ -	\$ -	\$ 3,976.00	\$ -	\$ -	\$ 12,810.00	\$ 8,550.00	\$ 30,723.62	\$ 820.80	\$ -	\$ -	\$ -	\$ 56,880.42	\$ -	\$ 56,880.42
Miscellaneous	\$ -	\$ -	\$ -	\$ 100.00	\$ 400.00	\$ 200.00	\$ 400.00	\$ 650.00	\$ 950.00	\$ -	\$ -	\$ 300.00	\$ 3,000.00	\$ -	\$ 3,000.00
Shed	\$ 100.00	\$ -	\$ -	\$ -	\$ 200.00	\$ -	\$ 200.00	\$ 200.00	\$ 300.00	\$ 260.00	\$ 100.00	\$ -	\$ 1,360.00	\$ -	\$ 1,360.00
Roof	\$ -	\$ -	\$ 100.00	\$ -	\$ 100.00	\$ 600.00	\$ 400.00	\$ 300.00	\$ 100.00	\$ 280.00	\$ -	\$ -	\$ 1,880.00	\$ -	\$ 1,880.00
Septic System	\$ -	\$ 700.00	\$ 700.00	\$ 700.00	\$ 2,200.00	\$ 700.00	\$ 1,400.00	\$ 700.00	\$ 1,400.00	\$ 700.00	\$ -	\$ -	\$ 9,200.00	\$ -	\$ 9,200.00
Sign	\$ -	\$ -	\$ 100.00	\$ -	\$ -	\$ 150.00	\$ 200.00	\$ 100.00	\$ -	\$ 250.00	\$ 375.00	\$ 650.00	\$ 1,825.00	\$ -	\$ 1,825.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,191.20	\$ -	\$ 4,191.20	\$ -	\$ 4,191.20
Renovations	\$ -	\$ -	\$ -	\$ 912.28	\$ 100.00	\$ 1,437.64	\$ 999.00	\$ -	\$ 2,709.50	\$ -	\$ 673.55	\$ 399.72	\$ 7,231.69	\$ -	\$ 7,231.69
Additions/Renovation-Commercial/Industrial/Institutional	\$ 11,591.60	\$ -	\$ 3,439.62	\$ -	\$ 644.00	\$ 960.00	\$ 100.00	\$ -	\$ -	\$ -	\$ 1,403.22	\$ -	\$ 18,138.44	\$ -	\$ 18,138.44
Plumbing only	\$ 150.00	\$ 100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150.00	\$ -	\$ -	\$ -	\$ -	\$ 400.00	\$ -	\$ 400.00
Demolition Out Buildings	\$ -	\$ 100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100.00	\$ -	\$ -	\$ -	\$ 200.00	\$ -	\$ 200.00
Total	\$ 44,728.75	\$ 41,700.80	\$ 37,452.48	\$ 35,445.43	\$ 35,117.00	\$ 48,352.40	\$ 84,169.75	\$ 40,469.47	\$ 44,739.64	\$ 42,779.66	\$ 94,809.82	\$ 87,484.42	\$ 637,249.62	\$ -	\$ 637,249.62

Monthly Construction Value Total

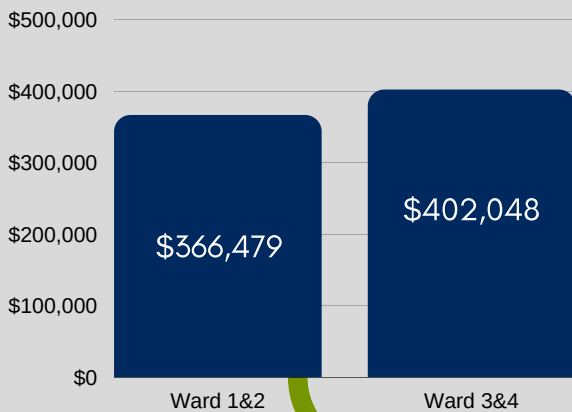
Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Total	Cancelled Permits	Year Total
Single Family Residence															
Ward 1	\$ 4,459,000.00	\$ 5,771,000.00	\$ 2,706,000.00	\$ 2,634,000.00	\$ 2,628,000.00	\$ 2,050,000.00	\$ 4,477,000.00	\$ -	\$ 3,250,000.00	\$ 455,000.00	\$ 8,535,975.00	\$ 2,789,250.00	\$ 39,755,225.00	\$ -	\$ 39,755,225.00
Ward 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,580,000.00	\$ -	\$ -	\$ -	\$ 451,750.00	\$ -	\$ 2,031,750.00	\$ -	\$ 2,031,750.00
Ward 3	\$ -	\$ -	\$ 1,410,000.00	\$ 1,650,000.00	\$ 1,658,000.00	\$ 2,420,000.00	\$ 3,501,000.00	\$ 515,000.00	\$ 1,110,000.00	\$ 1,850,000.00	\$ 1,047,500.00	\$ 2,477,550.00	\$ 17,639,050.00	\$ -	\$ 17,639,050.00
Ward 4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,340,000.00	\$ 1,556,100.00	\$ 6,240,000.00	\$ 10,136,100.00	\$ -	\$ 10,136,100.00
Multiple Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600,000.00	\$ 600,000.00	\$ -	\$ 600,000.00
Additions/Sunrooms	\$ 145,000.00	\$ 12,000.00	\$ 140,000.00	\$ 650.00	\$ -	\$ 120,000.00	\$ 880,000.00	\$ 150,000.00	\$ 800,000.00	\$ 410,000.00	\$ -	\$ 505,000.00	\$ 3,162,650.00	\$ -	\$ 3,162,650.00
Garages/Carports	\$ 100,000.00	\$ 60,000.00	\$ 102.00	\$ 28,000.00	\$ -	\$ 102,000.00	\$ 83,000.00	\$ 104,000.00	\$ 355,000.00	\$ 242,000.00	\$ 20,000.00	\$ -	\$ 1,094,102.00	\$ -	\$ 1,094,102.00
Decks/Porches	\$ -	\$ -	\$ -	\$ -	\$ 40,000.00	\$ 5,000.00	\$ 102,000.00	\$ 47,000.00	\$ 26,500.00	\$ 15,000.00	\$ 20,000.00	\$ 50,000.00	\$ 305,500.00	\$ -	\$ 305,500.00
Fences/Pools	\$ -	\$ 1,000.00	\$ 161,000.00	\$ 35,000.00	\$ 69,500.00	\$ 146,000.00	\$ 312,000.00	\$ 177,000.00	\$ 270,000.00	\$ 145,500.00	\$ 5,000.00	\$ 5,000.00	\$ 1,327,000.00	\$ -	\$ 1,327,000.00
Demolition	\$ 25,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 10,000.00	\$ -	\$ 20,000.00	\$ -	\$ -	\$ -	\$ 47,000.00	\$ -	\$ 112,000.00	\$ -	\$ 112,000.00
House Raising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ -	\$ 20,000.00
Pole Barns	\$ -	\$ -	\$ 577,000.00	\$ 744,000.00	\$ 203,000.00	\$ 205,000.00	\$ 270,000.00	\$ 310,000.00	\$ 232,000.00	\$ 105,000.00	\$ 101,600.00	\$ 51,400.00	\$ 2,799,000.00	\$ -	\$ 2,799,000.00
Commercial/Industrial	\$ -	\$ -	\$ 1,302,400.00	\$ -	\$ -	\$ 2,960,000.00	\$ 2,775,000.00	\$ 9,142,000.00	\$ 266,000.00	\$ -	\$ -	\$ -	\$ 16,445,400.00	\$ -	\$ 16,445,400.00
Miscellaneous	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 25,000.00	\$ 10,000.00	\$ 55,000.00	\$ 70,000.00	\$ 37,000.00	\$ 5,480.50	\$ -	\$ 100,000.00	\$ 317,480.50	\$ -	\$ 317,480.50
Shed	\$ 35,000.00	\$ -	\$ -	\$ -	\$ 26,700.00	\$ -	\$ 20,000.00	\$ 30,000.00	\$ 29,800.00	\$ 20,000.00	\$ 5,000.00	\$ -	\$ 166,500.00	\$ -	\$ 166,500.00
Roof	\$ -	\$ -	\$ 10,000.00	\$ -	\$ 15,000.00	\$ 65,000.00	\$ 67,000.00	\$ 185,000.00	\$ 25,000.00	\$ 40,200.00	\$ -	\$ -	\$ 407,200.00	\$ -	\$ 407,200.00
Septic System	\$ -	\$ 25,000.00	\$ 35,000.00	\$ 25,000.00	\$ 75,000.00	\$ 25,000.00	\$ 50,000.00	\$ 35,000.00	\$ 70,000.00	\$ 20,000.00	\$ -	\$ -	\$ 360,000.00	\$ -	\$ 360,000.00
Sign	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ 600.00	\$ 25,000.00	\$ 1,000.00	\$ -	\$ 7,200.00	\$ 4,000.00	\$ 51,100.00	\$ 91,400.00	\$ -	\$ 91,400.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,122,250.00	\$ -	\$ 1,122,250.00	\$ -	\$ 1,122,250.00
Renovations	\$ -	\$ -	\$ -	\$ 100,000.00	\$ 100,000.00	\$ 200,000.00	\$ 95,000.00	\$ -	\$ 454,000.00	\$ -	\$ 44,020.00	\$ 90,000.00	\$ 1,083,020.00	\$ -	\$ 1,083,020.00
Additions/Renovation-Commercial/Industrial/Institutional	\$ 3,570,000.00	\$ -	\$ 877,000.00	\$ -	\$ 210,000.00	\$ 67,500.00	\$ 13,000.00	\$ -	\$ -	\$ -	\$ 140,300.00	\$ -	\$ 4,877,800.00	\$ -	\$ 4,877,800.00
Plumbing only	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ 55,000.00	\$ -	\$ 55,000.00
Demolition Out Buildings	\$ -	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ -	\$ -	\$ -	\$ 6,000.00	\$ -	\$ 6,000.00
Total	\$ 8,349,000.00	\$ 5,894,000.00	\$ 7,226,002.00	\$ 5,231,650.00	\$ 5,060,200.00	\$ 8,376,100.00	\$ 14,325,000.00	\$ 10,811,000.00	\$ 6,926,300.00	\$ 5,655,380.50	\$ 13,100,495.00	\$ 12,959,300.00	\$ 103,914,427.50	\$ -	\$ 103,914,427.50

Total Yearly Construction Value

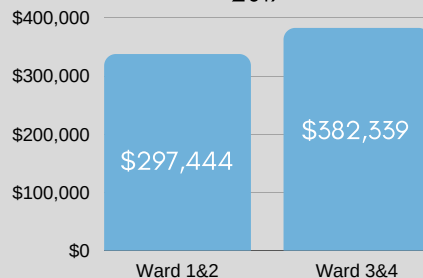


Real Estate

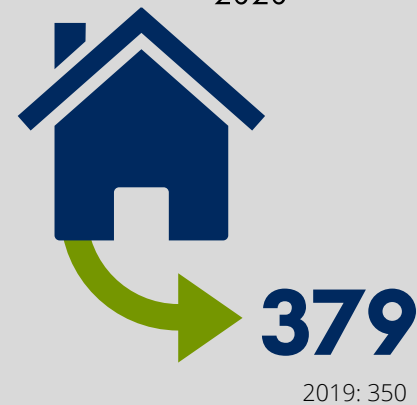
Average Sale Price 2020



Average Sale Price 2019



Total Single Family Dwellings Sold 2020



Total Single Family Home Starts 2020





Report to Council

Department: Development Services
Division: Economic Development
Date: January 18, 2021
Prepared by: Nelson Silveira, Economic Development Officer
Report Number: Economic Development-2021-03
Subject: Agri-Tourism Strategy 2021
Number of Pages: 6

Recommendation(s)

That Economic Development-2021-03 entitled Agri-Tourism Strategy 2021 prepared by Nelson Silveira, Economic Development Officer dated January 18, 2021 be received.

Purpose

To provide Council with an update on the Agri-Tourism Strategy to be completed in 2021.

Background and Discussion

The Town of Essex Corporate Strategic Plan has outlined priorities and strategies to be achieved over the term of this Council. In this plan, Council has identified multiple action items that would support the creation of an Agri-Tourism Strategy including:

1. Emphasizing the agricultural economy;
2. Developing a comprehensive tourism strategy; and
3. Developing agri-tourism and eco-tourism offerings.

At the September 8, 2020 Council meeting, Council approved reallocating up to \$25,000.00 in funding from the 2020 Tourism Marketing Budget to create an Agri-Tourism Strategy in 2021. In addition, Council provided a resolution supporting the Town of Essex grant application seeking \$25,000.00 in funding from the Tourism Economic Development Recovery Fund (TEDRF) through the provincial Ministry of Heritage, Sport, Tourism and Culture Industries. In December, the Town received confirmation from the Minister that we were successful in our grant application to TEDRF and that funds through this program are to be spent by March 31, 2021.

As per the Town's Procurement By-law, Administration reviewed five submissions through a competitive Request for Proposals process and has selected the Culinary Tourism Alliance to complete the Agri-Tourism Strategy for the Town of Essex. The Culinary Tourism Alliance (CTA) was established in 2006 to implement the 2005-2015 Ontario Culinary Tourism Strategy and Action Plan on behalf of the Ontario Ministry of Tourism, Culture & Sport. CTA has vast experience working with municipalities in Ontario through research and development of strategies that have supported the growth potential of food and agri-tourism.

Agri-Tourism Strategy Schedule

Stage	Activity	Schedule (2021)
Kickoff	<ul style="list-style-type: none"> CTA will plan and facilitate an initial briefing with Town of Essex Administration to review: <ul style="list-style-type: none"> project goals and objectives approach and methodology activities outputs, and outcomes timeline and milestones roles and responsibilities 	Mid-January
Research	<ul style="list-style-type: none"> CTA will conduct supplementary research into the macro-factors affecting agri-tourism development in Essex. 	

	<ul style="list-style-type: none"> • An internal reference document will be produced as part of the background review and supplementary research process. • CTA will conduct research into the agri-tourism landscape of Essex through: <ul style="list-style-type: none"> ▪ stakeholder databases and product inventories ▪ interview guides (structured and/or semi-structured) ▪ questionnaires and polls (online and hard copy) • A living database will be created for inputting relevant information on existing and potential agri-tourism businesses (assets) and related experiences. • Identifying stakeholders that may have the knowledge and motivation to pursue agri-tourism, criteria outlining common characteristics of agri-tourism businesses will be developed (e.g. size, location, crops/product types, family-run etc.) • CTA will recommend a system for rating current product offerings, and use data validation and instructions to assist Administration with categorizing these in the database. • CTA will conduct research into market trends, demands, and supports, towards identifying product gaps and opportunities as well as existing tools and resources to support agri-tourism development. 	<p>Mid-January</p> <p>-</p> <p>Early-February</p>
Stakeholder Engagement	<ul style="list-style-type: none"> • CTA will conduct virtual public meetings to garner feedback and information from local stakeholders and agri-tourism operators. • Primary research methods and tools, as identified in the research plan, will be used to engage key informants and agri-tourism 	<p>Mid-February</p>

	<p>stakeholders in conversation around developing agri-tourism in the Town of Essex.</p> <ul style="list-style-type: none"> Findings from the research to date will be shared, pressure-tested, and supplemented by stakeholders as part of the process. 	
Agri-Tourism Strategy	<ul style="list-style-type: none"> CTA will design and develop a strategic framework that may include but is not limited to key areas of opportunity to develop and promote agri-tourism over the short term (i.e. 1-3 years), recommendations along with rationales and anticipated outcomes, alignments, responsibilities and considerations, such as supports required, success factors, and medium-term opportunities. Both the draft strategic framework and table of contents will be reviewed and finalized in conversation with Administration. CTA will prepare a full narrative report that sets forth findings, conclusions, and recommendations for strategically growing agri-tourism in Essex. Both the strategic framework and table of contents will be reviewed and finalized in conversation with Administration. CTA will prepare a full narrative report that sets forth findings, conclusions, and recommendations for strategically growing agri-tourism in Essex. 	<p>Early-March</p> <p>-</p> <p>Mid-March</p>
Implementation Plan	<ul style="list-style-type: none"> CTA will prepare the shell of an implementation plan, to be co-developed with Administration and become a part of the finalized agri-tourism strategy report. The implementation plan template will be shared with Administration, for review and comment in advance of a meeting. 	<p>Mid-March</p> <p>-</p>

	<ul style="list-style-type: none"> CTA will schedule, coordinate and conduct a working meeting with Administration to discuss in detail and plan for the implementation of the strategic actions identified for the Town of Essex. 	Late March
Report Delivery	<ul style="list-style-type: none"> The draft implementation plan will be further developed and shared with Administration, to ensure that it reflects inputs and feedback from the implementation and stakeholder planning meetings. Any additional feedback will be incorporated into a final version of the implementation plan. The finalized implementation plan will be added to the second draft strategy report, before it is copy- edited and prepared in PDF and HTML formats, becoming the finalized report. 	Late-March
Presentation	<ul style="list-style-type: none"> CTA will prepare for and present the final agri-tourism strategy report to Town of Essex Council. 	Late-April - Early-May

Financial Impact

Project Budget

Funding Source	Amount
Town of Essex (allocation from 2020 Tourism Marketing Budget)	\$25,000.00
Ministry of Heritage, Sport, Tourism and Culture Industries (TEDRF)	\$25,000.00
Tourism Windsor Essex Peele Island	\$5,000.00
Total	\$55,000.00

Project Costs

Project	Cost
Complete Agri-Tourism Strategy	\$33,433.88
Implement action items identified in Agri-Tourism Strategy	\$21,566.12
Total	\$55,000.00

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:	Agri-Tourism Strategy 2021 - Economic Development-2021-03.docx
Attachments:	
Final Approval Date:	Jan 13, 2021

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



Lori Chadwick, Director, Development Services - Jan 11, 2021 - 3:10 PM



Chris Nepszy, Chief Administrative Officer - Jan 13, 2021 - 3:05 PM

From: [REDACTED]
To: [CouncilMembers](#)
Cc: [Keith Affleck](#)
Subject: Old Schoolhouse Property and STRs
Date: Tuesday, January 5, 2021 2:21:14 PM

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

Happy New Year Councillors!
We hope you had a relaxing time off over the holidays.

Back story

Our very first house in 1992 was 55 Sullivan. We thought we won the lottery, being able to live on the lake, as a soon-to-be, newly married couple.

We had to sell a few years later and missed village life immensely.

It was a dream-come-true to be back on the harbour and in the village when we purchased and started our build on 67 Sullivan in the fall of 2015.

We love the improvements that the town has made to the area, the marina upgrades, park and walkways to the beach, the well kept green space and garden at the old schoolhouse, and overall, houses being fixed up. The village has been a diamond in the rough for so many years and it's finally starting to shine.

The Problem

The Old Schoolhouse property has been declared a surplus and a deal with a developer to turn it into short term rental (STR) units has already happened. This is very disappointing to say the least.

- Why not put it up for tender?
- Why the secrets about the deal and what is to happen with the property?
- Why change the zoning to accommodate this secret developer without input from the residents that this will effect?

The Old Schoolhouse is one of the historical pillars of Colchester, that we, along with many, would hate to see lost. We hear the purchaser is planning on keeping it, but who's to say that they actually will once they start developing?

The STR development is a whole other issue that we have already brought forward to Councillors Bondy and Bjorkman, and sent a previous email to all councillors. We won't get into all of those issues in this email, but we ask that council, strongly considers putting a bylaw in place with procedures to regulate these STRs. This is happening all over the province, Canada, and in the USA. The problems aren't new and other municipalities are creating bylaws to eliminate many of the problems that they are having. Let's be proactive, before it tarnishes our municipality.

The start of a solution

- Please think about putting a moratorium on any new STRs until council can get a bylaw in place to license and regulate them.
- Get the Old Schoolhouse declared a Historic building so it can't be torn down and encourage a committee to raise money and help turn it into something that the whole community can use.

- If you still feel the need to sell the property, do the fair and responsible thing and list it to get the best price for the municipality.

Thank you for your time. If you have any questions please feel free to email us back.

Heidi and Keith Affleck
67 Sullivan Street

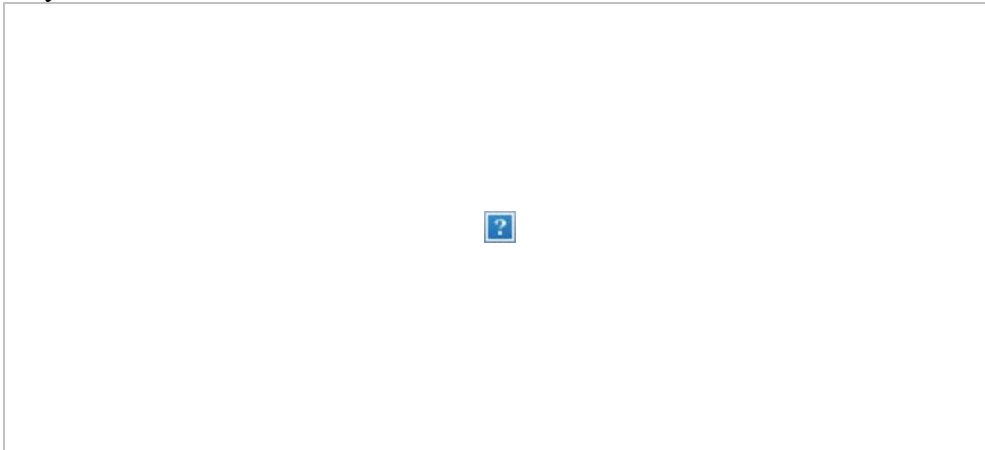


From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Brown, Shelley](#); [Nepszy, Chris](#)
Subject: Fwd: Declaration of Surplus Lands (195 Bagot Street)
Date: Friday, January 8, 2021 6:23:53 PM

Robert. I have talked to Perry.

Pls include his email on the Jan 18th public council meeting and confirm when time permits
thank you

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: Perry Basden [REDACTED]
Date: January 8, 2021 at 6:13:41 PM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: Declaration of Surplus Lands (195 Bagot Street)

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Yes, Sherry. I was waiting until the agenda was set for the Council Meeting before registering as a delegation. Please feel free to include my name and email.

Thank you for all you are doing for the Town of Essex.

Best regards

From: Bondy, Sherry <sbondy@essex.ca>
Sent: January 8, 2021 6:00 PM
To: Perry Basden [REDACTED]
Subject: Re: Declaration of Surplus Lands (195 Bagot Street)

Thank you for your email regarding the Old School House in Colchester. Feedback from residents is vital to council making the correct decision for our community.

Can I ask the clerk to include your email as part of the public agenda January 18th? Also please make sure you watch the Dec 21st council meeting on YouTube - Essex Ontario. Follow the file Jan 18th on YouTube as well.

Sherry Bondy

From: Perry Basden [REDACTED]
Sent: Monday, January 4, 2021 11:58 AM
To: Bondy, Sherry <sbondy@essex.ca>
Subject: Declaration of Surplus Lands (195 Bagot Street)

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FYI - Sent to all members of Council individually.

Dear Councillor Bondy:

I am very concerned regarding the Notice of Declaration of Surplus Lands for 195 Bagot Street of December 15, 2020. My concerns are not only directed toward the manner and timing that the Declaration was made but also that the Heritage Committee may not have been consulted in the process.

I voiced my concerns to Council at the December 21, 2020 meeting. I have also asked to be recognized as a delegation at the Special Heritage Committee Meeting to be held January 14, 2021.

Many of my concerns are outlined below:

The property is a listed Heritage property by the Town of Essex. The Heritage

Committee has taken five of the six steps toward having the property Registered with the Ontario Historical Society. The final step in the process is to form a Non-Profit Society as outline in Heritage Committee meetings.

A review of the minutes of Heritage Committee for the last several years indicates there has been interest in having the Registration completed in order to form a Non-profit group which may relieve the Town of Essex from some, if not all, of the cost burden for the structure and land. Should a Non-profit be formed, grants and other sources of revenue are available to the Non-profit that are not available to the Town of Essex.

I have been speaking with many Colchester residents who have voiced the opinion that many thought the Town of Essex was working toward preserving the property. As such, they were waiting to see what was planned by the Town of Essex and then lend support to efforts toward restoration.

As late as November 28, 2019, Councillor Steve Bjorkman indicated that he has spoken with two individuals who would be interested in starting a "Friends of the Colchester Schoolhouse" Society. However, there is no indication In the Heritage Committee minutes of any further action being taken.

The "Friends of the Colchester Schoolhouse" is listed as an agenda item of the Heritage Committee meetings as "Ongoing" with no further discussions regarding this item as can be noted in the Minutes of meetings held up to November 26, 2020.

In consultation with other interested Colchester and area residents, I am prepared to move forward with the formation and necessary filings with Ontario Historical Society for the formation of a "Friends of the Colchester Schoolhouse" as a Non-profit as has been outlined in many Historical Committee minutes.

I am asking for your support and assistance toward that end so that the Colchester Schoolhouse can remain a part of the history of Colchester and the surrounding areas and not fall into the hands by private sale to someone who may not wish to keep this historical gem in the public domain.

Best regards

Perry Basden
70 Harrison Street, RR 1
Harrow, Ontario NOR 1G0

[REDACTED]
[REDACTED]

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old Schoolhouse in Colchester (195 Bagot St.)
Date: Monday, January 11, 2021 1:16:44 PM

Please include on Jan 18th

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex
Website: <https://sherrybondy.com>

Begin forwarded message:

From: Brian Beaudoin [REDACTED]
Date: January 11, 2021 at 11:36:21 AM EST
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Old Schoolhouse in Colchester (195 Bagot St.)

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To: Council Members,

Good morning; my name is Brian Beaudoin (my wife's name is June). We live at 250 / 260 Sydenham St. and wish to express our concern regarding the development of the Old Shoolhouse property. We respectfully oppose to the development of the property due to we enjoy the green space in our neighbourhood, and do not wish for more "Short Term Rentals" in the Colchester area.

Sincerely,

Brian & June Beaudoin.

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From: [REDACTED]
To: [CouncilMembers](#)
Subject: Surplus Land- Colchester Schoolhouse
Date: Tuesday, January 5, 2021 1:23:03 PM

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To: Council Members, Town of Essex

From: Dennis and Anne Beneteau, 53 Sullivan St.

Date: January 5, 2021

We are writing to **object to the sale of land deemed surplus** by The Town of Essex in December, 2020, to be developed for short term rentals at the current site of the Old Schoolhouse, 295 Bagot. St.

Our objections are based on several factors:

- **Business.** Our Bed & Breakfast is situated just south of the property. If 10 or more "boutique" rentals become available in the same immediate vicinity, this will effectively render our business unnecessary and redundant. Our current lovely sight lines from our guest rooms that overlook the old schoolhouse and church will be lost.
- **Loss of green space.** The green space surrounding the schoolhouse is important to the local residents. From children playing there to the community gardens, they foster positive personal interactions that create community caring, for example, the community garden situated there has seen lasting friendships develop and care provided to the area through food sharing.
- **Change in the culture of our neighborhood.** The Sullivan St. corridor, from Colchester Park to Christ Church, Anglican, is a significant route of meandering travel. Whether in a car, walking, jogging, or cycling many, many locals and visitors enjoy a stroll into this historic space where a certain peace seems to exist. Catching sight of Chimney Swifts coming home to roost, Osprey flying overhead after fishing, and the echo of past generations is available to those who seek it. Adding increased housing, traffic and additional parking demands in this area will deter the quaint village atmosphere that is offered and desired here.
- **Property Value.** Placing an extensive set of short term rentals immediately behind our property will vastly decrease the value of our space.
- **Personally.** The loss of privacy by increased visitor traffic into our neighbourhood cannot be underestimated. We have a teenage granddaughter living with us who will be at increased risk should this development happen. We have noticed the effects of houseboat rentals and increased short term rentals on our neighbours to our west and do not desire for this to trend eastward. People having a "good time" often leads to inebriated individuals with poor behaviour. Having to voice community expectations of mutual respect and acceptable guidelines constantly (to those inebriated or not) is wearing over time. Calling the Police for intervention deteriorates the soul. We are also disappointed that our letter of about five years ago requesting acquisition of the lot

immediately north of us has not been honoured. At the time, the Town was not planning to sell any portion, but expressed that should that happen, we would be contacted. To date, that has not occurred.

We would expect that, based on our perspective, you can see our concern. We appreciate your thoughtful consideration of our message. We trust you will make an informed decision that works in our best interest.

Respectfully submitted,

Dennis and Anne Beneteau

From: [REDACTED]
To: [CouncilMembers](#)
Subject: colchester school house
Date: Wednesday, January 6, 2021 3:56:32 AM

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

Eseex council members,

I am a resident of Colchester.....for over 30 years. I live right by the old school house and I DO NOT want to see this school torn down and sold off.....especially for Air BnB's and commercial space. This school is smack in the middle of a very quiet neighborhood and im sure im not the only resident that would like it to stay that way. I understand that you are trying to lure tourists into the area but what about the people that live here year round and pay taxes?? What about families that what to move out of the city and find a decent place to live? We have low crime rates, a beautiful natural feel to the community.... why are you trying to turn Colchester into grand bend?? I dont want to see this community turned into a summertime party town. Thats not why my family (and many others) moved here. Please reconsider your actions when it comes to the sale of this property. I think this space should be saved, this is a historical building it needs to be preserved!

I know my opinion (and everyone elses) dosen't matter cause the mayor and his friends will sell it off anyways but for the rest of the council members that still have a soul please do the right thing.

Thank you
Sonya Bezeau

Sent from my Galaxy

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old School House
Date: Sunday, January 10, 2021 12:46:27 PM

Robert. Pls include this email on the public agenda Jan 18th. I have talked to Cathy

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: Cathy Brklacic [REDACTED]
Date: January 10, 2021 at 12:32:23 PM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: Old School House

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Yes that is ok. Thank you for your reply.

Sent from my iPhone

On Jan 10, 2021, at 10:57 AM, Bondy, Sherry <sbondy@essex.ca> wrote:

Hi Cathy. Thank you for your email.

There are close to 15 emails on the council agenda that share thoughts like this. Can I ask that yours be included as well?

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex




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To start off with, I am the owner of a B&B in Colchester, Lakeside Porch and Pillow. My personal opinion about short term stays in Colchester is that they are plentiful. We need something else, like small shops incorporated into one place where people can browse and enjoy the space.

I walk by the Old School House often and would love to see it preserved in some way and used so the community can visit. Colchester doesn't have anything

else like this, it would be unfortunate to turn it into living space. I like the fact that there is a community garden and I plan on being a part of it this year if I can.

I don't agree about selling it to a select buyer. I would like to see it sold should it be listed to other potential buyers with stipulations keeping the building as long as it is safe and can be renovated within reason. If it should sell for residential, I would agree with a single family dwelling and not a short term residence.

Thank you for the flyer and the opportunity to give my opinion,
Cathy Brklacic


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From: [REDACTED]
To: [CouncilMembers](#)
Cc: [REDACTED]
Subject: Old Schoolhouse
Date: Friday, January 8, 2021 1:15:32 PM

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Good day

I will start by saying that I have been a resident for over 68 years and our family has resided in Colchester since 1902.

I would encourage the members to reconsider the decision to make this property surplus. I and several residents went to school there(those who resided in Colchester and those who relocated there from other schools to enable the opening of the senior school) and it holds some fond memories.

I think that if it is to be sold then it should be put up for sale to the public and not to a select buyer. Did other properties owned by the town be placed for sale by newspaper ads and the highest bidder won?

With another B&B could we end up with more problems for the police like we had this summer which prevented residents of this village unable to enjoy the beach and park.

Does this mean that another property such as the north lot on Jackson would be considered surplus and sold to another developer when we were unable to purchase this and other properties because the council decided we needed more green space?

Why don't we hold an antique car show at those locations once a year similar to those in Bothwell? I think that Bothwell did not like the fact there was no revenue from the hundreds of car enthusiasts. There are several other types of shows and events that could be held there and would help the town and local merchants in a superior way than having more B&Bs.

The developer should look at the property for sale known as Caboto Park where the vacationers could make as much noise as they wish and not impede with our quality of life.

We should show off what we are proud of in this village we call home.

I thank you for your time and truly hope that your decision is for the better good of our community and not for the profits of a few.

Daniel W. Bruner [REDACTED]

Sent from [Mail](#) for Windows 10

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old Schoolhouse in Colchester (195 Bagot St.)
Date: Sunday, January 10, 2021 1:18:55 PM

Robert I have spoken to Monica.

Please include her email Jan 18th

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: Monica Bunde [REDACTED]
Date: January 9, 2021 at 11:21:46 AM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: Old Schoolhouse in Colchester (195 Bagot St.)

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yes sure...

Monica Bunde

On Saturday, January 9, 2021, 10:13:14 AM EST, Bondy, Sherry <sbondy@essex.ca>

wrote:

Hi Monica. Can I have someone from the Heritage committee and group reach out to you?

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex

On Jan 9, 2021, at 8:09 AM, Monica Bunde <monicabunde@yahoo.com> wrote:

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Good morning Sherry,

Yes, for sure, add it to the agenda.
I'm hoping to be at council on Monday 18th.

I was going to message you today to ask if there is a heritage committee within Harrow or Colchester?

I'll assume Essex as a whole has a heritage committee and that covers our area?

Having sat on the Amherstburg Heritage Committee for years I know if homes/buildings are not in the downtown core, or "important" areas or in the forefront of peoples minds (they see these properties daily), then they just get lost and forgotten about.

I do hope it can be saved and used (most importantly) going forward. That is the most important thing!

Thanks!
Monica

Sent from my iPhone

On Jan 8, 2021, at 10:10 PM, Bondy, Sherry
<sbondy@essex.ca> wrote:

Hi Monica. Thank you for your email.

Can I ask the clerk to include this on the agenda?

It's a great email!

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex

On Jan 8, 2021, at 10:08 PM, Monica Bunde
[REDACTED] wrote:

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Hello Council Members,

I am a resident of Colchester (in the Village). I walk by the old schoolhouse everyday. I love it, the history, the beautiful park like setting, it's part of the community.

This email is to let you know that I'm against the property being sold to a select buyer. I don't think that is the right way to go about this. Was it even up for sale? Can the public just pick and choose town owned properties and bid on them? This will set a poor example for the future if approved.

My thoughts on what to do with the property:

1. Maintain and preserve it as is. **USE THE PROPERTY.** It just sits there. I realize right now we cannot do anything within the building/property, but in future we should be utilizing that space, for families, picnic, wine festivals, vendor festival, busker festivals, create a Colchester Market etc.
 - a. My first thought is to preserve it, because when it's gone it's gone!
 - b. Let the gardeners use it to grow a community garden (they can set up a market and sell produce, or make good will donations to food banks)
 - c. Along with the garden, in summer use part of it for parking (include parking fees to pay for some upkeep to the grounds)
 - d. Hold community events there (all of these ideas take sub-

committees/volunteers and work):

i. Christmas Market
(4-6 weeks prior to Christmas on weekends, include fees for local vendors to aid in upkeep of property)

ii. Spring/Summer Market every Fri./Sat./Sun. for a few morning hours inside/outside vendors (include fees for vendors to aid in upkeep of building/property)

iii. Winter Season (December, January, February) set up a light display, entice tourists, other communities to come visit, to see what Harrow/Colchester has to offer. Restaurants, wineries to sponsor light displays, donation to view, restaurants/vendors set up outdoor "Winter Market" on weekends

iv. During summer hold festivals (I understand this is a huge undertaking), but start small, get the community involved

2. Designate it a Heritage Building/Property – then this could never happen again.

a. If Colchester/Harrow wants to keep "old" buildings and a historical look and feel of the town/village it should be designated a Heritage Building/property and preserved (it must not be designated if this is happening and that is sad and well overdue).

Is the Marketing of our town and the wineries supposed to feel more modern; neon signs and big box houses/buildings OR is it a historic destination, a slower pace, relaxed wineries, sit have lunch, walk around town, quaint stores, walk around the marina, a place where families come together to celebrate together and relax. Then let's keep the

property and old schoolhouse building.

If the town doesn't care about the history and preservation, then it doesn't really matter, sell it. Why care about lit signage on County Rd. 50 when you don't care about an old building within a residential setting.

3. If it is to be sold (if the Town needs the money and if there is no other way around it) then it should be listed for other potential buyers to bid on. Like I said before can the public just pick and choose town owned properties and bid on them?

a. I don't think a row of Boutique Short Term Rentals or STR all in a row or in a group setting is the right way to go about this. Is this developer building 4-5 rentals? I would love to see the prints that this developer has in mind for these Boutique STR. Bringing additional visitors to our community is a good thing. They spend money, they eat at our restaurants and buy wine and go shopping. It just needs to be done right


b. If this developer just wants to build STR, I think there are other parcels of land that he could purchase for the purpose of a row or group STR

4. Another thought is to sever the parcel of land. Sell off a portion to build a couple homes for a developer (after it's gone public for all to bid on), and keep and preserve/designate the old Schoolhouse and some of the surrounding property/drive way.

Those are my thoughts/concerns.

Thank you for your time.

Sincerely,

Monica Bunde
695 Clitherow St.
Harrow, ON N0R1G0


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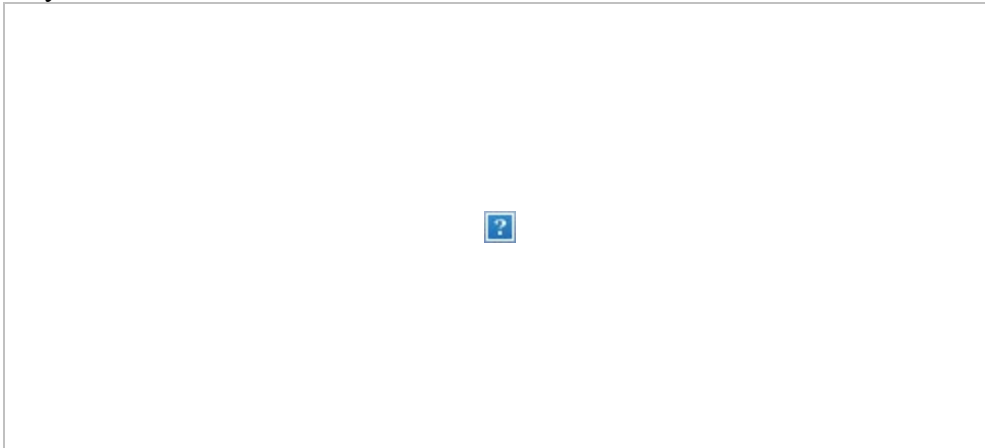
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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: the old schoolhouse in colchester
Date: Saturday, January 9, 2021 7:44:24 AM

Robert pls add I have spoken to Sandy. Public agenda Jan 18

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: [REDACTED]
Date: January 8, 2021 at 9:06:25 AM EST
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: the old schoolhouse in colchester

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Dear council members, I do believe we need more STR's in the area as we are promoting tourism, and are contranstly growing, however I believe if this property is to be sold, it should go up on the market. There seems to some trust issues amonghst councellors, with reason, there fore is should be on the market and made for the public to see. Sandy Bugar

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communication is strictly prohibited. If you receive this communication in error or without authorization, please notify the originator immediately and remove it from your system.

From: [REDACTED]
To: [CouncilMembers](#)
Subject: Old School House in Colchester
Date: Tuesday, January 5, 2021 9:22:53 PM

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To whom it may concern,

Thank you for putting this out for community input. My family and I feel that the school house is a defining feature of the Colchester village, and should not be torn down, but restored. The community garden there is a good start, and the work there should be continued and not rezoned into a business. The school house should be a museum and or community gathering space.

There are quite a few residents of the village that offer short term rentals already, and would suffer from more competition. Allowing a developer to do this will take money away from the residents of the village, and not add to it.

Lastly, the Chimney Swifts are a protected species, and you cannot displace them. For these reasons, and any others submitted by community members, the School house cannot be torn down.

Thank you for taking my email,
Sincerely,

--

Sarah Carruthers

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fw: Surplus Lands: Colchester Schoolhouse
Date: Friday, January 8, 2021 6:47:32 PM

Robert I have talked to Monica pls include her email at the Jan 18th

Sherry

From: Monica Carruthers [REDACTED]
Sent: Thursday, January 7, 2021 11:34 AM
To: Snively, Larry <lsnively@essex.ca>; Meloche, Richard <rmeloche@essex.ca>; Bowman, Morley <mbowman@essex.ca>; Bjorkman, Steve <sbjorkman@essex.ca>; jgarron@essex.ca <jgarron@essex.ca>; Vander Doelen, Chris <cvanderdoelen@essex.ca>; Verbeek, Kim <kverbeek@essex.ca>; Bondy, Sherry <sbondy@essex.ca>
Subject: Fwd: Surplus Lands: Colchester Schoolhouse

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Mr. Mayor and Council members,

I am writing to follow up on my brief presentation at the last meeting of council on December 21, 2020.

At that time I expressed my concerns about the fact that the council would like to sell the historic schoolhouse to a developer for a boutique style short term rental development.

Here are my points;

- I was a presenter at an open house at the schoolhouse in 2011 and presented MANY ideas that would be well suited to the schoolhouse community centre, following that open house I waited for further progress on the schoolhouse project- perhaps further community input on the project.
- The schoolhouse lands are listed in the Colchester Hamlet Landuse plan as residential and recreational and there were discussions of using the schoolhouse as a community centre. A few years ago it was listed in the Town Of Essex recreation guide for rent, but when I called to rent it for an event, I was told that it was not for rent.
- As improvements to the building have been made (roof, windows, gardens, etc.) I was certain that this was all part of the plan to complete the community centre as was discussed, many residents have been eagerly awaiting the completion of our community centre
- The schoolhouse community centre has valuable green space, the park at the beach is often overcrowded and there is no parking at the beach. Local residents are often unable to get a picnic table/parking spot due to the very busy summer crowds, most from out of town. Reducing the green space in the village would decrease the beauty of the village and places to gather
- The chimney of the schoolhouse is habitat to a colony of Chimney Swifts and is to be protected. Many birders come to watch the birds roost at sunset during the roosting months. This is a wholesome family activity and promotes stewardship and a

connection to nature.

- During this time of food insecurity the community garden is an opportunity for gardeners to share food growing practices with new families and increase their access to fresh seasonal foods, and increase their sense of engagement, belonging and well-being.
- During village events the schoolhouse grounds are used for parking; fishing derby, Explore the Shore, Family Fun Day, Flute Fushion event, etc. Loss of this parking area could certainly create chaos during events and would have a huge impact on the residents in Colchester
- The small community center at the marina is only usable during nice weather (it has previously been closed for 3-4 months during the winter due to snow and ice and the door blows open on cold days) Regularly scheduled exercise classes were cancelled due to this closure. Also, the community centre at the marina does not have green space that can be accessed by families with young children unless they leave the venue and cross the busy streets.
- The schoolhouse community centre would be accessible all year, has tons of green space for family events, and lots of places to park. If there were picnic tables it would be used far more.
- There are approximately 25 Short Term Rentals already within a 8 block radius. Having a row of STRs along Sullivan Street would totally change the sense of community and safety. This quiet place to live is fast becoming a party centre. There are more places to rent for a weekend and less places to live. Many of us have come here to live/retire and settle in this quiet, lakeside community
- The Hamlet of Colchester has small town charm, history, a sense of community, neighbours are connected. We *expect* the Town Council to protect our **quality of life** as we live here and pay taxes here. You have been elected to represent all of the people in your community and to stay in touch with them and seek out their input.
- I strongly oppose the selling of the historic schoolhouse and subsequent development of a short term rental strip and expect you all to upkeep the character of the hamlet of Colchester for the people who live here and love this wonderful community.

Respectfully submitted,
Monica Carruthers

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fw: from Rev'd Elise Chambers
Date: Friday, January 8, 2021 6:30:15 PM

Robert I have spoken to Elise pls include her email Jan 18th public agenda

From: Elise Chambers [REDACTED]
Sent: Friday, January 8, 2021 12:49 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: from Rev'd Elise Chambers

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Dear Council Members,

My name is Rev'd Elise Chambers and I am writing to you regarding the Old Schoolhouse in Colchester. I live in the rectory directly across from the schoolhouse.

Although I have only been in the Colchester Harrow community for around 1 1/2 years, I would like to add my thoughts.

In my time here, the Old Schoolhouse has been a fun place for activities such as the Haunted House last year. Of course, COVID has changed all of our lives, and the community activities as well, but I know once we get through the pandemic, that these activities will continue.

The community garden is loved by those who maintain it, and those of us who enjoy the presence of gardeners and visitors alike. People will often stop to chat there, and as cars drive down the street, most stop for a look at the schoolhouse.

I have lived in Sarnia, London and Petrolia and I can honestly say that I have never loved living in a community as much as I love living here in Colchester. The Schoolhouse and its property are historical and a focal point in our village and should be valued as the treasure it is. The right decision would be to not let someone develop it. If you do, it will be taking away so much from this community. Please do not focus on whatever profit can come from this. Ask yourselves what you want this area to be in the future. Right now, you still have a handle on this but decisions you make could result in Colchester ending up being a Grand Bend, taken over by commercialism and greed. I ask you to reconsider this action.

Take care, stay safe!

Blessings,
Rev'd Elise+

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: The Old Schoolhouse
Date: Saturday, January 9, 2021 9:51:31 AM

Robert can you pls include this email as well I have talked to Janice

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: Janice Essery-Ouellette [REDACTED]
Date: January 6, 2021 at 9:30:30 AM EST
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: The Old Schoolhouse

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Hi

THE OLD SCHOOLHOUSE SHOULD BE PRESERVED AND USED FOR
COMMUNITY ACTIVITIES.

THANK YOU

JANICE

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Direct Private sale of 195 Bagot
Date: Sunday, January 10, 2021 2:57:48 PM

Robert. I have talked to Adam. Can you pls include his email

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: Adam Grant [REDACTED]
Date: January 10, 2021 at 2:10:16 PM EST
To: CouncilMembers <CouncilMembers@essex.ca>, "Vander Doelen, Chris" <cvanderdoelen@essex.ca>, "Bjorkman, Steve" <sbjorkman@essex.ca>, "Bondy, Sherry" <sbondy@essex.ca>, "Garon, Joe" <jgaron@essex.ca>, "Snively, Larry" <lsnively@essex.ca>, "Verbeek, Kim" <kverbeek@essex.ca>, "Bowman, Morley" <mbowman@essex.ca>, "Meloche, Richard" <rmeloche@essex.ca>
Subject: Direct Private sale of 195 Bagot

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I write to you concerning the sale of 195 Bagot . The approach taken by the town was not transparent. In fact it leaves one to conclude that it was a backroom deal.

What was the reason and rationale in selling a public asset in such fashion?. Why was it not put up for tender?. Given that the town paid over 330000 to purchase it in 2008 in the midst of a recession and has put over 200000 into upgrades

including purchasing 255 Bagot. The sale price should be disclosed to the public. Running through a deal in a closed door meeting and putting to second and third vote four days before Christmas in the midst of a pandemic, does not inspire confidence that deal is a good value for taxpayers. In fact it looks like the town was deliberately trying to push a deal on the residents with out public scrutiny. We must conclude that this is a sub standard deal that doesn't generate any value for the residents .

What value does this create for the residents who now are being told that more STRs will be in their neighborhood?. Considering the town has yet to address the issue of STRs and draft regulations to mitigate residents concerns adding more will degrade residents quality of life.

The lot is already zoned residential and could easily be subdivided , creating much needed housing stock and recouping revenue spent. This revenue from a sale of newly subdivided lots could be used to rehabilitate the Old School House. In addition would provide 15000 per year in property tax revenues. There are lots of options , if this falls through many more are available , any deal must address the residents concerns.

The town and council needs to reevaluate their approach and be more transparent in how they dispose of public assets. This deal needs to be paused until relevant resident concerns are addressed and mitigated.

Regards
Adam Grant

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old Schoolhouse
Date: Sunday, January 10, 2021 6:55:46 PM

Robert. I have talked to Susan pls include her email Jan 18th

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex
Website: <https://sherrybondy.com>

Begin forwarded message:

From: Susan Hann [REDACTED]
Date: January 10, 2021 at 5:55:21 PM EST
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Old Schoolhouse

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Dear Council Members

I have lived in this beautiful, quaint, and quiet village of Colchester for almost 10 years now. I am so happy here!

I stumbled upon the Old Schoolhouse Community Garden, and was eager to join. Best decision I've ever made. I have met a network of wonderful people in this great community because of the Garden.

My concern with the proposed sale of the land is how "development" will alter our beautiful community. We need to keep the green space so as to keep the integrity of our village. If a lodging is put there, the traffic will be horrendous, irresponsible patrons will cause noise pollution (which has already started with the numerous Air bnbs on Sullivan St.). Foot traffic will affect the safety of locals, which will cause more police presence to be necessary.

People of this village did not settle here to live in a tourist town. Many are here because of family lineage, it would be nice if council could respect that in this situation.

In closing, I feel destroying (for lack of a better word) this beautiful corner, by someone who has more money than he/she knows what to do with, will drastically change the momentum of OUR little town.

Susan Hann

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fw: Surplus property- Old Schoolhouse property
Date: Monday, January 11, 2021 10:19:44 AM

Robert can we pls include this email as well I have talked to Ryan

From: [REDACTED]
Sent: Sunday, January 10, 2021 12:20 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Surplus property- Old Schoolhouse property

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Dear Council Members,

My husband and I, and our young children, moved to Colchester just over 4 years ago. We purchased a family home. My husband's family has lived in the area since the 60s. It's always been a quiet and quaint town. We love the peaceful, small town that we moved to and don't want to see it turned into a tourist destination. Allowing this developer to build the boutique short term rentals will create exactly the opposite of what we love about Colchester and destroys a significant part of history. Not to mention, a private deal, such as what occurred with this developer, is not how we expect council or the Town to operate. If the land is surplus, a public sale which would acquire the highest and best possible price, is what's best for the Town and its taxpayers.

We do not support

- the decision to sell this property without offering it as a public sale first
- the decision to lose the Old Schoolhouse as it is of historical significance
- the decision to allow the developer to build short term rentals

If you have any questions, please email us or contact us at [REDACTED]

Yours truly, two concerned town residents,
Ryan and Casey Harnadek

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From: [REDACTED]
To: [CouncilMembers](#)
Subject: School House - 195 Bagot St.
Date: Tuesday, January 5, 2021 5:59:52 PM

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Good Evening to all,

I'm not one normally to email my thoughts or concerns, however it is the new year and perhaps maybe I should be involved a little more. I'm also going to try to keep this email short and to the point as I know everyone's time is valuable.

I had seen some information on Facebook regarding the old school house. I will admit I probably don't have the full story on this, but I would like to keep the school house as a historic landmark if at all possible.

I love when friends and family visit this "Gem" of an area (Or use to prior to Covid-19), and I show them the old school house and church. I wouldn't be opposed to the school house being renovated into small stores, but I would like to keep the character of the school house.

I would please appreciate this if it was not turned into an Air B&B or short term rental.

Many Thanks.

Jennifer Irving

From: [REDACTED]
To: [CouncilMembers](#)
Subject: 195 Bagot St
Date: Wednesday, January 6, 2021 9:52:17 AM

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Good Morning,

I am writing to voice my opinion on the sale/proposed STR at 195 Bagot St in Colchester Village. I have lived at 280 Bagot St for nearly 35 years and love this area. I love the look of the little school house and the surrounding green space at the end of my street. I would hate to see this building torn down and replaced with something that just doesn't fit in. I understand the need for more affordable housing/rental units and would love to see more permanent residents in the area. I do not feel there is any more need for any short term rentals or Airbnb's and therefore disagree with the rezoning of this property.

Ute Lemieux

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old school house 195 bagot st.
Date: Sunday, January 10, 2021 1:16:37 PM

Robert. I have spoken to Chris. Pls include his email Jan 18th public agenda too pls

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: "Bondy, Sherry" <sbondy@essex.ca>
Date: January 9, 2021 at 7:43:49 AM EST
To: "Auger, Robert" <rauger@essex.ca>, "Brown, Shelley" <sbrown@essex.ca>, "Nepszy, Chris" <cnepszy@essex.ca>
Subject: Fwd: Old school house 195 bagot st.

Robert. Pls add this email to Jan 18th public agenda

I have spoken to Chris

Sherry Bondy
Essex Councillor
519-566-3105
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Begin forwarded message:

From: CHRIS MAJOR [REDACTED]
Date: January 9, 2021 at 4:45:54 AM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: Old school house 195 bagot st.

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Hi sherry
Yes u can include my email

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From: Bondy, Sherry <sbondy@essex.ca>
Sent: Friday, January 8, 2021 9:43:03 PM
To: CHRIS MAJOR [REDACTED]
Subject: Re: Old school house 195 bagot st.

Hi Chris. I am not sure I see a reply here?

Sherry Bondy
Essex Councillor
519-566-3105
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On Jan 8, 2021, at 8:18 PM, CHRIS MAJOR [REDACTED]

[REDACTED] > wrote:

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Yes that would be fine
Thanks for the reply

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From: Bondy, Sherry <sbondy@essex.ca>

Sent: Friday, January 8, 2021 6:03:35 PM

To: CHRIS MAJOR [REDACTED]

Subject: Re: Old school house 195 bagot st.

Thank you for your email regarding the Old School House in Colchester. Feedback from residents is vital to council making the correct decision for our community.

Can I ask the clerk to include your email as part of the public agenda January 18th? Also please make sure you watch the Dec 21st council meeting on You Tube - Essex Ontario. Follow the file Jan 18th on you tube as well.

Sherry Bondy

From: CHRIS MAJOR [REDACTED]
Sent: Friday, January 8, 2021 1:36 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Old school house 195 bagot st.

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As a resident I would like to see the old school house preserved and possibly something the community can use. There are more than enough short term rentals in our area and increasing traffic that is turning this small village into a busy hub. I do understand that change is the future but not at the cost of the community. The only reason we reside here is that it is a small and quiet community with very few issues and while I get that the property is now considered a surplus property, I also believe it should be available to any party to bid on it. I hope that our mayor and this current council consider this decision whole heartedly and take the villages best interest to heart.

Thanks
C.major

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: The old school house
Date: Saturday, January 9, 2021 7:43:06 AM

Robert pls add this email to public agenda I have spoken to Anne

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
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Begin forwarded message:

From: Anne Marontate [REDACTED]
Date: January 9, 2021 at 1:52:51 AM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: The old school house

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Yes add my email to the public agenda. Thx. Anne M.

Sent from my iPad

On Jan 8, 2021, at 6:01 PM, Bondy, Sherry <sbondy@essex.ca> wrote:

Thank you for your email regarding the Old School House in Colchester. Feedback from residents is vital to council making the correct decision for our community.

Can I ask the clerk to include your email as part of the public agenda January 18th? Also please make sure you watch the Dec 21st council meeting on You Tube - Essex Ontario. Follow the file Jan 18th on you tube as well.

Sherry Bondy

From: Anne Marontate [REDACTED]
Sent: Monday, January 4, 2021 10:09 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: The old school house

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Sending concerns on the sale of the old school house property. This may seem like a win win situation for the town of Essex but this is definitely not a win for the community and hamlet of Colchester. Boutique STRs are not the answer. Absentee landowners are not the answer. Let us work with the Heritage and ACTs committees. The old school house project has been put on the back burner too many times and so many years. Let's get back on track with this beautiful historic green space and hopefully provide the town of Essex and community of Colchester a venue for family reunion gatherings, small weddings, country markets and arts, CWATS resting stop and info centre. You bought this property for a reason many years ago so let's make it functional and beautiful again. We can do this. Thank you for allowing our garden group to help beautify Colchester. Anne Marontate

Sent from my iPad

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old Schoolhouse
Date: Sunday, January 10, 2021 6:21:50 PM

I have talk to Steve and he would like his email also included on that January 18 agenda thank you

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex
Website: <https://sherrybondy.com>

Begin forwarded message:

From: steve matthews [REDACTED]
Date: January 10, 2021 at 5:43:51 PM EST
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Old Schoolhouse

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Thank you for the flyer regarding the Old Schoolhouse property. I walk by the property all the time and never noticed the for sale sign. If the property is for sale I would be very interested to inquire what zoning the property currently has.

For sure the old schoolhouse should be preserved and repurposed. The schoolhouse, being across from the church, is what Colchester is all about. I took my family on the historical walk during the Colchester anniversary celebration and now I have a better appreciation of the history behind this beautiful area. I'm all for progress and development but don't want to lose what this area offers historically.

I think it is very short-sighted to only look at one buyer and one purpose for the land. Once this property is sold and developed , that is what stands for the next 60-100yrs. If the property is listed , the county may receive a higher price ,but will also have choices of different ideas for the development. I am not totally against

the idea of STRs but maybe some permanent residential building may be more suited. I would be interested in receiving more information about the property to purchase myself if it is still available.

Thank you for your time

Steve Matthews



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From: [REDACTED]
To: [CouncilMembers](#)
Subject: Fwd: The Old Schoolhouse
Date: Wednesday, January 6, 2021 3:08:38 PM

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Sent from my iPad

Begin forwarded message:

From: Sandra McKee [REDACTED]
Date: January 6, 2021 at 1:44:27 PM EST
To: County Council <councilmembers@essex.com>
Cc: Carol Quick [REDACTED]
Subject: Fwd: The Old Schoolhouse

Sent from my iPad

Begin forwarded message:

From: Sandra McKee [REDACTED]
Subject: The Old Schoolhouse

As a resident and tax payer of Colchester Centre , my main concerns are the possible demolition of the historic Colchester Schoolhouse, and disruption of residential zones. Three generations of my family attended this school, and the interior and exterior has, remarkably, been relatively preserved or restored to remain as it was 100 years ago. There are many area families whose ancestors were also students. The focus of restoring and saving this historic building has moved to other areas of the village as council members were replaced at election time over the years. New ideas emerged, possibly for the betterment of some areas of the village, but not for the school property. All of the Old Victorian homes and businesses in the main area of the village ie. Jackson St and County Road 50, are long gone to make parks and parking for tourists and fishermen. A very extensive study and expensive booklet was put together as a plan for the village.... Where is it now????

Also, in the event other plans were being considered for this property, the issue

should have been raised initially to gather community input, opposed to the appearance that this was being determined. “ behind closed doors”.

Having a proposal presented at council by a developer for a property not publicly discussed ,seems like a secondary step that progressed without appropriate vetting by the public. The first step should have been understanding what the community supported ,discussing all of the issues and concerns, with full transparency, in advance of any prospects to sell.

Much of the controversy might have been averted with a different approach.

This is our chance to save this historic building and green space, and to preserve this residential area for property owners in the near vicinity.

Sandra McKee...325 Prado Ave. [REDACTED]

Sent from my iPad

From: [REDACTED]
To: [CouncilMembers](#)
Subject: Sale of 195 Bagot
Date: Tuesday, January 5, 2021 8:34:11 AM

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Dear Council members:

I am writing to express my concerns about the proposed sale of the Colchester Old Schoolhouse property and the development proposed on the property. I reside at 51 Sullivan Street and my frontage faces this property directly across the street.

My concerns and requests are as follows:

Concern: The schoolhouse restoration and use as a community and cultural centre was part of the Town official plan in 2010, which I based my decision in part to purchase my property. Although there are now different council members, an official plan that has been made public on the Town website, should be adhered to. With a new roof and windows and abatement of asbestos, it was assumed that the Town would follow through on the plan to keep the Old Schoolhouse as a centre for history of Colchester and provide access for the community use the property. The schoolhouse is an important part of this neighbourhood and should be restored and repurposed for community use. Our commitment: As a family, we will participate in any group or fundraising effort to further support the Town's commitment to this historic property. We will also provide volunteer hours if the property is used for the community in any capacity, if needed.

Concern:

This neighbourhood must not be altered by the addition of business or Short Term Rentals. The zoning on this property needs to remain residential to maintain the integrity of the community life and neighbourhood here. This section of Sullivan is fairly quiet for the most part and this must continue. Colchester is first and foremost a home to full time residents and there must be a commitment from Council to our needs as a residential community. The quality of life for our residents would be negatively impacted should this property be re-zoned.

Concern:

We must maintain green space in our community. The park and beach at the end of Jackson and Sullivan are busy during the spring and fall. I for one, never go to them when so many people visiting our village are crowding that area. Residents deserve a quiet green space where we can gather, walk dogs and make use of the community garden, which is open to all who wish to apply for a box. Keeping usable green space is necessary and could eventually be enhanced to compliment the Old Schoolhouse.

Our commitment: our family will continue to build community relationships with those visiting and using the green space. We would also gladly volunteer to assist in any landscaping/flower garden enhancement around the Old Schoolhouse.

Concern:

The parking issue in Colchester is well known. This green space has been informally used for parking during fishing season and for community events. In the past two years, it has been marked more specifically for parking and continues to be used for those launching their boats at the marina and on busy beach days. Since designating this as overflow parking, there have been far fewer issues in the community. I might add that this "overflow" is used almost exclusively over the "overflow" lots on County Road 50. Losing this multi usage of the green space would be detrimental to the residents' experience during heightened beach and fishing season.

Concern:

STR's, as are proposed by this developer, are currently posing a negative effect on the lives of Colchester residents, particularly those living closer to the marina on Sullivan. At this end of Sullivan, we are impacted by the STRs that are docked in the marina, with noise into the late hours of the night. I have personally gone down to security at 2:00 in the morning to ask if the "guests" on one of the Airbnb boats could be asked to quiet down. I was told security could not do that. The next time I'm kept awake half the night, I will consider calling police.

The impact of STRs in communities across the world is becoming well documented. We do not need any more

STRs in this neighbourhood. It affects the quality of life for full time residents. My family, in particular, will be greatly impacted should this development be allowed to move forward. I have particular concerns about safety for my daughter who is by definition a “vulnerable person”. The normal use of our property will be impacted immensely. After rebuilding an old, run down cottage property and investing hundreds of thousand of dollars, I am also concerned for my property value. I invested in this community and neighbourhood by improving my property, and paid particular attention to maintaining the historical feel to the home we built. Neighbours have done the same and this fares well for the revitalization of the Colchester community.

I would like to request a moratorium on STRs in our community and that Council look to developing a bylaw which will control the location (keep out of residential neighbourhoods) and the number that are allowed (density). Many surrounding communities are also developing bylaws regarding STRs, so the Town of Essex would be acting in line with current experiences of other communities in protecting the residents from multiple concerns related to STRs.

Thank-you for your consideration,

Cindy McPhedran and Steve McPhedran
Victoria McPhedran

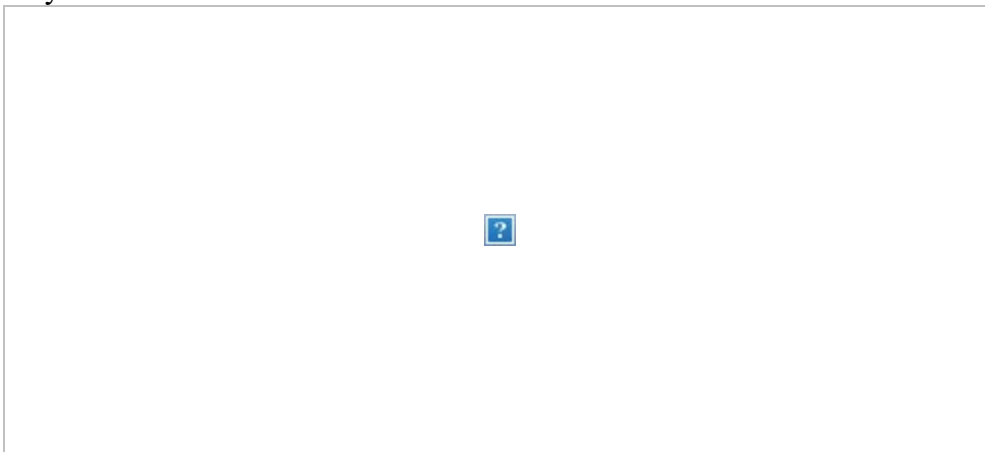
Sent from my iPad

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Colchester School House
Date: Friday, January 8, 2021 7:04:28 PM

Can you pls include this as well.

Thank you

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: Beth Oakley [REDACTED]
Date: January 8, 2021 at 6:58:50 PM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: Colchester School House

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Hi Sherry.

Feel free to share it.

Beth

On Fri, Jan 8, 2021 at 6:03 PM Bondy, Sherry <sbondy@essex.ca> wrote:

Thank you for your email regarding the Old School House in Colchester. Feedback from residents is vital to council making the correct decision for our community.

Can I ask the clerk to include your email as part of the public agenda January 18th? Also please make sure you watch the Dec 21st council meeting on You Tube - Essex Ontario. Follow the file Jan 18th on you tube as well.

Sherry Bondy

From: Beth Oakley [REDACTED]
Sent: Friday, January 8, 2021 11:29 AM
To: CouncilMembers <CouncilMembers@essex.ca>
Cc: Jim Oakley [REDACTED]
Subject: Colchester School House

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Hello Council Members:

As a resident of Colchester, I would like to express my concern about the proposed plans for the Old School House and the lack of transparency on how this moved forward without public consultation.

Why was this not brought forward as a public opportunity for other potential buyers to bid on.

How did council decide that we need additional short term rentals?

Why aren't we looking at this as an opportunity to promote the rich history of this region and consider using it for a museum or something to honour our ancestors?

Where was the consultation?

I hope that Council will be prepared to answer these questions at the upcoming meeting.

Beth Oakley

Colchester resident, tax payer and concerned citizen.

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From: [REDACTED]
To: [CouncilMembers](#)
Subject: 195 Bagot Street/Sullivan Street Colchester
Date: Tuesday, January 5, 2021 5:55:12 PM

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Essex Town Council Members, following is our letter of issues/concerns & also questions in regards to the Colchester School.

Parking has been a big issue right up to this past summer. It was only after the beach was closed, we had new parking signs erected, along with bylaws & the hiring of a security company, did things change. Keeping in mind that the beach was closed, the security team was able to control any issues. What will happen if the school property is sold, Covid is over & now you have 3 lots on Cty. Rd. 50, 2 of which Lonny owns. Many of us in this area are fully aware of past problems between him & town council. If you are left with 1 lot only, you will never have enough parking during the summer with beach traffic as well. Will the Security Co. need to be hired again? This seems to be an expensive venture on a regular basis.

Green space/Community Garden- This area brings such a sense of belonging & being a real part of this community. People drop by throughout the day, some with kids, dogs or even stop their cars & wander around. Besides adding more boxes, there is so much more that can happen here, such as teaching both adults & children about pollinators & different plants. What better way to teach kids than to get them involved! We have people right here on our area that would be so happy to teach them. Yes, there is a cost by the town to have these boxes, but it's not always about hockey, swimming, baseball & basketball courts. This is a quiet, friendly open space where all are welcome & sharing is the focus.

Colchester park is a green space & it is lovely but other than early in the day, both the beach & the park have become the "outsiders place to go". Neither of these will ever be what the school yard has become.

Schoolhouse Heritage- once it is gone it can never be recovered. This issue has been addressed many times. Our question is, "If you sell the school to someone who says they will restore it, are they held to this promise" & also if they in turn resell it "couldn't it be bulldozed down?" There are so many uses for this building & even with different groups approaching councils over the years, nothing changes. As members of Christ Church, across the street, we have people who always want to visit the Church or the Chapel in the cemetery & the School would be no different. All of these buildings are also on the wine route/Explore the Shore, which adds to their visibility.

Chimney Swift's-By now, we assume everyone has received their copy from the Ministry of Environment through Mayor Snively. We sent a copy to him before Christmas, to share with all of you. If you have read everything you now understand they are protected & can only have their habitat moved with permission & the guidance of the ministry. This can only be done with the monitoring & reporting of the owner for five years following. What a wonderful site these birds add to our area.

One of the biggest realities here, of course, is the cost of the school & it's maintenance. Our taxes go towards it, We GET IT!

What we don't get——Why was it purchased in the first place? Was there no thought behind it? Different council, different people! But through all of these years, councils have been approached, over & over again. Never any feedback, time goes on, school costs goes up.

You have numerous people in the neighbourhood & community who are willing to help & be a part of something really wonderful. We cannot count how many times our own block on Sullivan Street has asked to be a part of any change or ideas to work with you. Now that an offer has been made for the property & cut your expenses, we have heard this is a "win win situation" for everyone. "We wonder" Is it really??? How much serious thought has been given to the parking & neighbourhood? Short term rentals, really? What about when the partying begins, excess drinking, fireworks, possible camp fires with no regards to winds &/or direction?

Would you like to live here?

Is this blown out of proportion?? We think not! Come to Colchester Park & beach by the end of a Saturday or Sunday. See the burnt charcoal or wood left all over the grass, sand & parking lots. The excess garbage everywhere, fireworks at any hours from the STR'S. Are you prepared to hire extra officers to control this? Please do not rush into something that could be the biggest mistake of

all.

This is

an opportunity to get many on board to work along with the Town Of Essex & see what can be done. If this doesn't work out, the town can always list the property at a much later date & have an appropriate buyer then. This is a "Win Win" situation in our books. Thank you for your time spent on this

situation,

Sincerely, Carol & Lynn

Quick.

55 Sullivan Street,

Colchester.

Sent from my iPad

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: Old Schoolhouse Property in Colchester
Date: Friday, January 8, 2021 6:26:01 PM

I have spoke to John too.

Pls include his email on the Jan 18th council agenda

Sherry Bondy
Essex Councillor
519-566-3105
Follow me on Facebook
You Tube - Sherry Bondy
#myessex



Begin forwarded message:

From: John [REDACTED]
Date: January 8, 2021 at 6:22:37 PM EST
To: "Bondy, Sherry" <sbondy@essex.ca>
Subject: Re: Old Schoolhouse Property in Colchester

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certainly proceed with e-mail on the agenda

John Rount,

Residence [REDACTED]

On Friday, January 8, 2021, 6:03:46 p.m. EST, Bondy, Sherry <sbondy@essex.ca> wrote:

Thank you for your email regarding the Old School House in Colchester. Feedback from residents is vital to council making the correct decision for our community.

Can I ask the clerk to include your email as part of the public agenda January 18th? Also please make sure you watch the Dec 21st council meeting on YouTube - Essex Ontario. Follow the file Jan 18th on you tube as well.

Sherry Bondy

From: John [REDACTED]
Sent: Friday, January 8, 2021 3:47 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Cc: Bondy, Sherry <sbondy@essex.ca>
Subject: Old Schoolhouse Property in Colchester

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I have been informed of the possible sale of the property at 195 Bagot St known as the Old School House as "surplus land."

It is suggested that the property would be rezoned to Boutique Short Term Rentals. The prospective purchaser or the value have not been disclosed.

This property is surrounded by residences that have been established for years. There is no need to re-zone this property unless such is for additional permanent single home dwellings in accordance with existing by-laws for construction. Converting this site to short term rentals would significantly devalue existing residential properties in its immediate area and accordingly is unfair to those ratepayers.

I cannot support additional funding to preserve, convert or maintain this site for other community use since I am unable to justify such in light of the nearby Colchester Harbour Park and Marina. The existing building at the harbour is used infrequently now and any such community activities should be directed to these existing underutilized assets that rate payers are currently paying for in their taxes.

I have no problem accepting the keeping of a small portion for community gardens as it is currently for the benefit of local residents if such remains in demand.

In any event this property --if considered surplus-- should be rezoned for single dwelling residential use which would increase the tax base without adversely affecting the values of neighboring homes. This option would also eliminate the issues of possible noise, policing and municipal clean-up (among other things) that could be experienced if converted to short term rentals.

Despite any marketing presentations that could be presented, Colchester has been in decline for short term rentals for many years. New short term rentals could turn into eyesores quite quickly if rental activities do materialize. Certainly one would expect that the off-season use would be minimal. It would be difficult, time consuming and expensive to return this property to another appropriate use. This site is too close to permanent residences for the suggested use.

If additional short term rental needs are considered beneficial then discussions and opportunities and rezoning if required should be initiated and perhaps encouraged with the operators/owners of the existing trailer parks and campgrounds--- Caboto Park/ Ravine Cottages for example.

This property should be re-zoned to permanent single unit residential dwellings and offered for sale by public tender.

I will oppose any application for rezoning otherwise and any sale that is not offered publicly.

John Rount, Resident at 735 Clitherow St. Harrow/Essex /Colchester, On

Residence [REDACTED]

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From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fwd: OLD School House 195 Bagot Street
Date: Sunday, January 10, 2021 1:22:50 PM

Robert. Pls include this email on the public agenda. I have spoke to Diane

Councillor Sherry Bondy
Follow me on Facebook
519-566-3105
#myessex
Sherrybondy.com

Begin forwarded message:

From: "Diane Schultz" [REDACTED]
Date: January 10, 2021 at 12:39:11 PM EST
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: OLD School House 195 Bagot Street

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Good Evening

I received a flyer Sunday Jan 10 regarding a private purchase inquiry on the Old School House.

Much to my surprise it was even being considered an option, this I believe was to be a building for the local community use. An area for local residents community garden, future use would be amazing if this property was used for weddings or community events such as John R Homestead is used.

With the improvement of the waterfront this would be an additional area in which to provide more community events even Art in the Park etc.

I realize there are numerous STR's in the village as I was an owner of one myself on Sydenham.

Colchester is becoming a sought after destination and limiting the school house to another STR for private gain is taking away from the locals who live here. We pay the taxes and I believe this should be available to its community. I realize the Town of Essex is looking at the cost in renovating vs private sale and we as residents will most likely not have any say in this matter which is very disappointing.

Sincerely

Gary and Diane Schultz
560 Bagot St, Harrow, ON N0R 1G0, Canada

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From: [REDACTED]
To: [CouncilMembers](#)
Subject: Old School
Date: Tuesday, January 5, 2021 5:55:11 PM

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I would like to see the Old School preserved and used what it was originally bought for. At the time I remember going there and filling out a paper for ideas for it to be used as a meeting or community space. Do we really need STR? Let's keep it for a historical reminder of what once was.

We don't need a place for more partying or people who don't care about our little village. Let's keep the green space whether it's used for community gardens or something else.

Linda Sinasac
Concerned Neighbor

Sent from my iPhone

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fw: Old School House - 195 Bagot St Colchester
Date: Friday, January 8, 2021 6:53:30 PM

Robert I have Spoke to Kory pls include his email on the council agenda

From: Kory Snelgrove [REDACTED]
Sent: Friday, January 8, 2021 6:20 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Old School House - 195 Bagot St Colchester

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

Good evening,

This email is in response to your public notice sent out for the Old Schoolhouse in Colchester at 195 Bagot St.

It is of my opinion that if this property is to be sold, it should be listed similar to the bids and tender process to ensure the town can capitalize on earning the most for this property.

Selling this parcel privately to this "Developer" after being approached and then declaring the land surplus within a month following the offer to purchase with no public bids process does not seem like the proper approach for a municipality to take to sell town owned lands.

Thank you for your time and attention to this matter, I appreciate my thoughts being heard on this matter.

Kory Snelgrove

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From: [REDACTED]
To: [CouncilMembers](#)
Subject: Old school house
Date: Tuesday, January 5, 2021 10:47:46 PM
Attachments: [image0.jpeg](#)

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

Good evening council and happy new year to all

I just want to respond to the Facebook post questions that were posted by Heidi Affleck regarding the school house property (picture attached) ...This of course is only my opinion, how much that amounts to nobody knows LOL...

1) would I like to see the school house preserved and used for community activities... The school house has sat untouched and unused for many many years , to me it's a waste of money to try and bring the school house up to code... it doesn't bother me if the building gets torn down

2) am I concerned about losing a historical site... No I am not

3) are you concerned about losing more green space... No I am not

4) do I agree with the sale of the property to a select buyer... He was the only one that shown any interest in the property so why not, get rid of this mistake once and for all but He should be paying fair market value... no deals here!!

5). Do you think if the property is sold it should be listed for other potential buyers to bid on it.... if the town was not approached first then yes it should've been listed for others to bid on ... Fair is fair

6) do you agree with adding more short term rentals to Colchester... Yes I agree but there must be a bylaw written regarding noise, neighbours, cleanliness, SIGNAGE, LIGHTING, etc.. maybe a different tax bracket to help with extra policing, Marina/beach security or whatever is needed... Colchester is on the wine route and I have always said we should have a hotel/motel etc. along County Road 50 for people to have short stays after a day of drinking

Also I think the biggest complaint regarding the school house is because people are thinking they're going to lose the community garden which again in my opinion is not a community garden when only a select favoured few can use the property and the town should NOT be paying staff to build these or paying for water or supplies for this community garden as the "community" is not able to use this garden

Anyways just my two cents... Good luck with this one.... I do have to say transparency and honesty will get this town Council so much further than hiding crap from us tax payers

Thanks for listening and have a good night



Sent from Dar's iPhone

From: [Bondy, Sherry](#)
To: [Auger, Robert](#); [Nepszy, Chris](#); [Brown, Shelley](#)
Subject: Fw: Colchester Schoolhouse Property - Did Council Flunk Out?
Date: Wednesday, January 13, 2021 9:38:54 AM

Robert pls include this email on the Jan 18th agenda

From: Sally Thurston <[REDACTED]>
Sent: Tuesday, January 12, 2021 11:05 PM
To: CouncilMembers <CouncilMembers@essex.ca>
Subject: Colchester Schoolhouse Property - Did Council Flunk Out?

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

First of all, if Colchester residents felt they had no choice but to go to the trouble of printing up and delivering information notices door to door in order to alert their neighbours about matters that are going to deeply affect them...then yes, Council 'Flunked Out'.

What could Council have done after the developer approached it? It could have consulted the people who live in the Schoolhouse area and given them the opportunity to tell Council how changing the zoning and erecting short term rentals would affect them. Instead of declaring the Schoolhouse "surplus land", it could also have first asked the people who live around the Schoolhouse for their ideas, their visions, their innovative takes. Council apparently didn't want to hear about anything from anybody.

At the very least, an honest and ethical process should have kicked in after the developer approached Council. It didn't. Instead, rumours flew; people felt the process was unfair to everybody else, that it was sneaky and suspicious. When asked what she felt about the situation, a woman I know who lives one block from the Schoolhouse replied, "Well I didn't get a chance to buy it."

So if the 'subject' is the competent and responsive representation of those who would be drastically affected by its actions, then yes, Council 'Flunked Out'.

Sally A. Thurston
190 Chester Rd.
Harrow

Schoolhouse alumni - Grade 1 to Grade 3

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PUBLIC HEALTH MEMO

COVID-19

This is a stakeholder update for the week of January 4, 2021.

Current Statistics

For all up-to-date data and information, please visit the [Local Updates](#) page on our website, which includes the local COVID-19 Dashboard. Daily local public health live updates and weekly summary reports can also be found on the [WECHU YouTube Channel](#).

Case Counts in Windsor and Essex County

Confirmed Cases

8,502 (↑202)

Deaths

167

Resolved Cases

5809

Current LTC & RH Outbreaks

20

Current Workplace Outbreaks

16

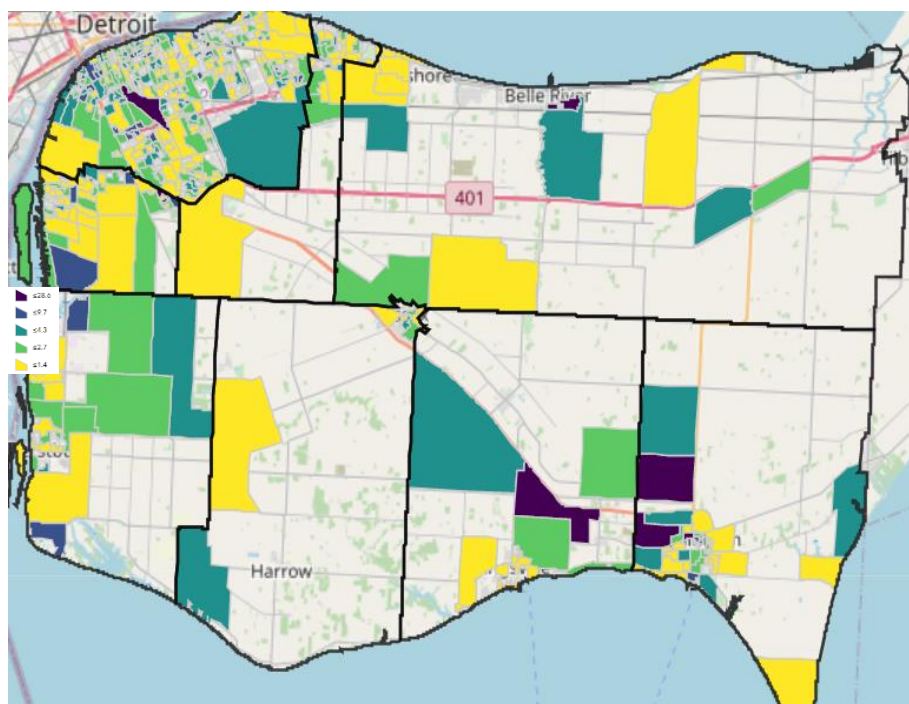
Current Community Outbreaks

2

Current School Outbreaks

2

Confirmed Active COVID-19 Cases in Windsor and Essex County



The map reflects the number of active positive COVID-19 cases per 1000 residents. Please note that this does not reflect where the cases were infected, but rather where they reside. Cases may have been exposed to COVID-19 outside of their home or in other settings.



Federal, Provincial and Local Guidelines and Recommendations (Updates)

Federal

- Effective January 7, 2021, all passengers five years of age or older are required to test negative for COVID-19 before travelling by air from another country to Canada. It will be required to provide written or electronic documentation showing they received a negative result from a COVID-19 molecular polymerase chain reaction (or PCR) test conducted within 72 hours prior to boarding a flight to Canada. Individuals travelling from a country where PCR testing is unavailable will be required to report to a designated Public Health Agency of Canada quarantine facility for the duration of their mandatory 14-day quarantine.

Provincial

- Developed in partnership with the COVID-19 Vaccine Distribution Task Force, the Ontario government has released an [Ethical Framework](#) for COVID-19 vaccine distribution. The Ethical Framework includes the following principles to guide COVID-19 vaccine distribution: Minimize harms and maximize benefits, equity, fairness, transparency, legitimacy, and public trust. “We know that people are eager to get vaccinated and this framework helps ensure that we do it in an ethical, effective and compassionate way,” said General Risk Hillier (retired), Chair of the COVID-19 Vaccine Distribution Task Force.

Windsor-Essex

- As of January 4, 2021, there are 20 long-term care and retirement home outbreaks, 16 workplace outbreaks, two community outbreaks, two school outbreaks, and two hospital outbreaks in the Windsor-Essex region. For more information on outbreaks, please visit the [WECHU website](#).
- Details about cases at specific schools can be found on the websites of the corresponding school boards; please see the following for the direct links to the outbreak tracking pages by local school board: [Windsor-Essex Catholic District School Board](#), [Greater Essex County District School Board](#), [Conseil Scolaire Viamonde](#), [Conseil Scolaire Catholique Providence](#).
- Working with local Long Term Care Homes and Retirement Homes (LTCH/RH), the Windsor-Essex County Health Unit (WECHU) has started administering the Moderna vaccine to residents and caregivers of LTCHs, and will start administering the vaccine to residents and caregivers of RHs. The WECHU is working on how to move forward with vaccinating LTCH/RHs currently in outbreak.
- With in-hospital admissions of patients with COVID-19 continuing to rise at an alarming rate and potential shortage of available acute care beds, both Windsor Regional Hospital and Erie Shores HealthCare are postponing all non-urgent, pre-scheduled elective surgeries for an indefinite period, effective January 4, 2021.

Guidance Documents

A list of all guidance documents from the Province of Ontario, and the Windsor-Essex County Health Unit (WECHU) can be found on the [Guidelines](#) page of the WECHU website.

- Ministry of Health Version 1 [COVID-19 Guidance: Considerations for Rapid Antigen Screening](#)



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

November 17, 2020

SENT VIA EMAIL

The Town of Plympton-Wyoming
P.O. Box 70, 263 Main Street
Odessa, ON K0H 2H0

Attention: Erin Kwarciak, Town Clerk

**RE: SUPPORT RESOLUTION FROM TOWN OF PLYMPTON-WYOMING,
FUNDING FOR COMMUNITY GROUPS AND SERVICE CLUBS AFFECTED
BY PANDEMIC**

Please be advised that Council for the Corporation of the Town of Lincoln at its Special Council Meeting held on November 16, 2020, endorsed and passed the following motion in support of Town of Plympton-Wyoming (attached) that was passed on September 28, 2020.

Moved by: Councillor J.D. Pachereva; Seconded by: Councillor Paul MacPherson

THAT Council for the Corporation of the Town of Lincoln support the correspondence item as attached from the Town of Plympton-Wyoming, regarding funding for community groups and service clubs affected by pandemic.

CARRIED

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Sam Oosterhoff, MPP
Dean Allison, MP
All Ontario Municipalities



The Corporation of Loyalist Township (via e-mail)
P.O. Box 70, 263 Main Street,
Odessa, ON K0H 2H0

November 3, 2020

Re: Support of Resolution from Loyalist Township regarding funding for community groups and service clubs affected by pandemic

Please be advised that on October 28th 2020 the Town of Plympton-Wyoming Council passed the following motion to support the Council of Loyalist Township motion (attached) regarding funding for community groups and service clubs affected by pandemic that was passed on September 28th 2020:

Motion #13 – Moved by Bob Woolvett, Seconded by Netty McEwen that Council supports item 'n' regarding funding for community groups and service clubs affected by pandemic.

Motion Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at ekwarciak@plympton-wyoming.ca.

Sincerely,

Erin Kwarciak
Clerk
Town of Plympton-Wyoming

Cc: (all sent via e-mail)
MP Marilyn Gladu – Sarnia-Lambton
MPP Bob Bailey- Sarnia-Lambton
Premier of Ontario
Prime Minister of Canada
Association of Municipalities Ontario
Rural Ontario Municipalities Association
All Ontario Municipalities



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

November 17, 2020

SENT VIA EMAIL

The Corporation of Loyalist Township
P.O. Box 70, 263 Main Street
Odessa, ON K0H 2H0

Attention: Brandi Teeple, Deputy Clerk

**RE: SUPPORT RESOLUTION FROM LOYALIST TOWNSHIP RE: FUNDING FOR
COMMUNITY GROUPS AND SERVICE CLUBS AFFECTED BY PANDEMIC**


Please be advised that Council for the Corporation of the Town of Lincoln at its Special Council Meeting held on November 16, 2020, endorsed and passed the following motion in support of Loyalist Township (attached) that was passed on September 28, 2020.

Moved by: Councillor J.D. Pachereva; Seconded by: Councillor Paul MacPherson

THAT Council for the Corporation of the Town of Lincoln support the correspondence item as attached from the Loyalist Township, regarding funding for community groups and service clubs affected by pandemic.

CARRIED

Regards,


Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Sam Oosterhoff, MPP
Dean Allison, MP
All Ontario Municipalities

October 9, 2020

The Right Honourable Justin Trudeau
Prime Minister of Canada
Email: justin.trudeau@parl.gc.ca

The Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

Re: Funding for community groups and service clubs affected by pandemic

Please be advised that at the Regular Meeting of Council on September 28, 2020, the Council of Loyalist Township passed the following resolution:

Resolution No. 2020.35.16

Moved by: Deputy Mayor Hegadorn

Seconded by: Councillor Porter

"Whereas, the world health organization characterized covid-19 as a pandemic on March 11, 2020

And whereas, travel restrictions were put in place March 21st, 2020 with emergency orders being established under the quarantine act

And whereas, the province of Ontario entered a state of emergency on March 17, 2020

And whereas Loyalist Township declared a state of emergency on March 26, 2020

And whereas the Kingston, Frontenac, Lennox and Addington Public Health Unit have enacted orders under Section 22 of the Ontario Health Protection and Promotion Act, 1990

And whereas the above noted state of emergencies and orders restricted the ability for charities, community groups and service clubs to raise or acquire funds through conventional methods

And whereas these charities, community groups and service clubs provide vital resources and support critical to community members

And whereas these charities, community groups and service clubs' partner with municipal governments reducing the financial pressures on the government while enhancing the lives of residents

Therefore be it resolved that Loyalist Township council requests confirmation from the governments of Ontario and Canada that funding will be available for these local smaller charities, community groups and service clubs.

AND FURTHER THAT a copy of this resolution be circulated to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; MP Derek Sloan, Hastings - Lennox and Addington ; the Honourable Daryl Kramp, MPP Hasting-Lennox and Addington; the Association of Municipalities Ontario; Rural Ontario Municipalities Association and all Municipalities within the Province of Ontario".

Regards,



Brandi Teeple
Deputy Clerk
Loyalist Township

cc. MP Derek Sloan- Hastings-Lennox and Addington
MPP Daryl Kramp- Hastings- Lennox and Addington
Association of Municipalities Ontario
Rural Ontario Municipalities Association
All Ontario Municipalities

Enhancing Public Health and Workplace Safety Measures in the Provincewide Shutdown

January 12, 2021

The information contained in this document is intended to communicate a summary of information about measures proposed to come into effect in Ontario or in areas of Ontario between Tuesday January 12, 2021 and Thursday, January 14, 2021. The material is not legal advice and does not purport to be or to provide an interpretation of the law. In the event of any conflict or difference between this summary information and any applicable legislation or regulation, the legislation or regulation prevails.

New updates as of January 12, 2021 in red.

Context: Enhancing Public Health and Workplace Safety Measures in the Provincewide Shutdown

- COVID-19 morbidity (illness) and mortality (death) are at the highest levels since the start of the pandemic.
- Growth in COVID-19 cases has accelerated and is over 7% on the worst days.
- Daily mortality is increasing under current restrictions and is projected to double from 50 to 100 deaths per day between now and end of February.
- Escalating case counts have led to increasing hospitalization rates and ICU occupancy which has resulted in further disruptions to scheduled surgeries and procedures. ICU occupancy is now over 400 beds and is projected to be approximately 500 beds by mid-January/approximately 1,000 beds by early February in more severe, but realistic scenarios.
- Despite restrictions, a substantial minority of people in high-rate regions are acting in a way that will increase COVID-19 transmission.
- Urgent action is required to significantly reduce the number of contacts people are having, in order to:
 - Prevent extensive illness and death
 - Protect our health care system; and
 - Resume in-person learning in schools.

Overview

Declaring a provincial emergency

Restricting mobility

Reducing outdoor gathering limits

Closing additional workplaces and introducing mitigation measures for those that remain open

Increasing enforcement

Overview: Timing and Geographical Application

When do the enhanced measures in the Provincewide Shutdown start?	Where, and how long, are the Provincewide Shutdown measures in effect?
There will be a combination of measures that come into effect between Tuesday January 12, 2021 and Thursday, January 14, 2021, including a provincial declaration of emergency under the <i>Emergency Management and Civil Protection Act</i> , orders under that Act, and amendments to regulations under the <i>Reopening Ontario (A Flexible Response to COVID-19) Act, 2020</i> .	The enhanced public health and workplace safety measures are in effect for all of Ontario and are anticipated to be in place until at least Thursday, February 11, 2021.

Emergency Management and Civil Protection Act

- The Ontario government is declaring a second provincial emergency in response to COVID-19 under the *Emergency Management and Civil Protection Act* (EMCPA) to ensure that necessary measures and restrictions can be put in place to keep Ontarians safe and immediately respond to the ongoing threat of COVID-19.
- A declaration of emergency automatically terminates 14 days after being made unless terminated earlier or extended. The province will monitor key public health indicators to determine whether or not to extend the emergency.
- A declaration of a provincial emergency allows the government to make new emergency orders under the EMCPA if the orders meet the legal test for necessity and other criteria.
- Orders will also continue under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA) with updates to the stage orders, along with enforcement.

EMCPA Enforcement Supports

- Under the provincial emergency, the following enhanced enforcement authorities will be in place:
 - **All provincial offences officers, including police officers, will have the authority to disperse crowds indoors as well as outdoors. For example, when a group of more than five people who are not from the same household are gathering outdoors, they can be required to leave and the premise may be closed.**
 - **Similar to the provision under ROA, individuals have a duty to identify when a police officer has reasonable and probable grounds that an offence under EMCPA has been committed.**
- **Additionally, enforcement personnel** will have the **authority to issue tickets** to individuals, employees and corporations in retail settings and businesses if found not complying with an order (e.g. staff member or customer not wearing a face covering.)

General Public Health and Workplace Safety Measures for all Businesses, Organizations and Facilities and Individuals

(UPDATED) General Public Health Measures for all Businesses, Organizations and Facilities

<p>Public Health Advice, Recommendations and Instructions</p> <p>Businesses or organizations must operate in compliance with the advice, recommendations, and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting, and working remotely. Check with your local public health unit for any additional advice, recommendations or instructions.</p>
<p>Work from Home Except Where Necessary</p> <p>Each person responsible for a business or organization that is open shall ensure that any person who performs work for the business or organization conducts their work remotely, with limited exception, for instance, where the nature of their work requires them to be on-site at the workplace.</p>
<p>Physical Distancing and Line Management</p> <ul style="list-style-type: none">Businesses or places must not permit patrons to line up inside the businesses or place, or to line up or congregate outside of the business or place unless they are maintaining a physical distance of at least two metres from other groups of persons and wearing a mask or face covering that covers their mouth, nose and chin unless they are entitled to an exception set out in the regulation.
<p>Screening</p> <p>Businesses or organizations must operate in compliance with the advice, recommendations instructions issued by the Office of the Chief Medical Officer of Health on screening individuals. This includes:</p> <ul style="list-style-type: none">Workplaces must screen any workers or essential visitors entering the work environment. See the COVID-19 Screening Tool for Workplaces for more information.
<p>Personal Protective Equipment including Eye Protection</p> <p>Personal protective equipment that provides protection of the eyes, nose, and mouth, is required if a worker is required to come within 2 metres of another person who is not wearing a face covering and not separated by plexiglass or some other impermeable barrier.</p>
<p>Capacity Limits</p> <p>All businesses or facilities must limit capacity so that every member of the public is able to maintain two metres of physical distancing from every other person, and limit the number of people occupying any room that is open to the public to 50% capacity of the particular room. Some businesses or facilities have additional capacity restrictions that apply beyond the general capacity requirements.</p> <p>All businesses or facilities that engage in retail sales to the public must post a sign in a location visible to the public that states the maximum capacity they are permitted to operate under.</p> <p>Please Note:</p> <ul style="list-style-type: none">The maximum number of persons permitted in a business or facility that is operating at 50 per cent capacity is determined by taking the total square metres of floor space accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 8 and rounding the result down to the nearest whole number.The maximum number of persons permitted in a business or facility that is operating at 25 per cent capacity is determined by taking the total square metres of floor space accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 16 and rounding the result down to the nearest whole number.

General Public Health Measures for all Businesses, Organizations and Facilities, continued

Cleaning and Disinfection Businesses or places that are open shall ensure that equipment, washrooms, locker rooms, change rooms, showers that are accessible to the public are cleaned and disinfected as frequently as is necessary to maintain a sanitary condition.
Face Coverings Businesses or organizations must ensure that masks or face coverings are worn by any person (including members of the public and workers) in the indoor area of the business or organization, with limited exceptions.
Safety Plans Requirement for all businesses open to prepare and make available a COVID-19 safety plan . A copy of the plan shall be made available to any person for review upon request, and be posted where it would come to the attention of individuals working in or attending the business.

(UPDATED) General Public Health Measures for all Individuals

Stay-at-Home
Physical Distancing Every person in a place of business or facility that is open to the public shall maintain a physical distance of at least two metres from every other person except from their caregiver or other members of the person’s household, with limited exceptions.
Face Coverings Every person in the premises of a business or organization that is open shall ensure that they wear a mask or face covering that covers their mouth, nose and chin, when they are in indoor areas of the premises, with limited exemptions.
Accessing Closed Indoor and Outdoor Recreational Amenities No person shall use an indoor or outdoor recreational amenity that is required to be closed.

**Organized Public Events and
Social Gatherings (including
Religious Services, Rites or
Ceremonies), Schools, Child
Care, Post-Secondary
Institutions and Day Camps**

(UPDATED) Organized Public Events, Social Gatherings, Religious Services, Rites and Ceremonies, Post-Secondary Institutions and Day Camps

Events and gatherings	<p>No indoor organized public events and social gatherings, except with members of the same household (the people you live with). Individuals who live alone and single parents may consider having exclusive, close contact with another household to help reduce the negative impacts of social isolation</p> <p>Limit for outdoor organized public events and social gatherings, must comply with requirements on physical distancing and face coverings:</p> <ul style="list-style-type: none"> • 5 people outdoors
Weddings, funerals and other religious services, rites or ceremonies	<p>Wedding services, funeral services and other religious services, rites or ceremonies where physical distancing can be maintained and in compliance with rules on face coverings:</p> <ul style="list-style-type: none"> • 10 people indoors • 10 people outdoors <p>Drive-in services, rites or ceremonies permitted, subject to certain conditions</p> <p>Virtual services permitted</p>
Post-secondary institutions	<ul style="list-style-type: none"> • Post-secondary institutions open for virtual instruction, with limited exceptions where in-person instruction is required (e.g., clinical training, trades). Subject to physical distancing with limited exceptions • In-person teaching (each instructional space at the institution at one time) and in-person examinations cannot exceed 10 persons, with limited exemptions for: <ul style="list-style-type: none"> ○ Diagnostic cardiac sonography and diagnostic medical sonography ○ Diagnostic ultrasound ○ Medical imaging ○ Medical laboratory assistant and Medical laboratory technician ○ Medical radiation technology ○ Medicine ○ Mental health and addictions services, including psychology services, social work services and counselling services ○ Nursing ○ Paramedic ○ Personal support worker, supportive care worker, home care worker or a similar occupation ○ Pharmacy/pharmacy technician ○ Public health inspector, if the program is accredited by the Canadian Institute of Public Health Inspectors ○ Rehabilitation sciences (nutrition, speech language pathology, occupational science, and physiotherapy) ○ Respiratory therapy <p>Subject to additional requirements for in-person teaching that involves singing or the playing of brass or wind instruments</p>
Day camps for children	<p>Closed</p>

(UPDATED) Approach in Schools and Child Care

Approach in Schools and Child Care	
Schools	<ul style="list-style-type: none">• Schools in grey zones as of December 18, 2020, remain closed until February 10, 2021 - Windsor, Toronto, Peel, York and Hamilton.• The Chief Medical Officer of Health will provide advice and an announcement will be made by January 20, 2021 regarding the return to in-person learning in all other PHUs.• The following new health and safety measures will be introduced to further support protect students province-wide:<ul style="list-style-type: none">• Mandatory masking for students in Grades 1-3.• Masking requirements outdoors where physical distancing cannot be maintained.• Enhanced screening protocols will be introduced where recommended by the CMOH. To support this, Ontario's COVID-19 School and Child Care Screening Tool, will be updated to reflect the new screening criteria.• Expanded targeted testing
Child care	<ul style="list-style-type: none">• Child care for non-school aged children (and JK and kindergarten children not enrolled in school immediately prior to December 21, 2020) will remain open including child care offered in licensed centres and in home-based settings (licensed and unlicensed).• For regions where schools reopen for in-person learning on January 25, emergency child care for school-aged children of front-line workers will end on January 22. Before and after school programs will be authorized to resume on January 25.• For regions where schools reopen for in-person learning on February 10, emergency child care for school-aged children of front-line workers will end on February 9. Before and after school programs will be authorized to resume on February 10.• In addition to the robust health and safety practices already in place in child care settings, the following new health and safety measures will be introduced to further protect children province-wide:<ul style="list-style-type: none">• Enhanced screening to align with screening requirements at schools• Voluntary participation in targeted, asymptomatic testing

Businesses Permitted to Open and Sector Specific Public Health and Workplace Safety Measures: Refer to [O. Reg. 82/20](#)¹ for details

¹ The regulation that establishes the rules for the Provincewide Shutdown is [O. Reg. 82/20](#). Clicking on this link will take you to the most recent version of the consolidated regulation published on e-Laws. The e-Laws currency date appears at the top of the consolidated regulation. Proposed amendments to regulations do not appear on e-Laws. Amendments to regulations are initially published as “source law” on the e-Laws website.

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Supply chain	<ul style="list-style-type: none">Businesses that supply businesses or places that are permitted to open within Ontario, or that supply businesses or services that have been declared essential in a jurisdiction outside of Ontario, with the support, products, supplies, systems, or services, including processing, packaging, warehousing, distribution, delivery, and maintenance necessary to operate
Meeting or event space	<p>Only permitted to open for:</p> <ul style="list-style-type: none">The operation of child care centres and authorized recreational and skill building programs within the meaning of the <i>Child Care and Early Years Act, 2014</i>Court servicesGovernment servicesMental health and addictions support services (e.g., Alcoholics Anonymous) permitted to a maximum of 10 peopleSocial services <p>Contact information recording required</p>
Short-term rentals	<p>Short-term rentals (e.g., cottages, cabins):</p> <ul style="list-style-type: none">Only to be provided to individuals who are in need of housing <p>Refer to the Services section for details on motels, hotels, lodges, resorts and other shared rental accommodation, including student residences</p>

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Restaurants, bars, and other food or drink establishments	Restaurants, bars and other or drink establishments <ul style="list-style-type: none"> Take out, drive through, and delivery permitted only Includes the sale of alcohol
Driving instruction	In-person driving instruction <ul style="list-style-type: none"> No in-person driving instruction permitted except: <ul style="list-style-type: none"> For instruction for drivers of commercial motor vehicles Where the instruction is part of the Ontario Driver Certification Program administered by the Ministry of Transportation and involves the operation of motor vehicles for which: <ul style="list-style-type: none"> A class of driver's licence other than Class G, G1, G2, M, M1 or M2 is required An air brake endorsement is required Or that is provided by a private career college, in accordance with certain conditions
Retailers	Supermarkets, convenience stores, indoor farmer's markets and other stores that primarily sell food <ul style="list-style-type: none"> Open for in-person retail, subject to: <ul style="list-style-type: none"> Members of the public being able to maintain two metres physical distance from every other person in the business or facility and complying with face covering rules The number of persons occupying any room that is open to the public does not exceed 50% capacity of the particular room Curbside pick-up and delivery permitted Pharmacies <ul style="list-style-type: none"> Open for in-person retail, subject to: <ul style="list-style-type: none"> Members of the public being able to maintain two metres physical distance from every other person in the business or facility and complying with face covering rules The number of persons occupying any room that is open to the public does not exceed 50% capacity of the particular room Curbside pick-up and delivery permitted

Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Retailers, continued	<p>Discount retailers and big box stores that sell groceries</p> <ul style="list-style-type: none"> • Open for in-person retail, subject to: <ul style="list-style-type: none"> ○ Members of the public being able to maintain two metres physical distance from every other person in the business or facility ○ The number of persons occupying any room that is open to the public does not exceed 25% capacity of the particular room • Curbside pick-up and delivery permitted <p>Other retailers:</p> <ul style="list-style-type: none"> • Distancing and face covering rules apply • Operating hours of 7am to 8pm <p>Gas stations and other fuel suppliers</p> <p>Safety supply stores, businesses that sell, rent or repair assistive/mobility/medical devices, and optical stores that sell prescription eyewear to the public:</p> <ul style="list-style-type: none"> • By appointment only • Limit the number of persons occupying any room that is open to the public in the business to not exceed 50% capacity of the particular room • Curbside pick-up and delivery permitted • Operating hours of 7am to 8pm <p>Stores that sell liquor, including beer, wine and spirits:</p> <ul style="list-style-type: none"> • Limit the number of persons occupying any room that is open to the public in the business does not exceed 25% of the particular room • Curbside pick-up and delivery permitted • Operating hours of 9am to 8pm

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Retailers, continued	<p>Shopping malls:</p> <ul style="list-style-type: none"> • Closed for in-person retail. Members of the public are only permitted to enter the mall to: <ul style="list-style-type: none"> ○ Access businesses and organizations permitted to be open (e.g., pharmacy, dentist); food court open for take-away, or by appointment only to facilitate pick-up as set out below ○ Access court services and government services • Shopping mall may establish: <ul style="list-style-type: none"> ○ A single designated location inside the shopping mall for order pick-up by patrons. Pick-up inside the shopping mall must be by appointment only ○ Any number of designated locations outside the shopping mall for curbside pick-up by patrons • Members of the public not permitted to loiter in any area of the shopping mall that is not related to the purpose of their visit • Must open no earlier than 7 a.m. and close no later than 8 p.m., except to provide access to grocery stores/supermarkets, pharmacies, and health care providers that only have public entrances that face the interior of the mall <p>Cannabis retail stores operating under the authority of a retail store authorization issued under the <i>Cannabis Licence Act, 2018</i>:</p> <ul style="list-style-type: none"> • By curbside pick-up or delivery only; Operating hours of 7am to 8pm • An item may only be provided for curbside pickup if the patron ordered the item before arriving at the business premises <p>Garden centres:</p> <ul style="list-style-type: none"> • Curbside pick-up and delivery permitted; Operating hours of 7am to 8pm • An item may only be provided for curbside pickup if the patron ordered the item before arriving at the business premises

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Retailers, continued	<p>Motor vehicle sales</p> <ul style="list-style-type: none"> Includes cars, trucks and motorcycles; recreational vehicles including motor homes; trailers and travel trailers; boats and other watercraft; and other motorized vehicles, including power-assisted bicycles, golf carts, scooters, snowmobiles and all-terrain vehicles By appointment only Members of the public must not be permitted where products are neither sold nor displayed for sale Subject to certain conditions related to test drives Operating hours of 7am to 8pm <p>Outdoor markets</p> <ul style="list-style-type: none"> Includes farmer's markets and holiday markets only if they primarily sell food to the public Must require members of the public to remain outdoors at all times, including for curbside pick-up or delivery Operating hours of 7am to 8pm <p>General Retail (all other retail, including hardware stores, pet food, computer stores, etc.):</p> <ul style="list-style-type: none"> Curbside pick-up or delivery only (in-person retail shopping not permitted) An item may only be provided for curbside pickup if the patron ordered the item before arriving at the business premises Sales must be exclusively made so patrons are not required to enter the indoor area of the business, including curbside pick-up or delivery Operating hours of 7am to 8pm
Services	<p>Rental and leasing services, including automobile, commercial and light industrial machinery and equipment rental</p> <ul style="list-style-type: none"> By appointment only <p>Automated and self-service car washes</p> <p>Laundromats and drycleaners</p> <p>Snow clearing and landscaping services</p>

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Services, continued	<p>Security services for residences, businesses and other properties</p> <p>Domestic services</p> <ul style="list-style-type: none"> Only to support children, seniors or vulnerable persons, including housekeeping, cooking, indoor and outdoor cleaning and maintenance services <p>Vehicle and equipment repair and essential maintenance and vehicle and equipment rental services</p> <ul style="list-style-type: none"> By appointment only <p>Courier, postal, shipping, moving and delivery services</p> <p>Funeral and related services</p> <p>Staffing services including providing temporary help</p> <p>Veterinary services</p> <ul style="list-style-type: none"> For services that are necessary for the immediate health and welfare of the animal only, or provided through curbside pick-up and drop-off of the animal <p>Other businesses that provide for the health and welfare of animals, including farms, boarding kennels, stables, animal shelters and research facilities</p> <p>Businesses that provide pet training exclusively for service animals</p> <p>Hotels, motels, lodges, cabins, cottages, resorts and other shared rental accommodation, including student residences</p> <ul style="list-style-type: none"> Any indoor pools, indoor fitness centres, or other indoor recreational facilities that are part of the operation of these businesses, are closed Pre-arranged booking for short-term rentals prohibited with exceptions for housing requirements

Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Services, continued	<p>Seasonal campgrounds</p> <ul style="list-style-type: none"> • Must be made available only for trailers and recreational vehicles used by individuals in need of housing or are permitted to be there by seasonal contract • Only campsites with electricity, water service and facilities for sewage disposal may be provided for use • All recreational and other shared facilities, excluding washrooms and showers must be closed • Other areas of the seasonal campground must be closed to the general public and must only be opened for the purpose of preparing the seasonal campground for reopening <p>Community centres</p> <ul style="list-style-type: none"> • Permitted to open for: <ul style="list-style-type: none"> ○ The operation of child care centres and authorized recreational and skill building programs within the meaning of the <i>Child Care and Early Years Act, 2014</i> ○ Mental health and addictions support services (e.g., Alcoholics Anonymous) permitted to a maximum of 10 people ○ Social services <p>Cheque cashing services</p>
Financial services	<ul style="list-style-type: none"> • Capital markets and related securities trading and advisory services • Banking/credit union activities including credit intermediation • Insurance • Land registration services • Pension and benefits payment services • Financial services including payroll and payment processing and accounting and tax services
Real estate (including pre-sale construction)	<p>Real estate (including pre-sale construction)</p> <ul style="list-style-type: none"> • No open houses - showing a property permitted by appointment only

Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Telecommunications and IT infrastructure/service providers	<p>Information Technology (IT) services, including online services, software products and the facilities necessary for their operation and delivery</p> <p>Telecommunications providers and services (phone, internet, radio, cell phones etc.) and facilities necessary for their operation and delivery</p> <ul style="list-style-type: none"> Retail stores operated by a telecommunications provider or service may only permit members of the public to enter the premises by appointment and only for repairs or technical support <p>Newspapers, radio and television broadcasting</p>
Maintenance	<ul style="list-style-type: none"> Maintenance, repair and property management services that manage and maintain the safety, security, sanitation and operation of institutional, commercial, industrial and residential properties and buildings
Transportation services	<ul style="list-style-type: none"> Businesses and facilities that provide transportation services, including: <ul style="list-style-type: none"> Transportation services provided by air, water, road, and rail, including taxis and other private transportation providers, and Support services for transportation services, including: <ul style="list-style-type: none"> logistical support, distribution services, warehousing and storage, truck stops and tow operators, and services that support the operations and safety of transportation systems including maintenance and repairs Marinas, boating clubs and other organizations that maintain docking facilities for members or patrons with conditions Businesses that provide and support online retail, including by providing warehousing, storage and distribution of goods that are ordered online
Manufacturing	<ul style="list-style-type: none"> Businesses that extract, manufacture, process and distribute goods, products, equipment and materials, including businesses that manufacture inputs to other manufacturers (e.g. primary metal/ steel, blow molding, component manufacturers, chemicals, etc. that feed the end-product manufacturer), regardless of whether those other manufacturers are inside or outside of Ontario, together with businesses that support and facilitate the movement of goods within integrated North American and global supply chains

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Agriculture and food production	<ul style="list-style-type: none"> • Businesses that produce food and beverages, and agricultural products including plants, including by farming, harvesting, aquaculture, hunting and fishing • Businesses that process, manufacture or distribute food, beverages, crops, agricultural products, animal products and by-products • Businesses that support the food or agricultural products supply chains and the health and safety of food, animals and plants
Construction	<ul style="list-style-type: none"> • Permitted construction activities or projects and related services, including land surveying and demolition services. • Construction projects and services associated with the healthcare sector and long-term care, including new facilities, expansions, renovations and conversion of spaces that could be repurposed for health care space. • Construction projects and services required to ensure safe and reliable operations of, or to provide new capacity in, provincial and municipal infrastructure, including transit, transportation, energy, mining and justice sectors beyond the day-to-day maintenance. • Construction projects and services that support the operations of, and provide new capacity in schools, colleges, universities, municipal infrastructure and child care centres within the meaning of the <i>Child Care and Early Years Act, 2014</i>. • Construction projects under the Investing in Canada Infrastructure Program • Construction projects and services that support the operations of Broadband internet and cellular technologies and services. • Critical industrial construction activities required for, <ul style="list-style-type: none"> • the maintenance and operations of petrochemical plants and refineries, • significant industrial petrochemical projects where preliminary work has already commenced, • industrial construction and modifications to existing industrial structures limited solely to work necessary for the production, maintenance, and/or enhancement of Personal Protective Equipment, medical devices (such as ventilators), and other identified products directly related to combatting the COVID-19 pandemic. • Construction projects that are due to be completed before <u>July 2021</u> and that would provide additional capacity in the production, processing, manufacturing or distribution of food, beverages or agricultural products. • Construction projects that were commenced before <u>January 12, 2021</u>, and that would, <ul style="list-style-type: none"> • i. provide additional capacity for businesses that provide logistical support, distribution services, warehousing, storage or shipping and delivery services, or • ii. provide additional capacity in the operation and delivery of Information Technology (IT) services or telecommunications services.

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Construction, continued	<ul style="list-style-type: none"> Residential construction projects where, <ul style="list-style-type: none"> a footing permit has been granted for single family, semi-detached and townhomes the project is a condominium, mixed use or other residential building, or the project involves renovations to residential properties and construction work was started before <u>January 12, 2021</u>. Construction to prepare a site for an institutional, commercial, industrial or residential development, including any necessary excavation, grading, roads or utilities infrastructure. Construction and maintenance activities necessary to temporarily close construction sites that have paused or are not active and to ensure ongoing public safety. Below-grade multi-unit residential construction projects, such as apartments and condominiums. The Ontario government also provided that businesses must follow public health measures and should review the workplace safety guidelines. <p>Construction on any project intended to provide either, affordable housing, or shelter or supports for vulnerable persons,</p> <p>If the project is being funded in whole or in part by, or is being undertaken by, any of the following:</p> <ul style="list-style-type: none"> A. the Crown in right of Canada or in right of Ontario, B. an agency of the Crown in right of Canada or in right of Ontario, C. a municipality, D. a service manager as defined in the <i>Housing Services Act, 2011</i>, or E. a registered charity and not for profit within the meaning of the <i>Income Tax Act</i> (Canada). <p><i>Enhanced with:</i> Workplace testing</p> <p>Additional enforcement to ensure compliance</p>

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Resources and energy	<ul style="list-style-type: none">• Businesses that provide and ensure the domestic and global continuity of supply of resources, including, resource exploration, mining, forestry, aggregates, petroleum, petroleum by-products and chemicals• Electricity generation, transmission, distribution and storage and natural gas distribution, transmission and storage
Community services	<p>Businesses that deliver or support the delivery of community services including:</p> <ul style="list-style-type: none">• Sewage treatment and disposal• Collecting, transporting, storing, processing, disposing or recycling of any type of waste• Potable drinking water• Critical infrastructure repair and maintenance including roads, dams, bridges etc.• Environmental rehabilitation, management and monitoring, and spill clean-up and response• Administrative authorities that regulate and inspect businesses• Professional and social services that support the legal and justice system• Government services including but not limited to policing and law enforcement, fire and emergency services, paramedics, coroner and pathology services, corrections and court services, licences and permits• Allotment gardens or community gardens

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Facilities for indoor or outdoor sports and recreational fitness activities	<ul style="list-style-type: none"> • Closure of all indoor and outdoor sports and recreational fitness facilities except for: <ul style="list-style-type: none"> ○ Facilities operated or for the sole use of high performance athletes, including parasport athletes, and specified professional leagues (e.g., NHL, CFL, MLS, NBA) and ○ Facilities opened solely for specified purposes (e.g. child care) • Community centres and multi-purpose facilities (e.g., YMCA) allowed to be open for permitted activities (e.g., child care services, mental health and addiction support services [limited to 10 people maximum], social services) • All subject to conditions
Outdoor recreational amenities	<ul style="list-style-type: none"> • No person is permitted to use an indoor or outdoor recreational amenity that is required to be closed • Outdoor recreational amenities permitted to open, subject to conditions, include (weather permitting): <ul style="list-style-type: none"> ○ Parks and recreational areas ○ Baseball diamonds ○ Batting cages ○ Soccer, football and sports fields ○ Tennis, platform tennis, table tennis and pickleball courts ○ Basketball courts ○ BMX parks ○ Skate parks ○ Frisbee golf locations ○ Cycling tracks and bike trails ○ Horse riding facilities ○ Shooting ranges, including those operated by rod and gun clubs ○ Ice rinks ○ Snowmobile, cross country, dogsledding, ice-skating and snow-shoe trails ○ Playgrounds ○ Portions of parks or recreational areas containing outdoor fitness equipment ○ Tobogganing hills and skating trails <p>Refer to subsequent slide for public health and workplace safety measures.</p>

Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Outdoor recreational amenities, continued	<p>A permitted outdoor recreational amenity may only open if:</p> <ul style="list-style-type: none"> • Any person who enters or uses the amenity maintains a physical distance of at least two metres from other person using the amenity (excluding members of the same household) • Team sports, or other sports or games where people may come within two metres of each other, are not practiced or played within the amenity • Any locker rooms, change rooms, showers and clubhouses remain closed, except to the extent they provide access to equipment storage, a washroom or a portion of the amenity that is used to provide first aid <p>Ski hills are closed</p>
Research	<ul style="list-style-type: none"> • Businesses and organizations that maintain research facilities and engage in research, including medical research and other research and development activities
Health care and social services	<ul style="list-style-type: none"> • Organizations and providers that deliver home care services or personal support services to seniors and persons with disabilities • Regulated health professionals • Professionals or organizations that provide in-person counselling services • Organizations that provide health care including retirement homes, hospitals, clinics, long-term care facilities, independent health facilities and mental health and addictions counselling supports • Laboratories and specimen collection centres • Manufacturers, wholesalers, distributors and retailers of pharmaceutical products and medical supplies, including medications, medical isotopes, vaccines and antivirals, medical devices and medical supplies • Manufacturers, distributors and businesses that provide logistical support of or for products and/or services that support the delivery of health care in all locations • Organizations that provide critical personal support services in home or residential services for individuals with physical disabilities • Organizations that support the provision of food, shelter, safety or protection, and/or social services and other necessities of life to economically disadvantaged and other vulnerable individuals • Businesses that are primarily engaged in the provision of health and safety training with conditions

Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Media industries	<p>Sound recording, production, publishing and distribution businesses</p> <p>Film and television production, including all supporting activities such as hair, makeup and wardrobe:</p> <ul style="list-style-type: none"> • No studio audiences permitted to be on the film or television set • No more than 10 performers may be permitted to be on the film or television set • Set must be configured and operated in such a way as to enable persons on the set to maintain a physical distance of at least two metres from other persons, except where necessary for the filming of the film or television production • Persons who provide hair or makeup services must wear appropriate personal protective equipment • Singers and players of brass or wind instruments must be separated from any other performers by plexiglass or some other impermeable barrier <p>Film and television postproduction, visual effects and animation studios</p> <p>Book and periodical production, publishing and distribution businesses</p> <p>Commercial and industrial photography</p> <ul style="list-style-type: none"> • Does not permit retail studios to open <p>Interactive digital media businesses, including:</p> <ul style="list-style-type: none"> • Computer system software or application developers and publishers, and • Video game developers and publishers

(UPDATED) Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Entertainment	Concert venues, theatres and cinemas <ul style="list-style-type: none"> • Closed, including drive-in or drive-through events
Libraries	Libraries may open: <ul style="list-style-type: none"> • For contactless curbside, delivery, and pick-up • For permitted services (e.g., child care services, mental health and addiction support services to a limit of 10 persons [AA meetings], provision of social services) • If they ensure that circulating materials returned to the library are disinfected or quarantined for an appropriate period of time before they are recirculated • Contact information recording required
Museums and cultural amenities	Closed
Horse racing	<ul style="list-style-type: none"> • Training only, no races, no members of the public (i.e., spectators)
Night clubs and strip clubs	<ul style="list-style-type: none"> • Only permitted to open if they operate as a food or drink establishment, subject to conditions that apply to restaurants and bars, etc.

Businesses Permitted to Open and Sector Specific Restrictions

Sector	Businesses, organizations and services permitted to open under the Provincewide Shutdown and any sector-specific public health and workplace safety measures
Zoos and aquariums	Zoos and aquariums: <ul style="list-style-type: none"> • Closed to the public • Permitted to operate for the care of animals
Amusement parks, water parks	Closed
Bathhouses and sex clubs	Closed
Tour and guide services	Closed
Motorsports	Closed
Personal care services	Closed
Casinos, Bingo Halls and Gaming Establishments	Closed

Appendix A: List of Eligible Workers (Child Care Only)

An individual who is,

- a regulated health professional, or
- an unregulated health care provider working in health care delivery, either directly or indirectly.

Individuals who work for manufacturers and distributors of pharmaceutical products and medical supplies, including medications, medical isotopes, vaccines and antivirals and medical devices.

A police officer as defined in the *Police Services Act*.

A special constable appointed pursuant to section 53 of the *Police Services Act*.

A member of a police force other than a police officer as defined in the *Police Services Act*.

A First Nations Constable appointed pursuant to section 54 of the *Police Services Act* or a member of a police service in which policing is delivered by First Nations Constables.

A provincial offences officer as defined in the *Provincial Offences Act*.

An individual employed by the Ministry of the Attorney General or a municipality in Ontario who is required to work on site to support the administration of the Ontario Court of Justice, the Superior Court of Justice or the Court of Appeal for Ontario, including,

- court services representatives, court and client representatives, court clerks, court registrars, court reporters, enforcement officers and any other administrative officers and employees that are considered necessary for the administration of the courts,
- business professionals and Crown prosecutors of the Criminal Law Division, and
- employees of the Victim/Witness Assistance Program.

An individual who provides essential justice-related frontline services to Indigenous persons involved in the justice system and who is employed by an Indigenous community or Indigenous organization through a program funded by the Ministry of the Attorney General, including,

- the Indigenous Courtwork Program,
- the Indigenous Bail Verification and Supervision Program, or
- the Indigenous Bail Beds Program.

An individual who is engaged in the delivery of frontline victim services funded by the Ministry of the Attorney General under the Ontario Victim Services program.

An individual employed as a firefighter as defined in the *Fire Protection and Prevention Act, 1997*.

Appendix A: List of Eligible Workers (Child Care Only), continued

An individual who is,

- engaged in providing fire protection services as defined in the *Fire Protection and Prevention Act, 1997*,
- employed in a fire department as defined in the *Fire Protection and Prevention Act, 1997*, or
- employed in the Office of the Fire Marshal and whose duties include being a fire investigator or supervising or managing fire investigators.

A paramedic as defined in the *Ambulance Act*.

A coroner as defined in the *Coroners Act*.

A worker in a correctional institution as defined in the *Ministry of Correctional Services Act* or an independent contractor who supplies services to correctional institutions, including, but not limited to, employees of Trilcor.

Probation and parole officers as described in the *Ministry of Correctional Services Act*, including institutional liaison officers, court liaison officers, individuals employed as assistant area managers and area managers of staff at probation and parole offices and the administrative and support staff at these offices.

An individual employed in the Institutional Services Division of the Ministry of the Solicitor General, including a person employed in a correctional institution as defined in section 1 of the *Ministry of Correctional Services Act*.

An individual employed in the Operational Support Division of the Correctional Services Recruitment and Training Centre in the Ministry of the Solicitor General who,

- provides facilities or maintenance services, or
- is a Senior Staff Development Officer or Manager of Customized Training.

An employee of Compass Group Canada Ltd. who works at or provides services in relation to the Cook Chill Food Production Centre.

An individual employed in the Ministry of the Solicitor General who performs one or more of the following functions for the Institutional Services Division or Community Services Division:

- Performing electronic monitoring services.
- Performing CPIC searches.
- Preparing community supervision orders.

An individual employed in the Ministry of the Solicitor General at the Centre for Forensic Sciences who is involved in supporting and conducting forensic testing and analysis.

An individual employed in the Ministry of the Solicitor General at the provincial Forensic Pathology Unit.

An individual employed in the Provincial Emergency Operations Centre or at the Ministry of the Solicitor General's Emergency Operations Centre.

An animal welfare inspector appointed pursuant to the Provincial Animal Welfare Services Act, 2019 or an individual employed by the Ministry of the Solicitor General in the Animal Welfare Services Branch who is directly involved in supporting animal welfare inspectors.

Appendix A: List of Eligible Workers (Child Care Only), continued

An individual employed in the operation of,

- a place of secure custody designated under section 24.1 of the Young Offenders Act (Canada), whether in accordance with section 88 of the Youth Criminal Justice Act (Canada) or otherwise, or
- a place of secure temporary detention as defined in subsection 2 (1) of the Child, Youth and Family Services Act, 2017.

Persons, other than foster parents, who deliver or directly support the delivery of residential care, treatment and supervision to children and young persons residing in residential settings licensed under the Child, Youth and Family Services Act, 2017.

An individual employed by a children's aid society designated under section 34 of the Child, Youth and Family Services Act, 2017 to provide services necessary for the performance of a children's aid society's functions, as set out in section 35 (1) of that Act.

An individual employed by a service agency as defined in section 1 of the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008, to provide services and supports, within the meaning of section 4 of that Act, to adults with developmental disabilities.

An individual who is engaged in the delivery of services funded by the Ministry of Children, Community and Social Services under the Violence Against Women Support Services or the Anti-Human Trafficking Community Supports programs.

A staff member of a transfer payment recipient funded by the Ministry of Children, Community and Social Services who is engaged or employed to deliver interpreting or intervenor services for persons who are deaf, deafened, hard of hearing or deafblind.

Persons employed in the Direct Operated Facilities Branch of the Ministry of Children, Community and Social Services.

An individual who performs work that is essential to the delivery of core services in a municipality or First Nation community, as determined by the municipality or First Nation.

An individual who performs work of a critical nature in their service area or community, as determined by the Minister of Education or his delegate in consultation with the relevant service system manager or First Nation as those terms are defined under the Child Care and Early Years Act, 2014.

An individual who works in a child care centre or who otherwise provides child care in accordance with the requirements in this Order.

A staff member of a school as defined in the Education Act who provides in-person instruction at a school to pupils with special education needs who cannot be accommodated through remote learning

A member of the Canadian Armed Forces or an employee of the Department of National Defence.

All persons employed in the Ministry of Natural Resources and Forestry who are engaged in,

- prevention, mitigation, preparedness, response or recovery actions, as applicable, with respect to,
 - fires as defined in the Forest Fires Prevention Act,
 - floods,
 - dam failures, or
 - emergencies relating to oil and gas exploration or production, hydrocarbon underground storage, and salt solution mining, or
- the provision of support services to Conservation Officers through the operation of the Ministry's Provincial Communications Unit.

A person who holds a licence issued under section 13 of the Private Security and Investigative Services Act, 2005 to act as a security guard.

Staff as defined in the *Retirement Homes Act, 2010*.

Appendix A: List of Eligible Workers (Child Care Only), continued

Licensees as defined in the *Retirement Homes Act, 2010* who are individuals and who work or provide services at a retirement home.

Staff as defined in the *Long-Term Care Homes Act, 2007*.

An individual who is an inspector appointed under the Food Safety and Quality Act, 2001 or a field-person or officer appointed under the Milk Act.

An individual employed in the Ministry of Labour, Training and Skills Development in Radiation Protection Services.

An individual who is employed by any of the following entities to carry out work that is deemed by the entity to be critical to the ongoing generation, transmission, distribution and storage of electricity sufficient to meet the demands of the province of Ontario:

- The Independent Electricity System Operator.
- A generator, transmitter or distributor within the meaning of the Electricity Act, 1998.

An individual who performs work that is essential to the operation of,

- a municipal drinking water system as defined in section 2 of the Safe Drinking Water Act, 2002,
- a non-municipal year-round residential system as defined in section 1 of Ontario Regulation 170/03 (Drinking Water Systems) made under the Safe Drinking Water Act, 2002, or
- a wastewater treatment facility or a wastewater collection facility as those terms are defined in section 1 of Ontario Regulation 129/04 (Licensing of Sewage Works Operators) made under the Ontario Water Resources Act and to which that Regulation applies.

An employee of a hotel or motel that is acting as an isolation centre, health care centre, vaccine clinic or that is housing essential workers.

An individual working in a homeless shelter or providing services to homeless persons.

An individual who works for a business that processes, manufactures or distributes food or beverages.

Members, officers and special constables appointed under the Royal Canadian Mounted Police Act who are working in Ontario.

Officers as defined in the Customs Act (Canada) who are working in Ontario.

Employees of the Canada Post Corporation who are working in Ontario.

Reopening Ontario (A Flexible Response to COVID-19) Act, 2020

ONTARIO REGULATION 82/20

formerly under Emergency Management and Civil Protection Act

RULES FOR AREAS IN STAGE 1

Consolidation Period: From January 11, 2021 to the [e-Laws currency date](#).

Last amendment: 6/21.

Legislative History: 119/20, 136/20, 153/20, 196/20, 200/20, 203/20, 219/20, 223/20, 238/20, 255/20, 262/20, 280/20, 300/20, 303/20, 350/20, 413/20, 654/20, 685/20, 707/20, 708/20, 738/20, 779/20 (as am. by 789/20), 789/20, 3/21, 6/21.

This is the English version of a bilingual regulation.

Terms of Order

1. The terms of this Order are set out in Schedules 1, 2, 3, 4 and 5. O. Reg. 779/20, s. 1.
2. REVOKED: O. Reg. 654/20, s. 2.

Application

3. (1) This Order applies to the areas listed in Schedule 1 to Ontario Regulation 363/20 (Stages of Reopening) made under the Act. O. Reg. 413/20, s. 3.
- (2) This Order applies throughout the Grey Zone. O. Reg. 779/20, s. 2.

Grey Zone

3.1 In this Order, a reference to the Grey Zone is a reference to all areas listed as being in the Grey Zone of Stage 1 in section 1 of Schedule 1 to Ontario Regulation 363/20 (Stages of Reopening) made under the Act. O. Reg. 779/20, s. 3.

Indoor vs. outdoor

4. (1) The outdoor capacity limits set out in this Order apply to a business, place, event or gathering if the people attending it are only permitted to access an indoor area,
 - (a) to use a washroom;
 - (b) to access an outdoor area that can only be accessed through an indoor route; or
 - (c) as may be necessary for the purposes of health and safety. O. Reg. 654/20, s. 3.
- (2) The indoor capacity limits set out in this Order apply to a business, place, event or gathering if the business, place, event or gathering is fully or partially indoors. O. Reg. 654/20, s. 3.
- (3) An indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering. O. Reg. 654/20, s. 3.

SCHEDULE 1 GENERAL RULES

Closures

1. (1) Each person responsible for a business, or a part of a business, that is not listed in Schedule 2 or 3 shall ensure that the business, or part of the business, is closed.
- (2) Each person responsible for a business, or part of a business, that is listed in Schedule 2 or 3 subject to conditions shall ensure that the business, or part of the business, either meets those conditions or is closed.
- (3) Each person responsible for a place, or a part of a place, that is required to be closed by Schedule 3 shall ensure that the place, or part of the place, is closed in accordance with that Schedule.
- (4) Each person responsible for a place, or a part of a place, that is listed in Schedule 3 subject to conditions shall ensure that the place, or part of a place, either meets those conditions or is closed.
- (5) Each person responsible for a business or place, or part of a business or place, that does not comply with sections 2 to 11 of this Schedule shall ensure that it is closed.

(6) Despite subsections (1) to (5), temporary access to a business or place, or part of a business or place, that is required to be closed is authorized, unless otherwise prohibited by any applicable law, for the purposes of,

- (a) performing work at the business or place in order to comply with any applicable law;
- (b) preparing the business or place to be reopened;
- (c) allowing for inspections, maintenance or repairs to be carried out at the business or place;
- (d) allowing for security services to be provided at the business or place; and
- (e) attending at the business or place temporarily,
 - (i) to deal with other critical matters relating to the closure of the business or place, if the critical matters cannot be attended to remotely, or
 - (ii) to access materials, goods or supplies that may be necessary for the business or place to be operated remotely.

(7) Nothing in this Order precludes a business or organization from operating remotely for the purpose of,

- (a) providing goods by mail or other forms of delivery; and
- (b) providing services online, by telephone or by other remote means.

(8) Nothing in this Order precludes a business or place from providing access to an outdoor recreational amenity that is permitted to open under section 4 of Schedule 3, including by opening such limited areas of the business or place as are necessary to enable access.

(9) Nothing in this Order precludes operations or delivery of services by the following in Ontario:

1. Any government.
2. Any person or publicly-funded agency or organization that delivers or supports government operations and services, including operations and services of the health care sector.

General compliance

2. (1) The person responsible for a business or organization that is open shall ensure that the business or organization operates in accordance with all applicable laws, including the *Accessibility for Ontarians with Disabilities Act, 2005* and the *Occupational Health and Safety Act* and the regulations made under them.

(2) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.

(3) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health on screening individuals and on working remotely.

(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area unless the person in the indoor area,

- (a) is a child who is younger than two years of age;
- (b) is attending a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (c) is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;
- (d) is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- (e) is in a correctional institution or in a custody and detention program for young persons in conflict with the law;
- (f) is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;
- (g) has a medical condition that inhibits their ability to wear a mask or face covering;
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area,

- (i) to receive services that require the removal of their mask or face covering,
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
 - (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
 - (k) is being reasonably accommodated in accordance with the *Human Rights Code*; or
 - (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.
- (5) Subsection (4) does not apply with respect to premises that are used as a dwelling if the person responsible for the business or organization ensures that persons in the premises who are not entitled to an exception set out in subsection (4) wear a mask or face covering in a manner that covers their mouth, nose and chin in any common areas of the premises in which persons are unable to maintain a physical distance of at least two metres from other persons.
- (6) For greater certainty, it is not necessary for a person to present evidence to the person responsible for a business or place that they are entitled to any of the exceptions set out in subsection (4).
- (7) A person shall wear appropriate personal protective equipment that provides protection of the person's eyes, nose and mouth if, in the course of providing services, the person,
- (a) is required to come within two metres of another person who is not wearing a mask or face covering in a manner that covers that person's mouth, nose and chin during any period when that person is in an indoor area; and
 - (b) is not separated by plexiglass or some other impermeable barrier from a person described in clause (a).

Capacity limits for businesses or facilities open to the public

3. (1) Subject to any additional restrictions set out in this Order, the person responsible for a place of business or facility that is open to the public shall limit the number of persons in the place of business or facility so that,
- (a) the members of the public are able to maintain a physical distance of at least two metres from every other person in the business or facility; and
 - (b) the total number of persons in the business or facility at any one time does not exceed 50 per cent capacity, as determined in accordance with subsection (2).
- (2) For the purposes of this Order, the maximum number of persons permitted in a business or facility that is operating at 50 per cent capacity is determined by taking the total square metres of floor area accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 8 and rounding the result down to the nearest whole number.
- (3) For the purposes of this Order, the maximum number of persons permitted in a business or facility that is operating at 25 per cent capacity is determined by taking the total square metres of floor area accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 16 and rounding the result down to the nearest whole number.
- (4) For greater certainty, subsection (1) does not require persons who are in compliance with public health guidance on households to maintain a physical distance of at least two metres from each other while in a place of business or facility.
- (5) The person responsible for a place of business or facility that engages in retail sales to the public must post a sign in a conspicuous location visible to the public that states the maximum capacity they are permitted to operate under.
- (6) Subsection (1) does not apply to schools and private schools within the meaning of the *Education Act* that are,
- (a) operating in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health; or
 - (b) operated by,
 - (i) a band, a council of a band or the Crown in right of Canada,
 - (ii) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada, or
 - (iii) an entity that participates in the Anishinabek Education System.

Physical distancing and masks or face coverings in lines, etc.

4. The person responsible for a business or place that is open must not permit patrons to line up inside the business or place, or to line up or congregate outside of the business or place, unless they are,
- (a) maintaining a physical distance of at least two metres from other groups of persons; and

- (b) wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (4).

Safety plan

5. (1) The person responsible for a business that is open shall prepare and make available a safety plan in accordance with this section or ensure that one is prepared and made available.

(2) The safety plan shall describe the measures and procedures which have been implemented or will be implemented in the business to reduce the transmission risk of COVID-19.

(3) Without limiting the generality of subsection (2), the safety plan shall describe how the requirements of this Order will be implemented in the location including by screening, physical distancing, masks or face coverings, cleaning and disinfecting of surfaces and objects, and the wearing of personal protective equipment.

(4) The safety plan shall be in writing and shall be made available to any person for review on request.

(5) The person responsible for the business shall ensure that a copy of the safety plan is posted in a conspicuous place where it is most likely to come to the attention of individuals working in or attending the business.

Short-term rentals

6. (1) Every person who provides short term rental accommodation shall ensure that any rentals are only provided to individuals who are in need of housing.

(2) Subsection (1) does not apply with respect to hotels, motels, lodges, resorts and other shared rental accommodation, including student residences, but does apply with respect to cabins and cottages.

(3) Subsection (1) does not apply with respect to short term rental accommodations that were reserved during a period when this Order did not apply to the area in which the accommodation is located.

Meeting or event space

7. (1) The person responsible for a business or place that is open may only rent out meeting or event space if the meeting or event space is only rented out,

- (a) REVOKED: O. Reg. 779/20, s. 4 (7).

- (b) for the purpose of a child care centre or authorized recreational and skill building program within the meaning of the *Child Care and Early Years Act, 2014*;

- (c) for the purpose of the provision of social services;

- (c.1) for the purpose of collective bargaining, so long as no more than ten people are permitted to occupy the rented space;

- (d) for the purpose of delivering or supporting the delivery of court services;

- (e) for operations by or on behalf of a government;

- (f) for the purpose of delivering or supporting the delivery of government services; or

- (g) for the purpose of delivering or supporting mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the rented space.

(2) The person responsible for a business or place that is open shall,

- (a) record the name and contact information of every member of the public who attends a meeting or event;

- (b) maintain the records for a period of at least one month; and

- (c) only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

(3) Subsection (2) does not apply to the rental of meeting or event space for the purpose of delivering or supporting the delivery of court services.

Sale and service of liquor

8. (1) The person responsible for a business or place that is open and in which liquor is sold or served under a licence or a special occasion permit shall ensure that,

- (a) liquor is sold or served only between 9 a.m. and 9 p.m.; and

- (b) no consumption of liquor is permitted in the business or place between the hours of 10 p.m. and 9 a.m.

(2) The conditions set out in subsection (1) do not apply with respect to businesses and places in airports.

(3) The conditions set out in subsection (1) do not apply with respect to,

- (a) the sale of liquor for removal from licensed premises in accordance with section 56.1 of Regulation 719 (Licences to Sell Liquor) made under the *Liquor Licence Act*; and
- (b) the sale of liquor for delivery in accordance with section 56.2 of Regulation 719 (Licences to Sell Liquor) made under the *Liquor Licence Act*.

Driving instruction

9. (1) The person responsible for a business or place shall ensure that no in-person driving instruction is provided by or at the business or place.

(2) Subsection (1) does not apply to in-person driving instruction for drivers of commercial motor vehicles,

(a) where the instruction is part of the Ontario Driver Certification Program administered by the Ministry of Transportation and involves the operation of motor vehicles for which,

- (i) a class of driver's licence other than Class G, G1, G2, M, M1 or M2 is required, or
- (ii) an air brake endorsement is required; or

(b) that is provided by a private career college that is in compliance with section 2 of Schedule 3.

(3) In this section,

"commercial motor vehicle" has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*.

Cleaning requirements

10. (1) The person responsible for a business or place that is open shall ensure that,

- (a) any washrooms, locker rooms, change rooms, showers or similar amenities made available to the public are cleaned and disinfected as frequently as is necessary to maintain a sanitary condition; and
- (b) any equipment that is rented to, provided to or provided for the use of members of the public must be cleaned and disinfected as frequently as is necessary to maintain a sanitary condition.

(2) For greater certainty, clause (1) (b) applies to computers, electronics and other machines or devices that members of the public are permitted to operate.

NHL

11. (1) In this section,

"NHL" means the National Hockey League; ("LNH")

"NHL participant" means a person who has been specified as a member of a participant group in the professional sports plan for the NHL; ("participant de la LNH")

"professional sports plan for the NHL" means the document titled "2020-21 NHL Season COVID-19 Protocol" and any attachments to it approved by the Office of the Chief Medical Officer of Health. ("plan de sports professionnels applicable à la LNH")

(2) The Office of the Chief Medical Officer of Health may approve a professional sports plan for the NHL.

(3) The professional sports plan for the NHL shall list,

- (a) the businesses and places that may be used by NHL participants, which may include,
 - (i) hotels,
 - (ii) facilities for indoor or outdoor sports and recreational fitness activities,
 - (iii) businesses or places that are in hotels or facilities mentioned in subclause (i) or (ii), and
 - (iv) restaurants or bars; and
- (b) persons who are NHL participants.

(4) A business or place that is listed in the professional sports plan for the NHL as being available for the use of NHL participants may open for use by NHL participants if the business or place complies with the following conditions:

- 1. The business or place must operate in accordance with the professional sports plan for the NHL.
- 2. No spectators may be permitted at the business or place except in accordance with the professional sports plan for the NHL.
- 3. The business or place must ensure that any other conditions or requirements set out in this section are complied with on the premises of the business or place.

(5) The following provisions do not apply to the provision of goods or services to an NHL participant by a business or place listed in the professional sports plan for the NHL in accordance with clause (3) (a) when they are provided in accordance with the professional sports plan for the NHL:

1. Subsection 2 (4) of Schedule 1, but only in respect of NHL players and coaches.
2. Sections 3, 5 and 7 of Schedule 1.

(6) Businesses and places listed in the professional sports plan for the NHL may provide in-person dining if they meet the conditions set out in paragraphs 2, 4, 6, 8, 9, 10, 12 and 13 of subsection 1 (1) of Schedule 2 to Ontario Regulation 263/20 (Rules for Areas in Stage 2) made under the Act.

(7) Hotels listed in the professional sports plan for the NHL may open indoor pools, indoor fitness centres or other indoor recreational facilities that are part of the operation of the hotels, other than communal steam rooms, saunas and whirlpools, if the following conditions are met:

1. The hotels must ensure that the facilities are open only for the use of NHL participants.
2. The hotels must ensure that the facilities are used in accordance with the professional sports plan for the NHL.

(8) Therapists referred to in the professional sports plan for the NHL may open for the sole purpose of providing services to NHL players and shall provide such services in accordance with the professional sports plan for the NHL.

(9) Television productions relating to NHL games that are in compliance with the professional sports plan for the NHL may open, and the conditions set out in paragraphs 1 to 4 of section 63 of Schedule 2 do not apply to such television productions.

O. Reg. 654/20, s. 4; O. Reg. 685/20, s. 1; O. Reg. 738/20, s. 1; O. Reg. 779/20, s. 4; O. Reg. 3/21, s. 1, 2; O. Reg. 6/21, s. 1.

SCHEDULE 2 BUSINESSES THAT MAY OPEN

Supply chains

1. Businesses that supply businesses or places that are permitted to open within Ontario, or that supply businesses or services that have been declared essential in a jurisdiction outside of Ontario, with the support, products, supplies, systems, or services, including processing, packaging, warehousing, distribution, delivery, and maintenance necessary to operate.

Retailers

2. (1) The following businesses that engage in retail sales to the public:

1. Supermarkets, grocery stores, convenience stores, indoor farmers' markets and other stores that primarily sell food, other than establishments described in section 6.
2. Pharmacies.

(2) Nothing in paragraph 1 of subsection (1) permits a business located within an indoor farmer's market to open unless it is a business that primarily sells food or is described in sections 3 to 6.

(3) For greater certainty, paragraph 1 of subsection (1) includes stores that predominately sell one category of food.

3. Discount and big box retailers that engage in retail sales to the public and that meet the following conditions:

1. They sell groceries to the public.
2. They limit the number of persons in the place of business so that the total number of persons in the place of business at any one time does not exceed 25 per cent capacity, as determined in accordance with subsection 3 (3) of Schedule 1.

4. (1) The following businesses that engage in retail sales to the public and that comply with the conditions set out in subsection (2):

1. Safety supply stores.
2. Businesses that sell, rent or repair assistive/mobility/medical devices, aids and/or supplies.
3. Optical stores that sell prescription eyewear to the public.

(2) A business described in subsection (1) shall only permit members of the public to enter the business premises by appointment.

5. Stores, other than establishments described in section 6, that sell liquor, including beer, wine and spirits, and that meet the following condition:

1. They limit the number of persons in the place of business so that the total number of persons in the place of business at any one time does not exceed 25 per cent capacity, as determined in accordance with subsection 3 (3) of Schedule 1.

6. (1) Restaurants, bars, food trucks, concession stands and other food or drink establishments that meet the conditions set out in subsection (2).

(2) A business described in subsection (1) may open only for the purpose of providing take-out, drive-through or delivery service.

(3) Despite subsection (2), the following establishments may provide in-person dining if they meet the conditions set out in paragraphs 1, 2, 3, 4, 6, 8, 9, 10, 12, and 13 of subsection 1 (1) of Schedule 2 to Ontario Regulation 263/20 (Rules for Areas in Stage 2):

1. Establishments on hospital premises.
2. Establishments in airports.
3. Establishments located within a business or place where the only patrons permitted at the establishment are persons who perform work for the business or place in which the establishment is located.

7. Nightclubs and strip clubs that open solely as food or drink establishments and that comply with the conditions set out in section 6.

8. (1) Shopping malls that comply with the following conditions:

1. Members of the public must only be permitted to enter the shopping mall,
 - i. for the purpose of accessing a business or place that is permitted to be open under this Order,
 - ii. for the purpose of accessing a designated location described in subsection (2) or (3),
 - iii. for the purpose of delivering or supporting the delivery of court services,
 - iv. for operations by or on behalf of a government, or
 - v. for the purpose of delivering or supporting the delivery of government services.
2. Members of the public who enter the shopping mall for a reason described in paragraph 1 must not be permitted to loiter in any area of the shopping mall that is not related to the purpose of their visit.

(2) A shopping mall may establish a single designated location inside the shopping mall for the purpose of allowing patrons to pick up an order from a business or place inside the shopping mall. Patrons may only pick up orders from the indoor designated location by making a prior appointment.

(3) A shopping mall may establish any number of designated locations outside the shopping mall for the purpose of allowing patrons to pick up an order from a business or place inside the shopping mall. Patrons may pick up orders from an outdoor designated location without making a prior appointment.

9. (1) Businesses that meet the conditions set out in subsection (2) and that sell,

- (a) motor vehicles, including cars, trucks and motorcycles;
- (b) recreational vehicles, including motor homes;
- (c) trailers and travel trailers;
- (d) boats and other watercraft; or
- (e) other motorized vehicles, including power-assisted bicycles, golf carts, scooters, snowmobiles and all-terrain vehicles.

(2) A business described in subsection (1) may only open if they meet the following conditions:

1. Members of the public must only be permitted to enter the premises by appointment.
2. Members of the public must not be permitted in areas where the products described in subsection (1) are neither sold nor displayed for sale.
3. If members of the public are permitted to test drive any of the vehicles, boats or watercraft,
 - i. the test drive must be limited to no more than 10 minutes,
 - ii. a maximum of two people, including up to one sales representative, may be present in the vehicle, boat or watercraft during the test drive, and
 - iii. if two people who are not members of the same household are present in the vehicle during the test drive, any windows in the vehicle, boat or watercraft must be opened at all times.

10. Outdoor markets, including farmer's markets and holiday markets, that meet the following conditions:

1. They primarily sell food to the public.
2. Products must only be provided to patrons,

- i. in a manner that allows members of the public to remain in an outdoor area at all times, or
 - ii. through an alternative method of sale that does not require patrons to enter the indoor area, such as curbside pickup or delivery.
3. If an area at the market is covered by a roof, canopy, tent, awning or other element, at least two full sides of the entire area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
 4. If an area at the market is equipped with a retractable roof and the roof is retracted, at least one full side of the area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.

10.1 (1) Businesses not already described in sections 2 to 10 or subsection 33 (2) that engage in retail sales to the public and that meet the following conditions:

1. Sales must be exclusively made using an alternative method of sale that does not require patrons to enter the indoor area of the business, including curbside pickup or delivery.
2. If the business allows patrons to pick up items, it must,
 - i. have a public entrance that opens onto a street or exterior sidewalk, or
 - ii. in the case of a business in a shopping mall, permit patrons to pick up the items at a designated location established by the shopping mall under subsection 8 (2) or (3).

(2) Despite anything else in this Order, any business that engages in retail sales to the public and that is not already described in sections 2 to 10 or subsection 33 (2) must comply with the conditions set out in subsection (1) of this section.

(3) For greater certainty, cannabis retail stores operating under the authority of a retail store authorization issued under the *Cannabis Licence Act, 2018* may open if they comply with the conditions set out in subsection (1).

Services

11. Rental and leasing services, including automobile, commercial and light industrial machinery and equipment rental, that only permit members of the public to enter the premises by appointment.

12. Gas stations and other fuel suppliers.

13. Automated and self-service car washes.

14. Laundromats and drycleaners.

15. Snow clearing and landscaping services.

16. Security services for residences, businesses and other properties.

17. Domestic services that support children, seniors or vulnerable persons, including housekeeping, cooking, indoor and outdoor cleaning and maintenance services.

18. Vehicle and equipment repair and essential maintenance and vehicle and equipment rental services that only permit members of the public to enter the premises by appointment.

19. Courier, postal, shipping, moving and delivery services.

20. Funeral and related services.

21. Staffing services including providing temporary help.

22. (1) Veterinary services that are,

- (a) necessary for the immediate health and welfare of the animal; or
- (b) provided through curbside pickup and drop-off of the animal.

(2) Other businesses that provide services to animals that are necessary for their health and welfare, including farms, boarding kennels, stables, animal shelters and research facilities.

(3) Nothing in this Order precludes a person responsible for a boarding kennel or stable from allowing an animal's owner or their representative to visit the animal, assist in the care or feeding of the animal or, as applicable, ride the animal where necessary for the health and welfare of the animal.

23. Businesses that provide pet training services exclusively for service animals.

24. (1) Operators and providers of the following:

1. Child care centres that meet the conditions set out in subsection (2).
2. Home child care at a person's dwelling.

3. Child care described in paragraph 2 of subsection 6 (3) of the *Child Care and Early Years Act, 2014* that is provided at a person's dwelling.
 4. Authorized recreational and skill building programs that meet the conditions set out in subsection (3).
- (2) A child care centre may open if it meets the following conditions:
1. The centre shall not operate a before or after school program on any school day for a child unless the child's school is permitted to provide in-person teaching or instruction to the child on that day.
 2. The centre shall not provide child care on school days during typical school hours for a child whose school is not permitted to provide in-person teaching or instruction to the child on that day and who, immediately before December 21, 2020,
 - i. was enrolled in school, and
 - ii. was not registered to attend the centre on those days and during those hours.
 3. If the Minister of Education designates a child care centre as an emergency child care centre that provides care for children of individuals listed in Schedule 5, paragraph 2 does not apply with respect to the provision of child care by the centre to the children of those individuals.
- (3) A provider of authorized recreational and skill building programs shall not provide such a program to a child on a school day unless the child is enrolled in a school that is authorized to provide in-person teaching or instruction on that day.
- (4) In this section,
- “authorized recreational and skill building programs”, “child care”, “child care centre” and “home child care” have the same meaning as in the *Child Care and Early Years Act, 2014*; (“programme autorisé de loisirs et de développement des compétences”, “garde d’enfants”, “centre de garde”, “services de garde en milieu familial”)
- “school day” has the same meaning as in the *Education Act*. (“jour d’école”)
- 25.** Hotels, motels, lodges, cabins, cottages, resorts and other shared rental accommodation, including student residences, that meet the following condition:
1. Any indoor pools, indoor fitness centres, or other indoor recreational facilities that are part of the operation of these businesses, are closed.
- 26.** (1) Seasonal campgrounds that meet the following conditions:
1. Campsites must be made available only for trailers and recreational vehicles that,
 - i. are used by individuals who are in need of housing, or
 - ii. are permitted to be there by the terms of a full season contract.
 2. Only campsites with electricity, water service and facilities for sewage disposal may be provided for use.
 3. All recreational facilities in the campground and all other shared facilities in the campground, other than washrooms and showers, must be closed.
 4. Other areas of the seasonal campground must be closed to the general public and must only be opened for the purpose of preparing the seasonal campground for reopening.
- (2) The conditions set out in subsection (1) do not apply with respect to campground rentals that were reserved during a period when this Order did not apply to the area in which the campground is located.
- 27.** REVOKED: O. Reg. 779/20, s. 5 (9).
- 28.** (1) Community centres and multi-purpose facilities that open to provide space for any, some or all of the following and that meet the requirements set out in subsection (2):
1. REVOKED: O. Reg. 779/20, s. 5 (10).
 2. A child care centre or authorized recreational and skill building program within the meaning of the *Child Care and Early Years Act, 2014*.
 3. Mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the space.
 4. The provision of social services.
- (2) The person responsible for a community centre or multi-purpose facility that is open shall,
- (a) record the name and contact information of every member of the public who attends the community centre or multi-purpose facility;

- (b) maintain the records for a period of at least one month; and
- (c) only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

29. Cheque cashing services.

Financial services

30. Businesses that provide the following financial services:

- 1. Capital markets and related securities trading and advisory services.
- 2. Banking/credit union activities including credit intermediation.
- 3. Insurance.
- 4. Land registration services.
- 5. Pension and benefits payment services.
- 6. Financial services including payroll and payment processing and accounting and tax services.

31. (1) Real estate agent services that do not host, provide or support any open house events.

- (2) Nothing in subsection (1) prevents a real estate agency from showing a property by appointment.

Telecommunications and IT infrastructure/service providers

32. Information Technology (IT) services, including online services, software products and the facilities necessary for their operation and delivery.

33. (1) Telecommunications providers and services (phone, internet, radio, cell phones etc.) and facilities necessary for their operation and delivery.

(2) Retail stores operated by a telecommunications provider or service may only permit members of the public to enter the premises by appointment and only for repairs or technical support.

34. Newspapers, radio and television broadcasting.

Maintenance

35. Maintenance, repair and property management services that manage and maintain the safety, security, sanitation and operation of institutional, commercial, industrial and residential properties and buildings.

Transportation services

36. Businesses and facilities that provide transportation services, including,

- (a) transportation services provided by air, water, road and rail, including taxis and other private transportation providers; and
- (b) support services for transportation services, including,
 - (i) logistical support, distribution services, warehousing and storage, truck stops and tow operators, and
 - (ii) services that support the operations and safety of transportation systems including maintenance and repairs.

37. (1) Marinas, boating clubs and other organizations that maintain docking facilities for members or patrons that meet the following condition:

- 1. Any clubhouse, restaurant, pool, meeting room, fitness centre or other recreational facility on the premises must be closed to the public, except for any portion of those areas that,
 - i. is used to provide first aid services,
 - ii. is used to provide take-out or delivery service,
 - iii. contains a washroom, or
 - iv. provides access to an area described in subparagraph i, ii or iii.

(2) For greater certainty, nothing in this Order precludes a person responsible for a marina, boating club or other organization that maintains docking facilities for members or patrons from operating a grocery or convenience store on the premises or from providing fuel supply, watercraft repair and servicing, watercraft docking and watercraft launching services.

38. Businesses that provide and support online retail, including by providing warehousing, storage and distribution of goods that are ordered online.

Manufacturing

39. Businesses that extract, manufacture, process and distribute goods, products, equipment and materials, including businesses that manufacture inputs to other manufacturers (e.g. primary metal/steel, blow molding, component manufacturers, chemicals, etc. that feed the end-product manufacturer), regardless of whether those other manufacturers are inside or outside of Ontario, together with businesses that support and facilitate the movement of goods within integrated North American and global supply chains.

Agriculture and food production

40. Businesses that produce food and beverages, and agricultural products including plants, including by farming, harvesting, aquaculture, hunting and fishing.

41. Businesses that process, manufacture or distribute food, beverages, crops, agricultural products, animal products and by-products.

42. Businesses that support the food or agricultural products supply chains and the health and safety of food, animals and plants.

Construction

43. Construction activities or projects and related services that support construction activities or projects, including demolition services.

44. Land surveyors.

Resources and energy

45. Businesses that provide and ensure the domestic and global continuity of supply of resources, including, resource exploration, mining, forestry, aggregates, petroleum, petroleum by-products and chemicals.

46. Electricity generation, transmission, distribution and storage and natural gas distribution, transmission and storage.

Community services

47. Businesses that deliver or support the delivery of community services including,

- (a) sewage treatment and disposal;
- (b) collecting, transporting, storing, processing, disposing or recycling of any type of waste;
- (c) potable drinking water;
- (d) critical infrastructure repair and maintenance including roads, dams, bridges, etc.;
- (e) environmental rehabilitation, management and monitoring, and spill clean-up and response;
- (f) administrative authorities that regulate and inspect businesses;
- (g) professional and social services that support the legal and justice system;
- (h) government services including but not limited to policing and law enforcement, fire and emergency services, paramedics, coroner and pathology services, corrections and court services, licences and permits; and
- (i) allotment gardens or community gardens.

Facilities for indoor or outdoor sports and recreational fitness activities

48. (1) Facilities for indoor or outdoor sports and recreational fitness activities that meet the conditions set out in subsection (2) or the conditions set out in subsection (3), as applicable.

(2) A facility for indoor or outdoor sports and recreational fitness activities may open if it meets the following conditions:

- 1. The facility is,
 - i. operated by, or for the sole use of, persons who are athletes, coaches or officials training or competing to be a part of Team Canada at the next summer or winter Olympic Games or Paralympic Games, if the persons are,
 - A. identified by a national sport organization that is either funded by Sport Canada or recognized by the Canadian Olympic Committee or the Canadian Paralympic Committee, and
 - B. permitted to train, compete, coach or officiate under the safety protocols put in place by a national sport organization mentioned in sub-subparagraph A, or
 - ii. operated by a sports team in one of the following leagues:
 - A. Canadian Elite Basketball League.
 - B. Canadian Football League.
 - C. Major League Baseball.

- D. Major League Soccer.
- E. National Basketball Association.
- F. National Hockey League.
- G. National Lacrosse League.

2. If the facility is operated by a sports team, the team's league must have established a health and safety protocol for the use of training facilities, and the facility must be operated in compliance with the health and safety protocol.
3. The only persons permitted to enter and use the facility must be,
 - i. players, athletes, coaches or officials who are using the facility for the purposes of training or conditioning, and
 - ii. such staff as are strictly necessary to operate the facility and support the training or conditioning of the players.
- (3) A facility for indoor or outdoor sports and recreational fitness activities may open if it meets the following conditions:
 1. The facility must open solely for the purpose of providing space for any, some or all of the following:
 - i. REVOKED: O. Reg. 779/20, s. 5 (13).
 - ii. A child care centre or authorized recreational and skill building program within the meaning of the *Child Care and Early Years Act, 2014*.
 - iii. Mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the space.
 - iv. The provision of social services.
 2. The person responsible for the facility must,
 - i. record the name and contact information of every member of the public who attends the space described in paragraph 1,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.
- (4) For greater certainty, no indoor or outdoor sports or recreational classes are permitted at any indoor or outdoor sport and recreational facilities.

Recreation

49. Businesses whose primary purpose is to operate an outdoor recreational amenity that is permitted to open under section 4 of Schedule 3.

50. Horse racing facilities that meet the following conditions:

1. They are only open for training and not for racing.
2. No members of the public are permitted at the facility.

Research

51. Businesses and organizations that maintain research facilities and engage in research, including medical research and other research and development activities.

Health care and social services

52. Organizations and providers that deliver home care services or personal support services to seniors and persons with disabilities.

53. Regulated health professionals.

54. Professionals or organizations that provide in-person counselling services.

55. Organizations that provide health care including retirement homes, hospitals, clinics, long-term care facilities, independent health facilities and mental health and addictions counselling supports.

56. Laboratories and specimen collection centres.

57. Manufacturers, wholesalers, distributors and retailers of pharmaceutical products and medical supplies, including medications, medical isotopes, vaccines and antivirals, medical devices and medical supplies.

58. Manufacturers, distributors and businesses that provide logistical support of or for products and/or services that support the delivery of health care in all locations.

59. Organizations that provide critical personal support services in home or residential services for individuals with physical disabilities.

60. Organizations that support the provision of food, shelter, safety or protection, and/or social services and other necessities of life to economically disadvantaged and other vulnerable individuals.

61. Businesses that are primarily engaged in the provision of health and safety training and that meet the following conditions:

1. The instructional space for any in-person training must be operated to enable students to maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
2. The total number of students permitted to be in each instructional space at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event cannot exceed 10 persons.

Media industries

62. Sound recording, production, publishing and distribution businesses.

63. Film and television production, including all supporting activities such as hair, makeup and wardrobe, that meet the following conditions:

1. No studio audiences may be permitted to be on the film or television set.
- 1.1 No more than 10 performers may be permitted to be on the film or television set.
2. The set must be configured and operated in such a way as to enable persons on the set to maintain a physical distance of at least two metres from other persons, except where necessary for the filming of the film or television production.
3. Persons who provide hair or makeup services must wear appropriate personal protective equipment.
4. Singers and players of brass or wind instruments must be separated from any other performers by plexiglass or some other impermeable barrier.

64. Film and television post-production, visual effects and animation studios.

65. Book and periodical production, publishing and distribution businesses.

66. (1) Commercial and industrial photography.

(2) For greater certainty, subsection (1) does not permit retail photo studios to open.

67. Interactive digital media businesses, including,

- (a) computer system software or application developers and publishers; and
- (b) video game developers and publishers.

Entertainment

68. (1) Concert venues, theatres and cinemas that meet the conditions set out in subsection (2).

(2) Concert venues, theatres and cinemas may open for the purpose of rehearsing or performing a recorded or broadcasted concert, artistic event, theatrical performance or other performance if they comply with the following conditions:

1. No spectators may be permitted in the concert venue, theatre or cinema.
2. No more than 10 performers may be permitted in the concert venue, theatre or cinema.
3. Every performer and other person who performs work for the concert venue, theatre or cinema must maintain a physical distance of at least two metres from every other person, except,
 - i. if it is necessary for the performers or other persons to be closer to each other for purposes of the performance or rehearsal, or
 - ii. where necessary for the purposes of health and safety.
4. Singers and players of brass or wind instruments must be separated from any other performers by plexiglass or some other impermeable barrier.
5. The person responsible for the concert venue, theatre or cinema must,
 - i. record the name and contact information of every performer and other person who performs work for the concert venue, theatre or cinema who enters an indoor area of the facility,
 - ii. maintain the records for a period of at least one month, and

- iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

O. Reg. 654/20, s. 4; O. Reg. 708/20, s. 1; O. Reg. 779/20, s. 5; O. Reg. 6/21, s. 2.

SCHEDULE 3
PLACES THAT MUST CLOSE OR THAT ARE SUBJECT TO CONDITIONS

Public libraries

1. (1) Public libraries are closed to the public, except for the purpose of,
 - (a) providing for curbside pickup and return of circulating library materials or for the delivery of circulating library materials; or
 - (b) providing space in accordance with subsection (3).
- (2) A public library that is open must ensure that circulating materials returned to the library are disinfected or quarantined for an appropriate period of time before they are recirculated.
- (3) A public library may open to provide space for,
 - (a) a child care centre or authorized recreational and skill building program within the meaning of the *Child Care and Early Years Act, 2014*;
 - (b) mental health support services or addictions support services, so long as no more than 10 people are permitted to occupy the space; or
 - (c) the provision of social services.
- (4) The person responsible for a public library shall,
 - (a) record the name and contact information of every member of the public who attends the space described in subsection (3);
 - (b) maintain the records for a period of at least one month; and
 - (c) only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

Post-secondary institutions

2. (1) Post-secondary institutions may only open if they meet the following conditions:
 1. In-person teaching or instruction may only be provided if the following conditions are met:
 - i. The subject matter of the teaching or instruction requires that it be taught in-person, such as clinical training or training related to a trade.
 - ii. The instructional space must be operated to enable students to maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
 - iii. The total number of students permitted to be in each instructional space at the institution at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event cannot exceed,
 - A. 50 persons, in the case of an instructional program described in subsection (1.1), and
 - B. 10 persons, in any other case.
 2. If in-person teaching or instruction at the institution involves singing or the playing of brass or wind instruments,
 - i. every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier, and
 - ii. every person in the instructional space must remain at least two metres apart from every other person in the instructional space.
 3. Any in-person examinations must be provided in accordance with the following rules:
 - i. Every person in the examination room must remain at least two metres apart from every other person in the examination room.
 - ii. The total number of persons who may take the examination in the same room at the same time cannot exceed,
 - A. 50 persons, in the case of an examination for an instructional program described in subsection (1.1), and

B. 10 persons, in any other case.

(1.1) An instructional program referred to in sub-subparagraphs 1 iii A and 3 ii A of subsection (1) is an instructional program in any of the following fields or an instructional program to train an individual for any of the following occupations, as the case may be:

1. Diagnostic cardiac sonography.
2. Diagnostic medical sonography.
3. Diagnostic ultrasound.
4. Medical imaging.
5. Medical laboratory assistant.
6. Medical laboratory technician.
7. Medical radiation technology.
8. Medicine.
9. Mental health and addictions services, including psychology services, social work services and counselling services.
10. Nursing.
11. Paramedic.
12. Personal support worker, supportive care worker, home care worker or a similar occupation.
13. Pharmacy/pharmacy technician.
14. Public health inspector, if the program is accredited by the Canadian Institute of Public Health Inspectors.
15. Rehabilitation sciences (nutrition, speech language pathology, occupational science, and physiotherapy).
16. Respiratory therapy.

(2) In this section,

“post-secondary institution” means,

- (a) a university,
- (b) a college of applied arts and technology,
- (c) a private career college,
- (d) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*,
- (e) an institution that is authorized to grant a degree by an act of the Legislature,
- (f) a person who is delivering in-person teaching or instruction in accordance with a consent given under section 4 of the *Post-secondary Education Choice and Excellence Act, 2000*,
- (g) a person approved to provide training for apprenticeship programs under paragraph 5 of section 64 of the *Ontario College of Trades and Apprenticeship Act, 2009*, or
- (h) any other institution that is a designated learning institution within the meaning of section 211.1 of the *Immigration and Refugee Protection Regulations* (Canada), other than a school or private school within the meaning of the *Education Act*.

Schools and private schools

3. (1) Schools and private schools within the meaning of the *Education Act* shall not provide in-person teaching or instruction.

(2) Despite subsection (1), schools and private schools within the meaning of the *Education Act* may open,

- (a) to the extent necessary to facilitate the operation of a child care centre within the meaning of the *Child Care and Early Years Act, 2014*;
- (b) if approved by the Minister of Education, to the extent necessary to facilitate the operation of an extended day program, as defined in the *Education Act*, for the provision of emergency child care for the children of individuals listed in Schedule 5 during the period when schools are not permitted to provide in-person teaching or instruction;
- (c) to allow staff of the school or private school to provide remote teaching, instruction or support to pupils, so long as the school or private school operates in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health; or

- (d) to the extent necessary to provide in-person instruction to pupils with special education needs who cannot be accommodated through remote learning and who wish to attend a school or their private school for in-person instruction, so long as the school or private school operates in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health.
- (3) Despite subsection (1), schools and private schools may provide in-person teaching or instruction if they meet the following conditions:
1. They must be located in any of the following health units:
 - i. The District of Algoma Health Unit.
 - ii. North Bay Parry Sound District Health Unit.
 - iii. Northwestern Health Unit.
 - iv. Porcupine Health Unit.
 - v. Sudbury and District Health Unit.
 - vi. Thunder Bay District Health Unit.
 - vii. Timiskaming Health Unit.
 2. They must be operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health.
 3. If in-person teaching or instruction at the institution involves singing or the playing of brass or wind instruments,
 - i. every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier, and
 - ii. every person in the instructional space must remain at least two metres apart from every other person in the instructional space.
 4. If a person who holds a study permit issued under the *Immigration and Refugee Protection Act* (Canada) and who entered Canada on or after November 17, 2020 attends the school, in-person teaching or instruction may only be provided to that person if the school or private school,
 - i. has a plan respecting COVID-19 that has been approved by the Minister of Education, and
 - ii. operates in accordance with the approved plan.
- (4) The condition set out in subsection (1) does not apply to schools that meet the condition set out in paragraph 4 of subsection (3) and that are operated by,
- (a) a band, a council of a band or the Crown in right of Canada;
 - (b) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada; or
 - (c) an entity that participates in the Anishinabek Education System.

Note: On January 25, 2021, section 3 of Schedule 3 to the Regulation is revoked and the following substituted: (See: O. Reg. 779/20, s. 6 (4))

Schools and private schools

3. (1) Schools and private schools within the meaning of the *Education Act* may only open if they meet the following conditions:

1. They must be operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health.
2. If in-person teaching or instruction at the institution involves singing or the playing of brass or wind instruments,
 - i. every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier, and
 - ii. every person in the instructional space must remain at least two metres apart from every other person in the instructional space.
3. If a person who holds a study permit issued under the *Immigration and Refugee Protection Act* (Canada) and who entered Canada on or after November 17, 2020 attends the school, in-person teaching or instruction may only be provided to that person if the school or private school,
 - i. has a plan respecting COVID-19 that has been approved by the Minister of Education, and
 - ii. operates in accordance with the approved plan.

- (2) The conditions set out in paragraphs 1 and 2 of subsection (1) do not apply to a school operated by,
- (a) a band, a council of a band or the Crown in right of Canada;
 - (b) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada; or
 - (c) an entity that participates in the Anishinabek Education System.

Recreational amenities

4. (1) Each person responsible for an indoor or outdoor recreational amenity that is not in compliance with this section, and that is not a facility for indoor or outdoor sports and recreational fitness activities that is permitted to open under section 48 of Schedule 2, must ensure that it is closed.

(2) The following outdoor recreational amenities may open if they are in compliance with subsection (3):

- 1. Parks and recreational areas.
- 2. Baseball diamonds.
- 3. Batting cages.
- 4. Soccer, football and sports fields.
- 5. Tennis, platform tennis, table tennis and pickleball courts.
- 6. Basketball courts.
- 7. BMX parks.
- 8. Skate parks.
- 9. Golf courses and driving ranges.
- 10. Frisbee golf locations.
- 11. Cycling tracks and bike trails.
- 12. Horse riding facilities.
- 13. Shooting ranges, including those operated by rod and gun clubs.
- 14. Ice rinks.
- 15. Tobogganing hills.
- 16. Snowmobile, cross country ski, dogsledding, ice skating and snow shoe trails.
- 17. Playgrounds.
- 18. Portions of parks or recreational areas containing outdoor fitness equipment.

(3) An outdoor recreational amenity described in subsection (2) may only open if,

- (a) any person who enters or uses the amenity maintains a physical distance of at least two metres from any other person who is using the amenity;
- (b) team sports are not practised or played within the amenity;
- (c) other sports or games that are likely to result in individuals coming within two metres of each other are not practised or played within the amenity; and
- (d) any locker rooms, change rooms, showers and clubhouses remain closed, except to the extent they provide access to equipment storage, a washroom or a portion of the amenity that is used to provide first aid.

Museums, etc.

5. Museums, galleries, aquariums, zoos, science centres, landmarks, historic sites, botanical gardens and similar attractions must be closed to members of the public.

O. Reg. 654/20, s. 4; O. Reg. 707/20, s. 1; O. Reg. 779/20, s. 6 (1), (5)-(8); O. Reg. 789/20, s. 1; O. Reg. 6/21, s. 3.

**SCHEDULE 4
ORGANIZED PUBLIC EVENTS, CERTAIN GATHERINGS**

Gatherings, Stage 1 areas

- 1. (1) Subject to sections 2 to 4, no person shall attend,
 - (a) an organized public event that is held indoors;

- (b) a social gathering that is held indoors, including a social gathering associated with a gathering described in clause (d);
 - (c) an organized public event or social gathering of more than 10 people that is held outdoors, including a social gathering associated with a gathering described in clause (d); or
 - (d) a gathering of more than 10 people for the purposes of a wedding, a funeral or a religious service, rite or ceremony.
- (2) A person attending an organized public event, social gathering or a gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony shall comply with public health guidance on physical distancing.
- (3) For greater certainty, subsections (1) and (2) apply with respect to an organized public event, social gathering or a gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony, even if it is held at a private dwelling.

Exception, members of single household

2. Section 1 does not apply with respect to a gathering of members of a single household, or a gathering that includes members of a household and one other person from outside that household who lives alone.

Exception, attendance at business

3. The prohibitions on attendance at an organized public event in subsection 1 (1) do not apply with respect to attendance at a business for a purpose related to providing or receiving the goods or services provided by the business if the business is not required to close under this Order.

Gathering in motor vehicles for religious service, rite or ceremony

4. (1) This section applies with respect to gatherings for the purposes of a wedding, funeral, religious service, rite or ceremony if the persons attending the gathering, other than those conducting the service, rite or ceremony, do so in a motor vehicle.

(2) Clause 1 (1) (d) does not apply to a person who attends a gathering to which this section applies if the person follows all of the following precautions that apply to the person:

- 1. Each person attending the gathering, other than the persons conducting the service, rite or ceremony, must remain within a motor vehicle that is designed to be closed to the elements, except,
 - i. where necessary to use a washroom, or
 - ii. as may otherwise be necessary for the purposes of health and safety.
- 2. The driver of a motor vehicle must ensure that it is positioned at least two metres away from other motor vehicles.
- 3. A person who ordinarily uses a non-motorized vehicle because of their religious belief and who attends the gathering must remain within their non-motorized vehicle except where necessary to use a washroom or as may otherwise be required for health and safety, and paragraph 2 applies with necessary modifications.

O. Reg. 654/20, s. 4.

SCHEDULE 5 INDIVIDUALS ELIGIBLE FOR EMERGENCY CHILD CARE

- 1. An individual who is,
 - i. a regulated health professional, or
 - ii. an unregulated health care provider working in health care delivery, either directly or indirectly.
- 1.1 Individuals who work for manufacturers and distributors of pharmaceutical products and medical supplies, including medications, medical isotopes, vaccines and antivirals and medical devices.
- 2. A police officer as defined in the *Police Services Act*.
- 3. A special constable appointed pursuant to section 53 of the *Police Services Act*.
- 4. A member of a police force other than a police officer as defined in the *Police Services Act*.
- 5. A First Nations Constable appointed pursuant to section 54 of the *Police Services Act* or a member of a police service in which policing is delivered by First Nations Constables.
- 6. A provincial offences officer as defined in the *Provincial Offences Act*.
- 6.1 An individual employed by the Ministry of the Attorney General or a municipality in Ontario who is required to work on site to support the administration of the Ontario Court of Justice, the Superior Court of Justice or the Court of Appeal for Ontario, including,

- i. court services representatives, court and client representatives, court clerks, court registrars, court reporters, enforcement officers and any other administrative officers and employees that are considered necessary for the administration of the courts,
 - ii. business professionals and Crown prosecutors of the Criminal Law Division, and
 - iii. employees of the Victim/Witness Assistance Program.
- 6.2 An individual who provides essential justice-related frontline services to Indigenous persons involved in the justice system and who is employed by an Indigenous community or Indigenous organization through a program funded by the Ministry of the Attorney General, including,
 - i. the Indigenous Courtwork Program,
 - ii. the Indigenous Bail Verification and Supervision Program, or
 - iii. the Indigenous Bail Beds Program.
- 6.3 An individual who is engaged in the delivery of frontline victim services funded by the Ministry of the Attorney General under the Ontario Victim Services program.
- 7. An individual employed as a firefighter as defined in the *Fire Protection and Prevention Act, 1997*.
- 8. An individual who is,
 - i. engaged in providing fire protection services as defined in the *Fire Protection and Prevention Act, 1997*,
 - ii. employed in a fire department as defined in the *Fire Protection and Prevention Act, 1997*, or
 - iii. employed in the Office of the Fire Marshal and whose duties include being a fire investigator or supervising or managing fire investigators.
- 9. A paramedic as defined in the *Ambulance Act*.
- 10. A coroner as defined in the *Coroners Act*.
- 11. A worker in a correctional institution as defined in the *Ministry of Correctional Services Act* or an independent contractor who supplies services to correctional institutions, including, but not limited to, employees of Trilcor.
- 12. Probation and parole officers as described in the *Ministry of Correctional Services Act*, institutional liaison officers, court liaison officers, individuals employed as assistant area managers and area managers of staff at probation and parole offices and the administrative and support staff at these offices.
- 13. An individual employed in the Institutional Services Division of the Ministry of the Solicitor General, including a person employed in a correctional institution as defined in section 1 of the *Ministry of Correctional Services Act*.
- 14. An individual employed in the Operational Support Division of the Correctional Services Recruitment and Training Centre in the Ministry of the Solicitor General who,
 - i. provides facilities or maintenance services, or
 - ii. is a Senior Staff Development Officer or Manager of Customized Training.
- 15. An employee of Compass Group Canada Ltd. who works at or provides services in relation to the Cook Chill Food Production Centre.
- 16. An individual employed in the Ministry of the Solicitor General who performs one or more of the following functions for the Institutional Services Division or Community Services Division:
 - i. Performing electronic monitoring services.
 - ii. Performing CPIC searches.
 - iii. Preparing community supervision orders.
- 17. An individual employed in the Ministry of the Solicitor General at the Centre for Forensic Sciences who is involved in supporting and conducting forensic testing and analysis.
- 18. An individual employed in the Ministry of the Solicitor General at the Provincial Forensic Pathology Unit.
- 19. An individual employed in the Provincial Emergency Operations Centre or at the Ministry of the Solicitor General's Emergency Operations Centre.
- 20. An animal welfare inspector appointed pursuant to the *Provincial Animal Welfare Services Act, 2019* or an individual employed by the Ministry of the Solicitor General in the Animal Welfare Services Branch who is directly involved in supporting animal welfare inspectors.

21. An individual employed in the operation of,
 - i. a place of secure custody designated under section 24.1 of the *Young Offenders Act* (Canada), whether in accordance with section 88 of the *Youth Criminal Justice Act* (Canada) or otherwise, or
 - ii. a place of secure temporary detention as defined in subsection 2 (1) of the *Child, Youth and Family Services Act, 2017*.
- 21.1 Persons, other than foster parents, who deliver or directly support the delivery of residential care, treatment and supervision to children and young persons residing in residential settings licensed under the *Child, Youth and Family Services Act, 2017*.
- 21.2 An individual employed by a children's aid society designated under section 34 of the *Child, Youth and Family Services Act, 2017* to provide services necessary for the performance of a children's aid society's functions, as set out in section 35 (1) of that Act.
- 21.3 An individual employed by a service agency as defined in section 1 of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*, to provide services and supports, within the meaning of section 4 of that Act, to adults with developmental disabilities.
- 21.4 An individual who is engaged in the delivery of services funded by the Ministry of Children, Community and Social Services under the Violence Against Women Support Services or the Anti-Human Trafficking Community Supports programs.
- 21.5 A staff member of a transfer payment recipient funded by the Ministry of Children, Community and Social Services who is engaged or employed to deliver interpreting or intervenor services for persons who are deaf, deafened, hard of hearing or deafblind.
22. Persons employed in the Direct Operated Facilities Branch of the Ministry of Children, Community and Social Services.
23. An individual who performs work that is essential to the delivery of core services in a municipality or First Nation community, as determined by the municipality or First Nation.
24. An individual who performs work of a critical nature in their service area or community, as determined by the Minister of Education or his delegate in consultation with the relevant service system manager or First Nation as those terms are defined under the *Child Care and Early Years Act, 2014*.
25. An individual who works in a child care centre or who otherwise provides child care in accordance with the requirements in this Order.
- 25.1 A staff member of a school as defined in the *Education Act* who provides in-person instruction at a school to pupils with special education needs who cannot be accommodated through remote learning.
26. A member of the Canadian Armed Forces or an employee of the Department of National Defence.
27. All persons employed in the Ministry of Natural Resources and Forestry who are engaged in,
 - i. prevention, mitigation, preparedness, response or recovery actions, as applicable, with respect to,
 - A. fires as defined in the *Forest Fires Prevention Act*,
 - B. floods,
 - C. dam failures, or
 - D. emergencies relating to oil and gas exploration or production, hydrocarbon underground storage, and salt solution mining, or
 - ii. the provision of support services to Conservation Officers through the operation of the Ministry's Provincial Communications Unit.
28. A person who holds a licence issued under section 13 of the *Private Security and Investigative Services Act, 2005* to act as a security guard.
29. Staff as defined in the *Retirement Homes Act, 2010*.
30. Licensees as defined in the *Retirement Homes Act, 2010* who are individuals and who work or provide services at a retirement home.
31. Staff as defined in the *Long-Term Care Homes Act, 2007*.
32. An individual who is an inspector appointed under the *Food Safety and Quality Act, 2001* or a field-person or officer appointed under the *Milk Act*.

33. An individual employed in the Ministry of Labour, Training and Skills Development in Radiation Protection Services.
34. An individual who is employed by any of the following entities to carry out work that is deemed by the entity to be critical to the ongoing generation, transmission, distribution and storage of electricity sufficient to meet the demands of the province of Ontario:
 - i. The Independent Electricity System Operator.
 - ii. A generator, transmitter or distributor within the meaning of the *Electricity Act, 1998*.
35. An individual who performs work that is essential to the operation of,
 - i. a municipal drinking water system as defined in section 2 of the *Safe Drinking Water Act, 2002*,
 - ii. a non-municipal year-round residential system as defined in section 1 of Ontario Regulation 170/03 (Drinking Water Systems) made under the *Safe Drinking Water Act, 2002*, or
 - iii. a wastewater treatment facility or a wastewater collection facility as those terms are defined in section 1 of Ontario Regulation 129/04 (Licensing of Sewage Works Operators) made under the *Ontario Water Resources Act* and to which that Regulation applies.
36. An employee of a hotel or motel that is acting as an isolation centre, health care centre, vaccine clinic or that is housing essential workers.
37. An individual working in a homeless shelter or providing services to homeless persons.
38. An individual who works for a business that processes, manufactures or distributes food or beverages.
39. Members, officers and special constables appointed under the *Royal Canadian Mounted Police Act* who are working in Ontario.
40. Officers as defined in the *Customs Act* (Canada) who are working in Ontario.
41. Employees of the Canada Post Corporation who are working in Ontario.

O. Reg. 779/20, s. 7; O. Reg. 789/20, s. 2; O. Reg. 6/21, s. 4.

Français

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January 2021

Second Provincial Declaration of Emergency

2021-01-12 4:17:21 PM

CATEGORIES: [COVID-19 \(/Advocacy-Policy/Policy-Updates?topicCatID=57\)](#)

On January 12 2021, the Province declared its second Declaration of Emergency for the COVID-19 Pandemic under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act (EMPCA)* (<https://www.ontario.ca/laws/statute/90e09>). The Emergency will be in place for at least 28 days.

In addition, beginning at 12:01 a.m. on Thursday, January 14 2021, a Provincial Stay At Home

Order will take effect. This order requires that everyone stay home and only leave their homes for essential trips to the grocery store, pharmacies, medical appointments and essential work. Moreover, non-essential construction will be restricted, and non-essential retailers including hardware stores, alcohol retailers, and curbside pick up may be open no earlier than 7am and no later than 8pm. However, this does not apply to stores that primarily sell food, pharmacies, gas stations, convenience stores, and restaurants for takeout or delivery. The Province is encouraging all employees who can work from home to do so.

Schools

Schools in Public Health Units (PHU) of Peel, Windsor-Essex, Toronto, York and Hamilton will be closed for in-person learning until at least February 10th.

The Chief Medical Officer of Health, Dr. David Williams is expected to provide recommendations for the remaining regions by January 20th 2021.

Child Care

Child care centres for non-school aged children will remain open. On January 22nd, emergency child care for school-aged children will end in approved PHU regions as these elementary schools return to in-person learning.

In areas where in-person elementary learning has been suspended, emergency child care will continue for eligible families in regions subject to school closures, as identified by the Chief Medical Officer of Health.

Why were these measures introduced?

These measures have been introduced as a result of new modelling data (https://covid19-sciencetable.ca/wp-content/uploads/2021/01/Update-on-COVID-19-Projections_January-12-2021_Final_English.pdf) also released January 12th which suggests that the health care system will be overwhelmed:

- Hospital admissions have increased ~72% in the last four weeks and 40% of Long Term Care (LTC) homes have active outbreaks
- Projecting 1000 ICU admissions by February
- LTC home deaths are projected to be higher than in the first wave

The Province is continuing with existing health measures and adding new ones:

- Mask and face coverings must be worn in indoor businesses or organizations that are open, and wear mask outdoors where physical distancing isn't possible
- Social gatherings are reduced to 5 people with limited exceptions consistent with the Spring measures

Enforcement

The Province will provide authority to all enforcement and provincial offence officers to enforce the Stay Home Order including: Ontario Provincial police and local police, by-law officers and provincial workplace inspectors. They will be allowed to issue tickets for non-compliance with the stay at home order, those not wearing a mask/face-covering indoors as well as retail operators and companies who do not enforce these.

Those who contravene the orders will be subject to fines and/or prosecutions. During the press conference on January 12th, the solicitor general also suggested that these contraveners could face jail time of up to a year.

Further, enforcement personnel will have the authority to temporarily close a premise and disperse individuals and disperse people who are gathering including in parks and homes.

Details on the order are likely forthcoming. However, for information, some updates to regulations for Stages 1-3 were updated on January 9th.

While we wait for the orders (as official confirmation of scope and provisions), some helpful threads from reporters in the meantime:

<https://twitter.com/CityCynthia/status/1349071812626362369>
(<https://twitter.com/CityCynthia/status/1349071812626362369>)_(includes some responses from Solicitor General's Office on enforcement)

<https://twitter.com/CBCQueensPark/status/1349061553526632448>
(<https://twitter.com/CBCQueensPark/status/1349061553526632448>)_(includes information on what is deemed essential construction)

<https://twitter.com/CBCQueensPark/status/1349077817062002690>
(<https://twitter.com/CBCQueensPark/status/1349077817062002690>)_(on elderly relatives and social isolation)

<https://twitter.com/ColinDMello/status/1349101242639917058/photo/1>
(<https://twitter.com/ColinDMello/status/1349101242639917058/photo/1>) (recreational amenities)

Recall: Declarations of Emergency

An emergency declaration made under s. 7.0.1 is terminated 14 days after being made and but may be extended for an additional 14 days by the Lieutenant Governor in Council (i.e. Cabinet).

Further extensions require approval by the Legislature for periods of up to 28 days.

Orders made during the declaration of emergency made under s. 7.0.2 (4) will automatically terminate after 14 days unless they are extended for additional periods of up to 14 days.

Orders made under to s. 7.1 can be for a period of up to 90 days and renewed for additional periods of up to 90 days.

Ontario News Release (<https://news.ontario.ca/en/release/59922/ontario-declares-second-provincial-emergency-to-address-covid-19-crisis-and-save-lives>)

O. Reg 82/20 updated to 06/21 on January 9 2021 (https://files.ontario.ca/solgen-amend_8220-2021-01-09.pdf) Rules for Stage 1

O. Reg. 263.20 updated to 5/21 on January 9 2021 (https://files.ontario.ca/solgen-amend_26320-2021-01-09.pdf) Rules for Stage 2

O. Reg 364/20 updated to 4/21 on January 9 (https://files.ontario.ca/solgen-amend_36420-2021-01-09.pdf) 2021 Rules for Stage 3

Emergency Orders (<https://www.ontario.ca/page/emergency-information#emergencyorders>)

The EMPCA as well the ROA can be found on <https://www.ontario.ca/laws> (<https://www.ontario.ca/laws>)

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[2021/Second-Provincial-Declaration-of-Emergency&src=sdkpreparse\)](http://twitter.com/home/?status=https://www.amcto.com/Blog/January-2021/Second-Provincial-Declaration-of-Emergency) 

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ONTARIO REGULATION 11/21

made under the

EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT

Made: January 13, 2021 (5:56 p.m.)
Filed: January 13, 2021
Published on e-Laws: January 13, 2021
Printed in *The Ontario Gazette*: January 30, 2021

STAY-AT-HOME ORDER

Terms of Order

1. The terms of this Order are set out in Schedule 1.

Application

2. This Order applies as of 12:01 a.m. on January 14, 2021.

Definition

3. In this Order,

“Stage 1 Order” means Ontario Regulation 82/20 (Rules for Areas in Stage 1) made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

SCHEDULE 1

Requirement to remain in residence

1. (1) Every individual shall remain in their place of residence at all times unless leaving their place of residence is necessary for one or more of the following purposes:

Work, school and child care

1. Working or volunteering where the nature of the work or volunteering requires the individual to leave their residence, including when the individual’s employer has determined that the nature of the individual’s work requires attendance at the workplace.
2. Attending school or a post-secondary institution.
3. Attending, obtaining or providing child care.
4. Receiving or providing training or educational services.

Obtaining goods and services

5. Obtaining food, beverages and personal care items.
6. Obtaining goods or services that are necessary for the health or safety of an individual, including health care services and medications.
7. Obtaining goods, obtaining services, or performing such activities as are necessary for the safe operation, maintenance and sanitation of households, businesses, means of transportation or other places.
8. Purchasing or picking up goods through an alternative method of sale, such as curbside pickup, from a business or place that is permitted to provide curbside pickup under the Stage 1 Order.
9. Attending an appointment at a business or place that is permitted to be open by appointment under the Stage 1 Order.
10. Obtaining services from a financial institution or cheque cashing service.
11. Obtaining government services, social services and supports, mental health support services or addictions support services.

Assisting others

12. Delivering goods or providing care or other support or assistance to an individual who requires support or assistance, or receiving such support or assistance, including,
 - i. providing care for an individual in a congregate care setting, and

- ii. accompanying an individual who requires assistance leaving their residence for any purpose permitted under this Order.
- 13. Taking a child to the child's parent or guardian or to the parent or guardian's residence.
- 14. Taking a member of the individual's household to any place the member of the household is permitted to go under this Order.

Health, safety and legal purposes

- 15. Doing anything that is necessary to respond to or avoid an imminent risk to the health or safety of an individual, including,
 - i. protecting oneself or others from domestic violence,
 - ii. leaving or assisting someone in leaving unsafe living conditions, and
 - iii. seeking emergency assistance.
- 16. Exercising, including,
 - i. walking or moving around outdoors using an assistive mobility device, or
 - ii. using an outdoor recreational amenity that is permitted to be open under the Stage 1 Order.
- 17. Attending a place as required by law or in relation to the administration of justice.
- 18. Exercising an Aboriginal or treaty right as recognized and affirmed by section 35 of the *Constitution Act, 1982*.

Multiple residences and moving

- 19. Travelling to another residence of the individual if,
 - i. the individual intends to be at the residence for less than 24 hours and is attending for one of the purposes set out in this order; or
 - ii. the individual intends to reside at the residence for at least 14 days.
- 20. Travelling between the homes of parents, guardians or caregivers, if the individual is under their care.
- 21. Making arrangements to purchase or sell a residence or to begin or end a residential lease.
- 22. Moving residences.

Travel

- 23. Travelling to an airport, bus station or train station for the purpose of travelling to a destination that is outside of the Province.

Gatherings

- 24. Attending a gathering for the purpose of a wedding, a funeral or a religious service, rite or ceremony that is permitted under the Stage 1 Order or making necessary arrangements for the purpose of such a gathering.
- 25. If the individual lives alone, gathering with the members of a single household.

Animals

- 26. Obtaining goods or services that are necessary for the health or safety of an animal, including obtaining veterinary services.
- 27. Obtaining animal food or supplies.
- 28. Doing anything that is necessary to respond to or avoid an imminent risk to the health or safety of an animal, including protecting an animal from suffering abuse.
- 29. Walking or otherwise exercising an animal.

(2) Despite subsection (1), no person shall attend a business or place that is required to be closed under the Stage 1 Order, except to the extent that temporary access to the closed business or place is permitted under subsection 1 (6) of Schedule 1 to the Stage 1 Order.

(3) This Order does not apply to individuals who are homeless.

(4) If this Order allows an individual to leave their residence to go to a place, it also authorizes them to return to their residence from that place.

(5) The requirement in subsection (1) to remain at an individual's place of residence does not prevent the individual from accessing outdoor parts of their place of residence, such as a backyard, or accessing indoor or outdoor common areas of the communal residences in which they reside that are open, including lobbies.

(6) For greater certainty, nothing in this Order permits a business or place to be open if it is required to be closed under the Stage 1 Order.

(7) For greater certainty, nothing in this Order permits an individual to gather with other individuals if the gathering is not permitted under the Stage 1 Order.

(8) For greater certainty, individuals may only attend an outdoor organized public event or social gathering that is permitted under the Stage 1 Order for a purpose set out in subsection (1).

Français

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⚠ A provincewide shutdown is in effect as of Saturday, December 26, 2020 at 12:01 a.m. Learn about the [restrictions and public health measures](#) that are in place.



2019-2020 Chief Drinking Water Inspector annual report

Learn about the performance of our regulated drinking water systems and laboratories, drinking water test results, and enforcement activities and programs.

Message from the Chief Drinking Water Inspector

It is my honour to serve as your Chief Drinking Water Inspector and I am pleased to provide my annual report showcasing Ontario’s drinking water protection activities from April 1, 2019 to September 30, 2020 and compliance results from April 1, 2019, to March 31, 2020. This year was a very busy, challenging and unique year.

This year marked the 20th anniversary of the tragic events that took place in Walkerton, Ontario. As we remember the past, I’d like to acknowledge the families and the community of Walkerton who continue to live with the lasting effects and ongoing impacts of the tragedy. I would also like to recognize Justice Dennis O’Connor who played a vital role in identifying the causes of the water crisis and making recommendations that underpinned the transformation of Ontario’s drinking water protection framework. He provided key reflections throughout his report that resonate with me including this one:

The Walkerton experience warns us that we may have become victims of our own success, taking for granted our drinking water’s safety. The keynote in the future should be vigilance. We should never be complacent about drinking water safety.

O’Connor, 2002, p. 8

It is critical that we continue to enhance the framework and hold ourselves accountable. You can read more about the transformation of Ontario’s drinking water protection in this report.

Safeguarding drinking water involves many individuals and organizations, such as the Chief Medical Officer of Health and public health units, municipalities, conservation authorities, water associations, the Walkerton Clean Water Centre, and the Ontario Clean Water Agency. Establishing collaborative relationships with these stakeholders and partners is a key aspect of the drinking water protection framework.

I would like to take a moment to thank the many people across the province whose work embodies the spirit of the recommendations made by Justice O’Connor in the Walkerton report. Take, for example, John-Paul Palmer, a Water Compliance Specialist with the City of Guelph who began working at the Guelph Drinking Water System as an operator in 2001. As part of his role to ensure that the City of Guelph’s drinking water system continues to provide safe drinking water, he has developed a proactive monthly compliance review that mirrors a drinking water inspection. This additional step has allowed the early identification of issues and permitted the City to resolve them before they become problematic. This helps to ensure that Guelph’s Drinking Water System performance improves year after year. Note here that our common goal is to provide safe drinking water and that a positive working relationship and support from the ministry’s inspector is critical to the success of the compliance program.

Through my experience as Chief Drinking Water Inspector over the past two years, I have met drinking water system owners, operators and frontline ministry water inspectors across the province who, like John-Paul, strive to ensure the continued excellence of Ontario’s drinking water quality. The COVID-19 pandemic has reaffirmed the critical role the owners and operators of our drinking water and wastewater systems and water inspectors play within our communities. When the pandemic was declared, the Ontario government worked quickly to give owners and operators supports to protect the health and safety of employees so they could continue to operate our water systems and to help ensure that clean, safe drinking water remained available. Additional details on our ministry’s pandemic response are also presented in this report.

The performance results in this annual report show that Ontario’s drinking water systems continue to be operated well, our water is still among the best protected in the world and we remain committed to transparency and accountability.

Here is a brief summary of the 2019-2020 results:

- 99.9% of the over 523,000 drinking water tests from municipal residential drinking water systems met Ontario's strict, health-based drinking water standards
- 71% of 657 municipal residential drinking water systems received a 100% rating. 99.7% of systems received an inspection rating above 80%
- 95.4% of the over 50,000 test results met Ontario’s standard for lead in drinking water at schools, private schools and child care centres. 97.5% of flushed test results met the standard

I would like to extend a special thank you to my colleague, Dr. David C. Williams, Chief Medical Officer of Health, for providing an update on the performance of small drinking water systems regulated by the Ministry of Health. I would also like to thank him and his team for the amazing work they have done throughout the pandemic, and for their continued partnership and contribution to the overall protection of Ontario’s drinking water.

It is a great privilege to work with the many individuals, including my team and the water community at large, who are strongly committed to providing the highest quality of drinking water to the people of Ontario today and for future generations.

Melissa Thomson
Chief Drinking Water Inspector
Ministry of the Environment, Conservation and Parks

Message from the Chief Medical Officer of Health

This has been an unprecedented year in public health with the COVID-19 global pandemic. While this has preoccupied much of the year, we must not forget that 20 years ago, the people of Walkerton were immeasurably impacted by the contamination of their drinking water with *E. coli*. Out of this unfortunate incident came the recommendations of the Walkerton Report, resulting in more rigorous standards and improved water quality.

As I look at the results of the Small Drinking Water Systems Program for 2019-2020, I am pleased to see positive trends continue. There are progressively fewer high-risk systems and the number of adverse water quality incidents continues to decline.

The program’s success is a testament to the ongoing collaboration between Ontario’s 34 public health units, Public Health Ontario laboratories, the Ministry of Natural Resources and Forestry and the Ministry of the Environment, Conservation and Parks. This continued commitment helps to deliver a safe drinking water program for Ontarians and demonstrates that the lessons learned from Walkerton are still with us today.

I am grateful to our drinking water partners and to the local boards of health for their dedication and partnership in ensuring that Ontarians and their communities continue to enjoy safe drinking water.

David C. Williams, MD, MHS, FRCPC
Chief Medical Officer of Health
Ministry of Health

Continued operations during pandemic

In 2020, the world experienced many unforeseen challenges as a result of the COVID-19 pandemic. Collectively, the Ontario government, owners and operators and the water community had to adapt to rapid changes, communicate to identify challenges and determine supports needed to ensure the continued delivery of safe drinking water. The ministry anticipated that the pandemic could have significant impacts, such as staff shortages and operators being unable to meet the requirements to renew their operator certificates, on operations at drinking water and wastewater systems across the province. To support the continuity of drinking water and wastewater operations, the province responded in two ways:

- A temporary emergency order was made under the [Emergency Management and Civil Protection Act \(https://www.ontario.ca/laws/statute/90e09\)](https://www.ontario.ca/laws/statute/90e09) on March 24, 2020.
- Temporary regulatory relief was granted based on a framework of established criteria and where it promoted the safety of the operators but did not compromise the safety of the drinking water.

These two actions gave drinking water and wastewater system owners and operating authorities the ability to adapt to changes brought on by the pandemic.

Temporary emergency order (operator certification)

The temporary emergency order enabled system owners to maintain and employ qualified water and wastewater system operators during the pandemic. The emergency order extended operator certificates and licences that expired while the order was in effect and provided flexibility to water and wastewater system owners so they could:

- redeploy qualified operators as needed to address staff shortages
- reassign and reschedule operator work should there be a significant need at a different system
- temporarily employ qualified but non-certified individuals to perform operational duties, if needed, including knowledgeable technical personnel, supervisors, managers, professional engineers and operators with certificates that expired in the past five years

Skilled, competent and well-trained operators are critical to maintaining safe water quality. The ministry’s Operator Certification Program establishes professional standards related to education, training, experience and examinations which ensures Ontario’s operators are skilled and competent. These requirements also set the minimum training hours they are required to complete for ongoing learning. A temporary delay in certificate renewal and the flexibility to redeploy and employ qualified operators ensured these operators were available to respond during the COVID-19 pandemic but did not lessen the skills and qualifications of drinking water and wastewater operators.

As part of the government’s plan to safely and gradually [reopen the province \(https://www.ontario.ca/laws/statute/20r17\)](https://www.ontario.ca/laws/statute/20r17), on July 15, 2020, changes were made to the temporary emergency order for water systems staff to ensure the province’s drinking water systems and sewage works continue to operate and provide clean, safe drinking water to the public. The amendments phased out provisions that temporarily allowed drinking water and wastewater systems to use qualified, non-certified staff and to redeploy staff to maintain system operations as drinking water and wastewater system owners had limited need for these temporary provisions. Systems had a transition period until July 31, 2020, to reorganize and return to using certified and licensed staff.

In addition, the order included certification-related provisions because it was anticipated that opportunities for operators to take the training required for certificate renewal would remain limited in the coming months.

To help ensure that operators maintain their certificates and licences, the order extended operator certificates and licences expiring up to October 31, 2020 by six months and adjusted training requirements for wastewater operators during the 2020 calendar year. This allowed operators to remain certified and licensed as they focus on providing safe drinking water and proper treatment of wastewater. These measures have also helped to ensure that drinking water operators have adequate time to complete the training required to renew their certification.

- As of March 31, 2020, there were 8,207 certified drinking water operators and 8,001 licensed wastewater operators in Ontario.
- Through the emergency orders, certificates for 1,285 drinking water operators and licences for 1,297 wastewater operators were extended.

System-specific regulatory relief

The ministry also allowed temporary system-specific regulatory relief to address challenges posed by the pandemic such as operational flexibility to accommodate social and physical distancing or adjust processes to help protect staff. Relief was only granted when requested and when ministry officials were satisfied that public health and the environment would continue to be protected. This temporary relief has been issued with an expiry date that may be extended during the COVID-19 pandemic.

As of September 30, 2020, the ministry had received 330 requests for relief from owners and operators of municipal and non-municipal drinking water systems and owners of municipal wastewater systems.

Of these requests, the ministry:

- approved and issued relief for 286 requests
- continued to review 9 requests

The remaining 35 requests were either matters covered by the emergency order, were withdrawn by the applicant or did not result in relief being granted by the ministry.

The tables below give a breakdown of the types of relief provided by the ministry.

Table 1: Relief that the ministry provided to drinking water system owners and operators as a result of the pandemic

Description	Municipal systems	Non-municipal systems
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Description	Municipal systems	Non-municipal systems
Temporary relief from lead sampling assessed as low risk to protect system operators and residents (e.g, relief from having to sample within private homes while continuing to sample from locations in the distribution system near these homes like fire hydrants and pump houses)	41	16
Temporary flexibility in water quality sampling where this was determined to be low risk (e.g, collecting fewer samples or varying sample locations when samples could not be collected from businesses impacted by the COVID-19 pandemic)	43	24
Flexibility in timelines for annual equipment calibration (e.g, calibration activities undertaken by external vendors)	56	1
Extending timelines for required reporting (e.g, preparation of annual reports)	18	7
Other system-specific relief (e.g, flexibility in timelines for implementing new procedures or flexibility in timing of operational checks to align with other activities)	29	17

Table 2: Relief that the ministry provided to municipal wastewater system owners and operators as a result of the pandemic

Description	Municipal systems
Flexibility in timelines for calibration of flowmeters (e.g, calibration activities undertaken by external vendors)	29
Extending timelines for required reporting (e.g, preparation of annual performance reports, quarterly reporting)	22
Relief from raw sewage sampling (e.g, where raw sewage sampling will not impact routine operation of the system in the short term)	41
Relief from overflow/bypass sampling (e.g, where the volume of and nature of the flow can be estimated based on historical data)	15
Other system-specific relief (e.g, flexibility in timelines for installing equipment)	10

Further detail on these requests for relief is given in [Appendix 1](#).

The province acknowledges that drinking water and wastewater systems may continue to face challenges as the pandemic continues. The continued operation of these systems is essential for the health and well-being of Ontarians and we will continue to support operators and the entire drinking water community as we all face challenges due to COVID-19.

Marking the 20th anniversary of the tragedy in Walkerton

Twenty years ago, in May 2000, seven people died and thousands fell ill from drinking contaminated water in Walkerton, Ontario.

The Municipality of Brockton, where Walkerton is located, wanted to commemorate the 20th anniversary in a way that could bring hope and healing, and help the community move forward. To do this, the municipality, in partnership with the Walkerton Clean Water Centre, launched a scholarship fund to honour those who suffered from the tragedy and to support the next generation of students who embrace environmental stewardship and the protection of clean water.

The [Walkerton Clean Water Legacy Scholarship \(https://www.brockton.ca/Modules/News/index.aspx?newsId=e87274e0-0782-4213-a882-747e3fbd2fee\)](https://www.brockton.ca/Modules/News/index.aspx?newsId=e87274e0-0782-4213-a882-747e3fbd2fee) is available for local students pursuing careers in environmental science or clean water management. The municipality and the Walkerton Clean Water Centre will fund the first recipient in the Spring of 2021.

The Walkerton Clean Water Centre also collaborated with the Ontario Municipal Water Association to host a two-hour webinar called [Remembering and Never Forgetting the Walkerton E.coli Tragedy \(https://omwa.org/water3/video-remembering-and-never-forgetting-the-walkerton-e-coli-tragedy/\)](https://omwa.org/water3/video-remembering-and-never-forgetting-the-walkerton-e-coli-tragedy/) to commemorate the anniversary. The webinar covered topics such as lessons learned from the tragedy and how Ontario’s water future was improved by the changes recommended in the Walkerton Inquiry report.

Lessons learned

In the inquiry that followed this event in Walkerton, Justice O’Connor made 121 recommendations that outlined how to improve drinking water protection in Ontario. In the report, he advised that:

While it is not possible to utterly remove all risk from a water system, the overall goal is to ensure that Ontario’s drinking water systems deliver water with a level of risk so negligible that a reasonable and informed person would feel safe drinking the water.

O'Connor, 2002, p. 5

The establishment of the [drinking water protection framework](#) (details in the following section of the report) was undertaken with this goal in mind. A unique drinking water protection framework was established by developing a source water protection program, strong legislation and stringent health-based standards, requiring regular inspections and regular and reliable testing as well as the use of highly trained operators.

Creating this framework was a significant undertaking and would not have been possible without the hard work and collaboration of many individuals and groups across the province and water sector including municipalities, water associations, conservation authorities, the Walkerton Clean Water Centre, public health units, and licensed laboratories.

The legacy of this drinking water protection framework continues today. Its greatest strength remains the dedicated people who work for the province, across the water sector and in our communities to safeguard our drinking water every day. The commitment of these individuals is what makes Ontario’s drinking water among the best protected in the world.

Story from the frontline: From Water Inspector to Program Coordinator

In 2001, when Kevin Belsito was hired as a water inspector, the ministry was undertaking an extensive review of the drinking water program and developing new inspections protocols. Kevin remembers, “These were the early days of the drinking water program, and the ministry was taking action to deal with the Report of the Walkerton Inquiry.”

The government decided, in 2000, that municipal residential drinking water systems would be inspected annually, a requirement that is still in place today. Kevin, who was part of a new group of water inspectors, received intensive training about water treatment technologies, regulatory requirements, industry best practices and compliance. “It was the beginning of the drinking water protection framework,” recalls Kevin.

Following their extensive training, Kevin and his colleagues returned to their respective offices with a very clear sense of purpose. They had a responsibility to help restore Ontarians’ faith in the quality of their drinking water.

Due to the rapid changes to the regulatory framework, municipalities were also adapting to new and more rigorous requirements. Water inspectors worked diligently to identify issues at drinking water systems, and to work with municipal drinking water system operators to take

swift action to address any issues.

The years that followed were among the busiest and most rewarding of Kevin’s career. He was involved in developing new inspection tools, processes and information technology systems, as well as providing ongoing support and training for ministry water inspectors and supervisors.

Now a Drinking Water Program Coordinator who focuses on making ongoing improvements to the drinking water protection framework, Kevin says that his early experiences as a water inspector still influence how he performs his work today. Twenty years later, he is still demonstrating an unwavering commitment to keeping drinking water safe for Ontarians.

Major milestones in the establishment of the drinking water protection framework in Ontario

- 2002 Passing the *Safe Drinking Water Act*, which helped to implement Justice O’Connor’s recommendations and form the foundation for a stronger regulatory framework.
- 2003 Adopting water quality guidelines as Ontario’s Drinking Water Quality Standards.
- 2003 Implementing rigorous laboratory licensing requirements.
- 2004 Implementing strict drinking water system operator certification and training requirements.
- 2004 Founding the Walkerton Clean Water Centre, a key training partner for the province.
- 2005 Implementing stringent requirements on this ministry, such as the frequency of inspections.
- 2006 Passing the *Clean Water Act*, which requires local areas to develop plans to protect sources of municipal drinking water.
- 2009 Implementing requirements for a drinking water quality management system for the operation of municipal systems.
- 2012 Implementing the statutory Standard of Care requirement, increasing accountability for decision makers responsible for municipal drinking water systems.
- 2016 Implementing all source protection plans.

Reaching these milestones does not mean that Ontario can be complacent about drinking water safety. Resources and training need to remain a top priority and Ontario must continue to be steadfast in its commitment to the protection of drinking water and ensuring transparency and accountability.

Ontario recognizes that there are still challenges in the drinking water protection framework, in particular for First Nations communities. Although the federal government is primarily responsible for safe drinking water on First Nations reserves, Ontario is committed to sharing drinking water expertise and technical experience with Canada and First Nations to make sustainable progress in this area.

Protecting Ontario’s drinking water

Overview of Ontario’s drinking water protection framework

The fundamental principle that underpins the drinking water protection framework is the use of multiple protective barriers. As noted in the Report of the Walkerton Inquiry:

The best way to achieve a healthy public water supply is to put in place multiple barriers that keep water contaminants from reaching people.

O’Connor, 2002, p. 72

Multiple barriers are described as follows:

Every step in the chain, from water supply through treatment to distribution, needs careful selection, design, and implementation, so that the combination of steps provides the best defence against calamity if things go wrong.

O’Connor, 2002, p. 72

Ontario took the recommendations and the multi-barrier concept from the Inquiry very seriously when establishing the approach to drinking water protection that is still in place today. The result is a network of safeguards and oversight measures that guides the provincial approach to the delivery of safe drinking water (see Figure 1).

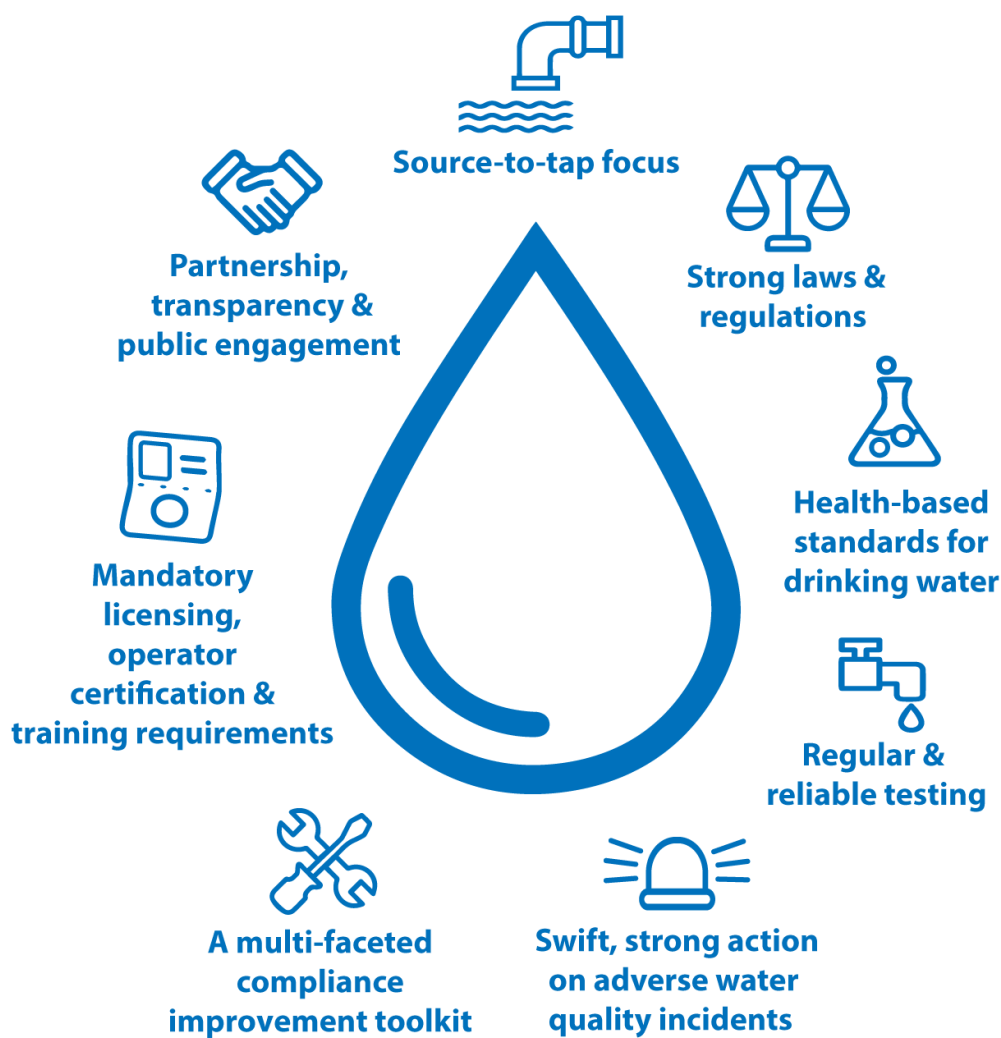


Figure 1: Drinking water protection framework.

The eight components consist of source-to-tap focus; strong laws and regulations; health-based standards for drinking water; regular and reliable testing; swift, strong action on adverse water quality incidents; a multi-faceted compliance improvement toolkit; mandatory licensing, operator certification and training requirements; and partnership, transparency and public engagement. All the components work together to protect drinking water.

The province reviews the framework on a regular basis to look for opportunities to strengthen and modernize it as the science of drinking water protection continues to evolve. The framework also reflects the belief that providing safe drinking water is a shared responsibility and that actively engaging the regulated community will help to enhance consumer protection and maximize compliance.

Components of the drinking water protection framework

Source-to-tap focus

- Protecting our local drinking water sources is an important first step in helping to ensure that Ontario’s communities can be confident in the quality and quantity of their drinking water.
- The *Clean Water Act* (<https://www.ontario.ca/laws/statute/06c22>) required local committees to develop [source protection plans](https://www.ontario.ca/page/source-protection) (<https://www.ontario.ca/page/source-protection>) that identified land-use practices that may impact raw water supplies. The plans contain policies to help ensure incompatible land-use practices are effectively managed or prevented from contaminating or depleting sources of drinking water.
- These plans were approved by the Minister of the Environment, Conservation and Parks and are currently being implemented.

Strong laws and regulations

- The *Safe Drinking Water Act* (<https://www.ontario.ca/laws/statute/02s32>), the *Clean Water Act* (<https://www.ontario.ca/laws/statute/06c22>), and the *Health Protection and Promotion Act* (<https://www.ontario.ca/laws/statute/90h07>) and their regulations help form the foundation for the drinking water protection framework. These laws establish the rules that people who are involved in protecting drinking water are required to follow.

Health-based standards for drinking water

- Ontario has health-based drinking water quality standards that establish the maximum allowable levels for chemicals, radiological chemicals and microbiological organisms.
- Drinking water test results are compared against these standards to determine if the water is safe to drink.

Regular and reliable testing

- Ontario’s drinking water is carefully monitored through regular testing by operators who take thousands of drinking water samples every year.
- The samples are tested at provincially licensed laboratories and help ensure that drinking water quality meets Ontario’s health-based standards.

Swift, strong action on adverse water quality incidents

- An adverse water quality incident occurs when a drinking water test result does not meet a health standard, or a drinking water system experiences an operational issue.
- To help ensure that risk to public health is quickly addressed, drinking water system owners, operators and licensed laboratories are required to report the incident to the Ministry of the Environment, Conservation and Parks and the local medical officer of health.
- Drinking water system owners and operators are required to take corrective action to resolve the incident.
- The province’s role is to assess adverse water quality incidents and ensure owners and operators take all required actions to address and resolve potential threats to the safety of Ontario’s drinking water.

Mandatory licensing, operator certification and training requirements

- Continued certification and training of Ontario’s drinking water operators promotes the effective management and operation of drinking water systems by knowledgeable, skilled and well-trained staff.
- The licensing of municipal residential drinking water systems requires system owners and operating authorities to conform with the requirements of Ontario's drinking water quality management standard, which requires them to develop and adopt preventative management strategies to address risks to public health, establish sound policies and promote continual improvement of their system.
- Laboratories that test drinking water are accredited to ensure that testing is completed competently, and the licensing process confirms they use approved drinking water test methods and have appropriate drinking water policies and procedures in place.

A multi-faceted compliance improvement toolkit

- The ministry undertakes a range of activities to improve compliance including:
 - providing information to improve drinking water system owners’ and operators’ understanding of their regulatory requirements and to enable them to make informed decisions and take effective actions
 - conducting targeted inspections to assess compliance
 - issuing a provincial officer’s order or requesting an investigation where significant non-compliant behaviour is identified
- All activities are undertaken based on the level of risk of each non-compliant behaviour.

Partnership, transparency and public engagement

- The ministry works collaboratively with various water protection organizations and the public by regularly reaching out and consulting on policies to protect drinking water. We also communicate with the public on the state of Ontario’s drinking water on an annual basis through our drinking water reports.

Update on ministry actions to protect drinking water

In 2019-2020, the ministry continued to strengthen drinking water protection in the following ways:

- beginning the licence renewal process for municipal residential drinking water systems and including new requirements (e.g. directing at-risk municipal drinking water system owners to monitor source water for toxins during peak algal bloom season)
- making effective a new standard for haloacetic acids on January 1, 2020. Haloacetic acids are disinfection by-products formed when chlorine reacts with organic matter that may be present in treated water. Proper operating practices at the drinking water system can reduce the level of organic matter entering the treatment sequence and thus reduce the formation of haloacetic acids. A standard for haloacetic acids will ensure that drinking water systems are optimized for drinking water disinfection while minimizing the formation of disinfection by-products
- engaging with conservation authorities, provincial ministries, and municipalities on updates to the science framework and threats to drinking water sources to ensure that the quality of Ontario’s drinking water continues to be protected and supported by current science
- piloting a "year-at-a-glance" report to increase the points of contact between water inspectors and the owners and operators of non-municipal year-round residential drinking water systems to improve compliance

These actions are examples of the ministry’s continuous efforts to improve drinking water protection in Ontario.

Performance report

Drinking water in Ontario

In Ontario, the majority of residents receive their drinking water from a municipal residential drinking water system. Other residents of Ontario receive water from non-municipal sources or have a private supply such as a well or cistern (e.g. hauled water).

The provision of safe drinking water is essential to protecting public health. As advised in the Walkerton Inquiry report:

Few informed observers, if any, would argue against the need for the Province to ensure that drinking water systems are overseen in a consistently strong and effective manner.

O’Connor, 2002, p. 5

In Ontario, the regulation of drinking water systems is shared by two ministries, the Ministry of Environment, Conservation and Parks and the Ministry of Health.

The Ministry of the Environment, Conservation and Parks regulates:

- municipal residential drinking water systems that are owned by municipalities and supply drinking water to homes and businesses
- non-municipal year-round residential drinking water systems that are privately owned and supply drinking water all year-round to people’s homes in places such as trailer parks, apartments and condominium and townhouse developments where there are six or more private residences
 - they also include drinking water systems owned by local services boards, which are volunteer organizations that are set up in rural areas where there is no municipal structure
- public and privately-owned systems serving designated facilities that have their own source of water and provide drinking water to facilities such as children’s camps, schools, health care centres and senior care homes
- licensed laboratories that perform testing of drinking water
- operator certification and training

The Ministry of Health regulates:

- small drinking water systems that provide drinking water to the public where no municipal drinking water system exists, such as restaurants, bed and breakfasts, campgrounds and other public settings, when those systems do not serve designated facilities

Information on small drinking water systems is covered later in this section.

Table 3 breaks down the number of drinking water systems and laboratories that the Ministry of the Environment, Conservation and Parks regulates.

Table 3: Number of drinking water systems and laboratories regulated by the Ministry of the Environment, Conservation and Parks in 2019-2020

Category	Number of drinking water systems and laboratories
Municipal residential drinking water systems	657
Non-municipal year-round residential drinking water systems (e.g. year-round trailer parks)	466
Systems serving designated facilities (e.g. a school on its own well supply)	1,425
Licensed laboratories	52

Drinking water quality and adverse water quality incidents

Owners and operators of drinking water systems are responsible for diligent monitoring and sampling of drinking water as it travels from the source through to the treatment and distribution system to the consumer. Operators collect samples and submit them to laboratories that are licensed to test Ontario’s drinking water. Operators also perform on site monitoring and maintenance of their drinking water systems such as taking chlorine readings, reviewing continuous monitoring data, flushing hydrants and replacing or repairing watermain. These activities are conducted to help ensure Ontario’s drinking water remains well protected and safe to drink.

A key component of the drinking water protection framework is regular sampling and testing of drinking water to confirm that it meets Ontario’s strict health-based standards. Samples that are submitted to licensed laboratories are tested for microbiological organisms, such as *E. coli* and total coliforms (a group of closely related bacteria; *E. coli* is a type of bacteria in this group), and chemical substances, such as lead and nitrates. Any exceedance of a prescribed drinking water standard is considered an adverse water quality incident and must be reported immediately, and corrective action undertaken.

In 2019-2020, nearly all test results for systems regulated by the Ministry of the Environment, Conservation and Parks met Ontario’s drinking water quality standards as shown in Table 4.

Table 4: Summary of drinking water test results for system types in 2019-2020

Category	Number of tests results	Microbiological adverse test results	Chemical and radiological adverse test results	Percentage of test results meeting standards
Municipal residential systems	523,838	618	154	99.85%
Non-municipal year-round-residential systems	45,013	96	54	99.67%
Systems serving designated facilities	60,042	171	38	99.65%

Year over year, there were changes in the number of test results meeting the standard for all drinking water system categories compared to last year’s results. Such changes are minor and are consistent with the variation in results that we see from the past sixteen years (Figure 2).

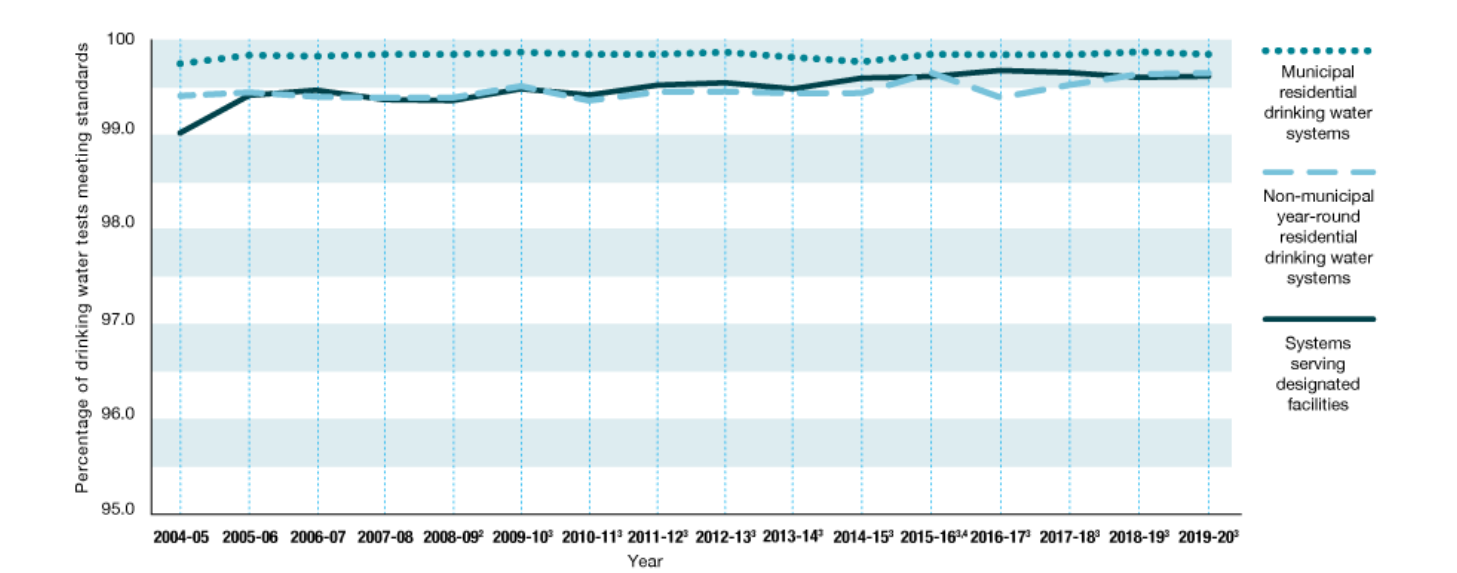


Figure 2: Trends in percentage of drinking water tests meeting Ontario Drinking Water Quality Standards, by system type

A chart showing trends in percentage of drinking water tests meeting standards for municipal residential drinking water systems, non-municipal year-round residential drinking water systems and systems serving designated facilities over 16 years. The trend is consistent for all three system types showing that over 99% of drinking water test results since 2004-2005 have met standards.

For municipal residential drinking water systems, the percentage of drinking water test results meeting standards ranged from 99.74% in 2004-2005 to 99.85% in 2019-2020.

For non-municipal year-round drinking water systems, the percentage of drinking water test results meeting standards ranged from 99.41% in 2004-2005 to 99.67% in 2019-2020.

For systems serving designated facilities, the percentage of drinking water test results meeting standards ranged from 99.06% in 2004-2005 to 99.65% in 2019-2020.

Notes for Figure 2:

- There were slight variations in the methods used to tabulate the percentages year-over-year due to regulatory changes and different counting methods.
- Lead results were not included as they were reported separately.
- Lead distribution results were included but lead plumbing results were reported separately in a section called [Ontario's actions to reduce exposure to lead](#).
- The total trihalomethanes running annual average calculation changed part way through fiscal year 2015-2016.

The table below captures the last sixteen year-over-year percentages for drinking water tests meeting standards.

Table 5: Trends in percentage of drinking water tests meeting Ontario Drinking Water Quality Standards for system types

Year	Municipal residential systems	Non-municipal year-round-residential systems	Systems serving designated facilities
2004-2005	99.74%	99.41%	99.06%
2005-2006	99.84%	99.45%	99.42%
2006-2007	99.83%	99.40%	99.49%
2007-2008	99.85%	99.40%	99.39%
2008-2009	99.87%	99.40%	99.38%
2009-2010	99.88%	99.51%	99.49%
2010-2011	99.87%	99.38%	99.43%
2011-2012	99.87%	99.45%	99.52%

Year	Municipal residential systems	Non-municipal year-round-residential systems	Systems serving designated facilities
2012-2013	99.88%	99.47%	99.57%
2013-2014	99.83%	99.46%	99.49%
2014-2015	99.79%	99.46%	99.60%
2015-2016	99.84%	99.67%	99.61%
2016-2017	99.84%	99.40%	99.69%
2017-2018	99.84%	99.53%	99.67%
2018-2019	99.87%	99.66%	99.61%
2019-2020	99.85%	99.67%	99.65%

Notes for Table 5:

1. There were slight variations in the methods used to tabulate the percentages year-over-year due to regulatory changes and different counting methods.
2. Lead results were not included as they were reported separately.
3. Lead distribution results were included but lead plumbing results were reported separately in a section called [Ontario's actions to reduce exposure to lead](#).
4. The total trihalomethanes running annual average calculation changed part way through fiscal year 2015-2016.

Aging infrastructure, equipment malfunctions, sampling errors and impacts to source water, such as spills and drought conditions may cause adverse test results in drinking water. Recognizing that issues do arise, the framework is designed such that regular monitoring and sampling is required to ensure that water quality issues are identified, and that swift action is taken to resolve adverse water quality incidents.

Operational issues in drinking water systems such as insufficient disinfection or equipment malfunctions are also considered adverse water quality incidents. Laboratories and drinking water system owner and operators must report all adverse water quality incidents to the ministry’s Spills Action Centre and to the local medical officer of health. An adverse water quality incident indicates that a drinking water standard has been exceeded or there is a problem within a drinking water system. The report of an adverse event does not necessarily mean that the drinking water is unsafe but that an incident has occurred, and strong action is required to ensure the issue is resolved.

Corrective actions are undertaken by owners and operators of the drinking water system and depend on the system’s category and the type of incident. Corrective actions required by the [Safe Drinking Water Act \(https://www.ontario.ca/laws/statute/02s32\)](#) include one or more of the following:

- resampling and retesting
- immediately flushing the system
- reviewing operational processes to identify and correct faulty processes
- increasing chlorine doses and flushing the system
- any other steps directed by the local medical officer of health

Steps directed by the local medical officer of health may include additional sampling and testing. The local medical officer of health can also issue a boil water or drinking water advisory.

The ministry’s water inspectors follow up on all adverse water quality incidents. Inspectors continue to monitor an incident, including working with the local medical officer of health and system owners and operators until the incident is resolved. They also review tests results and operational activities during their inspections to ensure all required actions were taken. All of these steps are critical to the success of Ontario’s drinking water protection framework and work together to help ensure that regulated drinking water systems continue to provide high-quality drinking water.

Table 6 summarizes adverse water quality incidents for different system types.

Table 6: Summary of adverse water quality incidents for system types in 2019-2020

Category	Number of adverse water quality incidents	Number of systems reporting
Municipal residential systems	1,248	330
Non-municipal year-round-residential systems	399	173
Systems serving designated facilities	396	268

Adverse water quality incident process

[Ontario’s drinking water quality standards \(https://www.ontario.ca/laws/regulation/030169\)](#) protect consumers by establishing the maximum allowable concentration of chemical and biological substances that can be present in drinking water. Standards are set based on consideration of effects that may result from short-term or long-term exposures and therefore an occasional exceedance over the long-term may not necessarily pose a health risk. Immediate actions are taken by drinking water treatment operators to address any exceedance and help ensure that public health is protected.

For example, nitrate may be present in drinking water naturally or as a result of runoff from agricultural fertilizer use and sewage, or as the result of chlorination of the distribution system for disinfection.

If this substance is detected in a drinking water sample above its respective drinking water quality standard, it is considered to be an adverse water quality incident and drives immediate action.

This is the process that must be followed when an adverse water test result for nitrate occurs:

1. The laboratory immediately reports the adverse water quality incident to this ministry’s Spills Action Centre, local medical officer of health and the owner and operator of the drinking water system.
2. The owner and operator of the drinking water system immediately report the incident to the Spills Action Centre and the local medical officer of health.
3. The owner or operator takes the required corrective actions to restore the quality of the drinking water. For a detection of nitrate at a drinking water system, this includes:
 - collecting resamples and submitting them to the laboratory for testing
 - taking any other steps as required by the local medical officer of health until the adverse water quality incident is resolved to the satisfaction of the medical officer of health

Story from the frontline: Profile of an experienced water inspector

After finishing a master’s degree in physics in Slovakia, Viktoria Light immigrated to Canada and began working in the water department of the City of Toronto. After one year with the city, she became the first female Operator-in-Charge at the largest water treatment plant in Canada at

the time, the R.C. Harris Water Treatment Plant in Toronto.

Experiencing the complexities and intricacies of water treatment processes helped Viktoria realize the importance of proper treatment and being able to provide enough supply of drinking water to customers. This inspired her to seek new opportunities in the drinking water field and she joined the ministry as a water inspector in 2004.

Viktoria’s experience and keen observation skills help her identify issues while conducting inspections at drinking water systems. In August 2019, she inspected a drinking water system and observed a large hole next to one of the wells that is used to provide water. The hole potentially created a direct path for surface water or other foreign material to enter the well and contaminate the ground water source. Viktoria worked with owner and operator and required them to hire a licensed well contractor who plugged the hole to help prevent contamination of the well.

In addition to conducting inspections of drinking water systems, Viktoria’s responsibilities include:

- responding to adverse water quality incidents related to water
- providing regulatory and technical advice to her colleagues, the regulated community and the local medical officer of health
- liaising with the ministry’s engineering and technical support teams
- providing support and creating briefing materials for management
- preparing reports and correspondence in response to complaints
- referring instances of non-compliant behaviour to the ministry’s investigations team

Viktoria also finds time to take part in ministry projects that help enhance the overall drinking water protection framework. She has helped to develop and review questions that inspectors ask when conducting drinking water system inspections as well as how to rate the risk of non-compliance with those questions. Viktoria brings extra value to these projects as she understands the challenges faced by owners and operators of drinking water systems having worked as an operator herself.

Inspections

Ontario helps to keep drinking water system and laboratory owners accountable by conducting comprehensive inspections on a regular basis.

Municipal residential drinking water systems are inspected on an annual basis and all laboratories permitted to test drinking water are inspected a minimum of two times per year. This is a requirement of the [Compliance and Enforcement regulation \(https://www.ontario.ca/laws/regulation/050242\)](https://www.ontario.ca/laws/regulation/050242), which is detailed later in this section.

The ministry developed a risk-evaluation methodology to prioritize when and how often an inspection is needed at non-municipal year-round residential systems and systems serving designated facilities. This risk evaluation is based on factors such as compliance history, the number and reasons for any adverse water quality incidents and input from local medical officers of health. Each year, a risk evaluation is performed to identify systems that should be inspected.

The inspection program is central to the ministry’s mandate to ensure that Ontarians have access to safe drinking water. The primary purpose of an inspection is to confirm compliance with Ontario’s legislation as well as to see if the operation of the system or laboratory meets the ministry’s drinking water policies and guidelines.

The ministry uses a comprehensive approach for its inspection of water systems that focuses on source, treatment, and distribution components as well as management practices. The ministry’s approach to inspecting laboratories is equally as rigorous and focuses on chain of custody (or the path of a sample from the time it is collected to when it is accepted by the laboratory), reporting, sample handling, subcontracting and management practices.

During the inspection of a drinking water system, a water inspector assesses requirements such as the operation and maintenance of the treatment and distribution system, sampling and monitoring, operator certification, reporting and corrective actions and policies and procedures.

During an inspection of a laboratory, a laboratory inspector assesses requirements such as policy and procedures, methodology, document and record-keeping practices and reporting.

Inspection results

In 2019-2020, the ministry conducted 1,004 inspections at drinking water systems and 104 at licensed laboratories. A breakdown is given in Table 7.

Table 7: Number of inspections conducted in 2019-2020

Category	Number of inspections
Municipal residential drinking water systems	657
Non-municipal year-round residential drinking water systems	96
Systems serving designated facilities	251
Licensed laboratories	104

The ministry assigns a rating for each inspection conducted at a [municipal residential drinking water system \(https://www.ontario.ca/page/application-risk-methodology-used-measuring-municipal-drinking-water-system-inspection-results\)](https://www.ontario.ca/page/application-risk-methodology-used-measuring-municipal-drinking-water-system-inspection-results) or [licensed laboratory \(https://www.ontario.ca/page/application-risk-methodology-used-measuring-licensed-and-out-province-drinking-water-testing\)](https://www.ontario.ca/page/application-risk-methodology-used-measuring-licensed-and-out-province-drinking-water-testing). A risk-based inspection rating is calculated based on the number of areas where a system is deemed to be non-compliant during the inspection, and the significance of these areas to administrative, environmental, and health consequences.

In 2019-2020:

- 71% of municipal residential drinking water systems received a 100% rating.
- 99.7% of municipal residential drinking water systems received an inspection rating above 80%.
- 37% of laboratories received a 100% rating in at least one of the two annual inspections.
- 99.0% of laboratory inspections received ratings above 80%.

An inspection rating of less than 100% does not indicate that drinking water is unsafe. It shows areas where a system’s or laboratory’s operation can improve. The ministry works with owners and operators of systems and laboratories to help ensure that they address specific areas requiring attention.

For 2019-2020 data, the ministry identified the following areas:

Municipal residential drinking water systems

- Ensuring that continuous monitoring equipment is performing and recording tests correctly.
- Ensuring operating treatment equipment is working and being calibrated properly (e.g., ultraviolet radiation equipment, correct dosage of chlorine is used).
- Using the correct disinfection products and procedures when performing modifications or repairs.
- Maintaining secondary disinfection (e.g., ensuring chlorine residuals do not drop below the required levels).

Non-municipal year-round residential systems

- Collecting microbiological samples in the distribution system and performing turbidity monitoring at the proper frequencies and correct locations.
- Ensuring treatment equipment is operated properly (e.g., ultraviolet radiation equipment, correct dosage of chlorine is used).
- Ensuring reporting requirements for adverse water quality incidents are met.
- Maintaining secondary disinfection (e.g., ensuring chlorine residuals do not drop below the required levels).

Systems serving designated facilities

- Collecting microbiological samples at the proper frequency and correct location.
- Ensuring maintenance of treatment equipment is conducted and reported properly (e.g., changing ultraviolet bulbs and filters).
- Ensuring reporting requirements for adverse water quality incidents are met.
- Ensuring persons operating the drinking water system possess the proper designation and training.

Licensed laboratories

- Ensuring that a record is made when samples for lead testing are preserved with acid prior to analysis.
- Ensuring that results reported to the ministry include all the required information.
- Ensuring training of laboratory personnel is properly documented for all policies and procedures related to drinking water testing and reporting of results.
- Ensuring that laboratory personnel are conducting drinking water testing according to the licensed test method.

When inspectors identify non-compliance issues at systems or laboratories, the ministry may take actions such as:

- identifying suggestions to address areas of non-compliance in the inspection report
- discussing crucial inspection findings with the owner and/or operator
- requiring updates to their policies and procedures
- providing the inspection report to other affected parties, including the local medical officer of health and the local conservation authority
- providing education and outreach on issues that are not directly related to drinking water safety, such as administrative non-compliance issues
- issuing a provincial officer’s order that requires the system owner and/or operator to take corrective action by a specific deadline
- referring the incident to the ministry’s Environmental Investigations and Enforcement Branch

Deficiencies and orders

The [Compliance and Enforcement regulation \(https://www.ontario.ca/laws/regulation/050242\)](https://www.ontario.ca/laws/regulation/050242) requires the ministry to undertake mandatory action, such as issuing an order or referring non-compliant behaviour for investigation, for deficiencies at municipal residential drinking water systems and for infractions at laboratories.

A deficiency is a violation of specified provisions of the [Safe Drinking Water Act \(https://www.ontario.ca/laws/statute/02s32\)](https://www.ontario.ca/laws/statute/02s32) and its regulations that could or does pose a drinking water health hazard. An infraction is a violation of specified provisions of the *Safe Drinking Water Act* and its regulations by a licenced laboratory. For example, water treatment equipment that is not operated according to provincial requirements may impact the quality of drinking water and adversely affect the health of those using the system. See more information on the [Compliance and Enforcement regulation](#) later in this section.

In 2019-2020, the ministry identified six deficiencies at two systems.

The first system’s owner, who failed to employ a certified operator, was referred for investigation. The owner was also required to ensure all operators were properly certified.

For the second system, the ministry issued one order because the inspector identified five deficiencies during the inspection. This order directed the owner of the system to provide proper treatment, monitor treatment equipment, respond to an alarm in a timely manner, review data within the necessary timeframe, and create required records. The inspector is monitoring the progress of the owner’s actions and the ministry is also considering further enforcement actions. None of the deficiencies identified presented an immediate drinking water health hazard.

The ministry identified four infractions at four laboratories. The infractions were for testing without a licence and improper subcontracting. All four laboratories were issued orders to address the infractions and have complied with the required actions contained within the orders.

The ministry also issued 11 orders to six non-municipal year-round residential drinking water systems and four systems serving designated facilities to address non-compliant activities. For example, one order directed the owners to collect raw and distribution microbiological samples and properly report adverse water quality incidents.

Story from the frontline: Profile of a new water inspector

Megan Smith, a new water inspector with the ministry, found her first inspection of a drinking water system to be both challenging and rewarding. After joining the ministry’s water compliance program in November 2019, she underwent a rigorous training program that involved weeks of online learning, taking the Operator-In-Training course at the Walkerton Clean Water Centre, in-class training and job shadowing. In February 2020, Megan conducted her first non-municipal inspection under the guidance and direction of an experienced water inspector.

Together, Megan and her mentor inspected a non-municipal year-round residential drinking water system that serves a trailer park located in northern Ontario. Megan was responsible for preparing for the inspection by reviewing test results and the system’s engineering evaluation report prior to completing the physical inspection of the system. During the inspection, Megan identified issues with sampling and testing, as well as operational and maintenance checks, and logbook records. Under the guidance of her mentor, she wrote the inspection report, including requiring actions to address the identified issues.

In order to help the owners understand the actions required of them, she created a simple compliance tracking sheet which broke down each item in a way that was easy to understand. Once the owners were given the inspection report and compliance tracking sheet, the ministry continued to follow up with the owners until all the instances of non-compliance were resolved.

Megan’s key takeaway from her first inspection was that she must help to ensure those who provide drinking water to the public are held to a high standard and her primary responsibility is the protection of public health.

Convictions

Inspectors may refer non-compliant activities to the ministry’s Environmental Investigations and Enforcement Branch. The decision to refer non-compliant behaviour for investigation depends on a number of criteria, including the compliance history of the inspected system, what steps the system owner has taken or is taking to resolve the issue, how cooperative the system owner has been in trying to resolve non-compliance issues and the potential impact of the non-compliance to the health of the users of the system.

In 2019-2020, the province of Ontario convicted one individual who worked at a municipal residential drinking water system. The individual was convicted of charges relating to giving false or misleading information in the form of logbook entries and was fined \$15,000. The ministry was notified of the issue by the municipality when it became aware of the problem through auditing activities.

Owners of two non-municipal year-round residential drinking water systems were convicted and fined a total of \$9,500. The convictions were related to non-compliant activities such as failing to:

- collect the required samples
- comply with an order to confirm a certified operator had been hired

The owners and corporations at three systems serving designated facilities were convicted and fined a total of \$8,250. The convictions were related to non-compliant activities such as:

- supplying drinking water to users of a system without first performing sampling and testing for *E. coli* and total coliforms after being shut down for seven days or more
- failing to collect samples once a month
- failing to maintain treatment records and logs for operational tests and sampling

Further information on drinking water quality, inspections, orders and convictions data is available on the [Drinking Water Quality and Enforcement \(https://data.ontario.ca/en/dataset/drinking-water-quality-and-enforcement\)](https://data.ontario.ca/en/dataset/drinking-water-quality-and-enforcement) page on the Ontario Data Catalogue.

Ontario’s accountability to the Compliance and Enforcement regulation

One of Justice O’Connor’s concerns from the Walkerton Inquiry was that routine inspections of municipal residential drinking water systems were not occurring. He explicitly stated,

I am concerned, however, that the current attitudes toward inspections will change as the memory of the Walkerton outbreak fades. When budget-cutting pressures return in the future, for example, there may be pressures to reduce inspection frequency.

O’Connor, 2002, p. 435

Annual inspections of municipal residential drinking water systems are a critical component of the drinking water protection framework and were formalized as a requirement in the Compliance and Enforcement regulation in 2005, under the *Safe Drinking Water Act*.

The Compliance and Enforcement regulation also outlines other requirements that the ministry’s compliance program must meet. The government is obligated to report on whether the ministry has met its requirements under this regulation. For 2019-2020, the ministry has fulfilled its requirements.

Actions included:

- completing an annual inspection at all 657 municipal residential drinking water systems in the province
- ensuring that at least one in every third inspection of a municipal drinking water system was unannounced (202 inspections were unannounced and 455 were announced in 2019-2020)
- completing two annual inspections at each of the 52 licensed laboratories
- ensuring at least one of the two inspections conducted at each licensed laboratory was unannounced
- ensuring all inspection reports for municipal drinking water systems and licensed laboratories were issued within 45 days of the completion of the inspection
- taking mandatory action within 14 days of finding a deficiency at a municipal residential drinking water system or an infraction at a licensed laboratory

In addition to setting requirements for inspection and compliance activities, the Compliance and Enforcement regulation also provides the public with the right to request an investigation of an alleged contravention of the *Safe Drinking Water Act* or any of its regulations. In 2019-2020, no member of the public made an application for an investigation.

2019-2020 highlights of Ontario’s small drinking water system results

Across Ontario, thousands of businesses and other community sites use a small drinking water system to supply drinking water to the public. The sites include restaurants, places of worship and community and recreation centres, resorts, rental cabins, motels, lodges, bed and breakfasts, campgrounds, and other public settings, and are most often located in semi-rural and remote communities that may not have access to a municipal drinking water supply.

Until November 30, 2008, small drinking water systems were regulated under O. Reg. 252/05, under the [Safe Drinking Water Act \(https://www.ontario.ca/laws/statute/02s32\)](https://www.ontario.ca/laws/statute/02s32). On December 1, 2008, small drinking water systems were transferred from the (then) Ministry of the Environment to the Ministry of Health. They are now governed by Ontario Regulation 319/08 (Small Drinking Water Systems) under the [Health Protection and Promotion Act \(https://www.ontario.ca/laws/statute/90h07\)](https://www.ontario.ca/laws/statute/90h07).

Prior to the implementation of the Ministry of Health’s Small Drinking Water Systems Program, few if any small drinking water systems were regularly inspected and little was known about the water quality of these systems or if water sampling was even occurring. The issue was identified in the Walkerton Inquiry report, “small systems lack economies of scale, and as a result it may be more expensive, on a per capita basis, for them to meet regulatory requirements. In addition, they may have difficulty attracting, retaining, and affording the expertise they need.” (O’Connor, 2002, p. 472)

The Small Drinking Water Systems Program responded to the need for a unique and innovative program and is overseen by the Ministry of Health and administered by local boards of health. Public health inspectors conduct detailed inspections and risk assessments of all small drinking water systems in Ontario, and provide owner/operators with a tailored, site-specific plan to keep their drinking water safe. This customized approach has reduced unnecessary burden on small system owner/operators without compromising strict provincial drinking water standards.

Since implementing the Small Drinking Water System Program, public health units have conducted detailed inspections and risk assessments on existing and new small drinking water systems across Ontario. Upon finalizing a risk assessment, each small drinking water system is issued a directive which could include customized requirements for water testing, treatment options and operator training.

Public health inspectors conduct a site-specific risk assessment for every small drinking water system in the province. As of March 31, 2020, a total of 23,892 ^[1] risk assessments have been completed for the approximately 10,000 small drinking water systems. Based on the assessment, the public health inspector determines what owners and operators must do to keep their drinking water safe and will issue a directive for the system. The directive may include requirements for water testing, treatment options or training.

Public health inspectors use a web-based application to conduct risk assessments and establish sampling requirements for a small drinking water system, and assign a level of risk (low, moderate or high). The risk category is determined by grading factors that are applied to results of a drinking water source and treatment components questionnaire, and a distribution component questionnaire. Systems categorized as “high risk” are required to be re-inspected every two years. Systems categorized as “low or moderate risk” are required to be re-inspected every four years.

- Over the past eight years, we have seen progressively positive results including a steady decline in the proportion of high-risk systems (9.61% in 2019-2020 down from 16.65% in 2012-2013). As of March 31, 2020, over three quarters (78.40%) of small drinking water systems are categorized as low risk (up about one percent from the previous year).
- Over 90% of systems are categorized as low/moderate risk and subject to regular re-assessment every four years; while the remaining systems, categorized as high risk (9.61%), are re-assessed every two years.

The Small Drinking Water System Program reflects a customized (risk-based) approach for each small drinking water system depending on the level of risk rather than “one-size-fits-all” requirements with a goal to prevent, reduce and/or eliminate adverse effects.

Regular sampling is performed by operators of their drinking water systems. The water samples are submitted by the operators for testing to private licensed labs and the results recorded in a Laboratory Result Management Application.

- In 2019-2020, 97.98% of 99,924 drinking water samples submitted from small drinking water systems have consistently met Ontario Drinking Water Quality Standards.

Through the Ministry of Health’s Small Drinking Water System Program, public health units provide information to small drinking water system owners and operators on:

- how to protect their drinking water at the source by identifying possible contaminants
- how and when to test their water
- treatment options and maintenance of treatment equipment, where necessary
- when and how to notify the public, whether it is a poor water sample test result or equipment that is not working properly
- what actions need to be taken to mitigate the problem

In the event of an adverse test result, the laboratory will notify both the owner/operator of the small drinking water system and the local public health unit for immediate response to the incident (see section below on “Response to adverse water quality incidents”). Details of the adverse water quality incident will be also be tracked in the application.

Adverse water quality incidents can result from an observation (e.g. an observation of treatment malfunction) or adverse test result (i.e. water sample does not meet drinking water standards under [O.Reg. 169/03](#)).

- In the past year, a decline of 11.93% in total number of adverse water quality incidents was observed from 1,232 in 2018-2019 to 1,085 in 2019-2020; and the number of small drinking water systems that reported an adverse water quality incident for the same period also declined 13.52% from 969 in 2018-2019 to 838 in 2019-2020. [\[2\]](#)

The small drinking water system adverse water quality incident data demonstrates the success and value of the Ministry of Health’s Small Drinking Water System Program because adverse incidents are now being systematically captured and appropriate action can now be taken and tracked to help protect drinking water users.

In the early years that the program was implemented, we were not surprised to see adverse water quality incidents in a small drinking water system as owners/operators complied with sampling requirements in accordance with their directive and instituted improvements in their drinking water system over time. Looking at the longer-term results and in particular over the last six years, we have seen a progressive decline in the number of adverse water quality incidents.

- Since 2013-2014, a significant downward trend in both total adverse water quality incidents and the number of systems that reported an adverse water quality incident has occurred, with some fluctuations. As of 2019-2020, total adverse water quality incidents decreased 28.48% and 31.09% fewer systems reported an adverse water quality incident compared to 2013-2014 data (which had 1,517 adverse water quality incidents for 1,216 systems).

Note, the Ministry of Health is not aware of any reported illnesses related to these incidents. This is likely in part because, through the Ministry of Health’s small drinking water system program, operators now know when and how to notify users when their drinking water may not be safe to drink and are working with public health units to take appropriate corrective actions to mitigate any problems.

Response to adverse water quality incidents

When an adverse water quality incident is detected by the lab, the owner/operator of a drinking water system is required to notify the local medical officer of health and to follow up with any instruction that may be issued by a public health inspector or medical officer of health.

Response to an adverse water quality incident may include issuing a drinking water advisory to notify potential users of the system whether the water is safe to use and drink or if it requires boiling to render it safe for use. The public health unit may also provide instruction to owner/operators of a drinking water system on necessary corrective action to be taken on the affected system to mitigate the risk.

Through the Ministry of Health’s Small Drinking Water System program, small drinking water system owners and/or operators work closely with public health inspectors to follow the directive which contains their system-specific water protection plan and resolve any issues to protect drinking water users.

The Small Drinking Water Systems Program has comprehensively addressed the Walkerton Inquiry recommendations that many small drinking water systems, which had never before been regulated, be included in the post-Walkerton regulatory framework. In doing so, we have reinforced a world-class system that safeguards our water from source to tap and supports this government’s commitment to smarter regulatory practices without putting public health and safety at risk.

Story from the frontline: Public health inspector helps drive reduction in risk

Chris Eaton, Public Health Inspector with Peterborough Public Health, has seen a dramatic increase in the safety of drinking water provided by small drinking water systems in Peterborough County. From January 1, 2012 to March 31, 2020, the number of systems that he has assessed as high risk has dropped from just over 100 to less than 10 as shown in Table 8. The number of moderate-risk systems has also decreased, and the number of low-risk systems has more than doubled.

This significant accomplishment can be attributed to hard work on the part of the owners and operators of these small drinking water systems and their effort to comply with directives. They installed effective treatment equipment, conducted proper sampling, kept good records and took training courses to learn more about the operation of small drinking water systems. This reduction in risk was also driven by Chris identifying those systems which were non-compliant and working with those owners and operators to ensure that they comply with the requirements of the regulation and their directive.

When Chris inspects a system, he makes direct observations of the system components, the site and surrounding property. Chris will also review records and documentation pertaining to the operation of the system and historical observations of the well record and sampling results. Finally, Chris will interview the operator to determine experience and competencies in operating the small drinking water system. This information is entered into a risk categorization tool to determine the risk level of the system. Based on the observations and risk category, Chris will issue a site-specific directive to the owner. The directive will include requirements such as sampling frequency, treatment requirements, operational checks, record keeping, posting signage and training requirements. Once the directive is issued to the owner, Chris will continue to monitor the system for compliance and respond to any adverse water quality incident.

High-risk systems often have untreated water sources or improperly treated drinking water. Moderate-risk systems have treatment, but the treatment may not meet all the requirements and low-risk systems have secure groundwater sources or have treatment systems that are compliant and have appropriately trained operators.

Inspecting small drinking water systems has provided Chris great satisfaction. He knows that he has made a meaningful contribution through his work as an inspector, because the people who live in or visit Peterborough County have access to safe drinking water.

Table 8: Trend in risk level for small drinking water systems in Peterborough County from 2012 to 2020

Risk level	January 1, 2012 ^[3]	March 31, 2020
High	108	6
Medium	104	79
Low	93	260

Ontario’s actions to reduce exposure to lead

Lead exposure is of public health concern due to the potential behavioural and health effects, especially in vulnerable groups. Blood lead levels of Canadians have declined in the past 40 years due to ongoing actions to reduce lead exposure from all sources. Drinking water generally accounts for a small fraction of total lead exposure to humans. Ontario’s Chief Medical Officer of Health has not received any reports of lead toxicity in Ontario children that have been linked primarily to drinking water in the last 10 years. Ontario has the most stringent provincial testing regime in Canada when it comes to lead in drinking water, and we’ve made significant progress in reducing lead in drinking water since 2007.

Drinking water supplied by municipal water treatment plants must meet the provincial standard for lead, which is 10 micrograms per litre. Corrosion in older distribution pipes, home service lines and plumbing however, may result in elevated lead levels at the tap.

While new water infrastructure is installed according to current provincial design guidelines using materials with low-lead content, older infrastructure within Ontario’s towns and cities may contain lead. Under certain conditions, chemical reactions in these older pipes will dissolve and wear away the metal, releasing lead. Where infrastructure is not visible (i.e. below ground), it can be difficult to assess its age and condition. This can make it hard to identify what components of the infrastructure are contributing to elevated lead levels within a distribution system.

In 2007, elevated lead levels were detected in drinking water samples in homes located in London, Ontario. This resulted in a request by the Chief Drinking Water Inspector for all municipalities to test the water delivered to the homeowner’s tap to monitor lead levels. The province required municipalities and non-municipal year-round residential system owners to actively sample for lead within their communities and to take corrective action when elevated levels were identified. Municipalities that identified high levels of lead in their communities were required to develop a lead reduction strategy. Ontario works with the municipalities on the development of their lead reduction strategies and assesses whether the approved strategies are being implemented to help reduce levels of lead in drinking water.

Ontario also wanted to protect children from exposure to lead, as children six and under are the most vulnerable to health effects from lead. A [regulation specific to schools, private schools and child care centres \(https://www.ontario.ca/laws/regulation/070243\)](https://www.ontario.ca/laws/regulation/070243) was made in 2007 to require the owners of these facilities to flush pipes and fixtures and test for lead in plumbing, as well as take corrective actions where there is an exceedance of the standard for lead.

Lead from components such as plumbing fixtures and solder has the potential to enter the drinking water that is sitting in a facility’s plumbing overnight. The longer that drinking water sits in the pipes, the more lead that can leach out. The following actions are required to minimize lead exposure in facilities:

- flushing the plumbing either daily or weekly, before children arrive, based on the facility’s sample results
- collecting samples where the water in the plumbing has been unused for at least six hours, referred to as a standing sample. These samples have a higher potential of containing lead that has leached into the drinking water
- collecting samples after the tap has been turned on for a specific amount of time, referred to as a flushed sample. Flushed samples represent the water that children consume

In July 2017, the ministry strengthened this regulation by requiring child care centres and schools with a primary division to sample for lead at every drinking water fountain and tap that provides drinking water to children or is used in food preparation for children by January 1, 2020. Non-primary schools are required to complete their sampling by 2022. Once all taps have been tested, owners and operators are required to continue to test for lead at a minimum of one tap or fountain that is used to provide drinking water or used in food preparation for children on an annual basis or, under certain conditions, every three years at their facilities.

The ministry follows up on lead exceedances and works with operators of schools and child care centres, as well as the local medical officer of health, to resolve issues. The ministry also conducts inspections at schools and child care centres.

Actions required of municipalities

All Ontario municipalities have been required to test for lead since 2007 to determine whether lead in drinking water is an existing or developing problem within their communities.

- Samples are required to be taken from a number of residential and non-residential buildings and from the distribution system.
- Municipalities with historical sample results below Ontario’s standard for lead are still required to sample but at a reduced frequency.
- Where lead is found to be an ongoing problem at a community level, municipalities are required to develop a lead reduction strategy.
- Municipalities must provide the results of samples tested for lead to the occupants of private residences where the samples were collected.
 - Where the test result does not meet the standard for lead, they must also provide the occupant with advice from the local medical officer of health, which may include suggestions to replace the fixture or install a filter.

The majority of plumbing test results from samples taken for the community lead testing programs in municipalities met Ontario's current standard for lead - 10 micrograms per litre.

Municipal community lead testing - plumbing test results for 2019-2020:

- 5,121 test results
- 96.88% met the lead standard
- 3.12% or 160 results did not meet the lead standard

Results of lead testing are provided to occupants of private residences by the drinking water system owner.

Lead reduction strategies are system-specific plans prepared by municipalities to reduce the amount of lead in drinking water, and include actions such as:

- altering water treatment processes and using chemical additives that prevent the corrosion of pipes
- replacing lead service lines
- upgrading water treatment equipment
- encouraging homeowners to have their plumbing sampled and tested, and to replace fixtures or plumbing that contain lead

Lead reduction strategies can take years to develop and implement. Often, complex issues related to water chemistry in the system need to be evaluated and replacing lead service lines is frequently done in conjunction with other work to minimize disruption to roadways and residents.

Since community lead testing became mandatory in 2007, 21 municipalities have been required to prepare lead reduction strategies. Currently, eleven municipalities have fully implemented alterations to treatment processes to prevent lead corrosion of pipes and two municipalities have indicated that all lead service lines within their municipalities have been replaced.

Seven municipalities continue to make significant process. Corrosion control plans have to resolve complex issues with water chemistry in the system, prior to implementation. Lead source removal strategies can take years to implement, as lead service line replacements are often undertaken in conjunction with other work to minimize disruption to transportation corridors and residents.

The ministry routinely monitors lead sampling data. In 2019-2020, the ministry started working with an additional municipality to address lead exceedances, and to clarify aspects of their proposed lead reduction strategy.

The [Drinking Water Quality and Enforcement \(https://data.ontario.ca/dataset/drinking-water-quality-and-enforcement\)](https://data.ontario.ca/dataset/drinking-water-quality-and-enforcement) page of the Ontario Data Catalogue provides additional information on lead reduction strategies and testing results for municipal residential systems.

Actions required of non-municipal year-round residential drinking water systems

Non-municipal year-round residential drinking water systems supply water on a year-round basis to six or more private residences (e.g, houses, apartments, condominium units, townhouses) or trailer parks with six or more water service connections.

Owners of these systems are required to:

- test tap water for lead twice per year at a specified number of homes and non-residential buildings
- collect and test for lead levels within the distribution system

The results of this testing help to determine if levels of lead in drinking water are an existing, developing or potential problem within a community.

The majority of plumbing test results from samples taken for the community lead testing program associated with non-municipal year-round residential drinking water systems met Ontario’s current standard for lead.

Community lead test program for non-municipal year-round residential drinking water - lead plumbing test results in 2019-2020:

- 971 test results
- 99.38% met the lead standard
- 0.62% or six results did not meet the lead standard

Results of lead testing are provided to occupants of private residences by drinking water system owner.

Non-municipal year-round residential drinking water system owners must provide the results of samples tested for lead to the occupants of private residences where the samples were collected. Where the test result does not meet the standard for lead, they must also provide the occupant with advice from the local medical officer of health, which may include suggestions to replace the fixture or install a filter.

When samples exceed the lead standard in a distribution sample, system owners and operators are required to report the results as an adverse water quality incident. They must work with the local medical officer of health and take corrective actions to resolve the issue. This ministry follows up with the owners and operators to ensure that they have implemented the corrective measures.

The [Drinking Water Quality and Enforcement \(https://data.ontario.ca/dataset/drinking-water-quality-and-enforcement\)](https://data.ontario.ca/dataset/drinking-water-quality-and-enforcement) page of the Ontario Data Catalogue provides additional information on municipal and non-municipal systems.

Actions required of schools, private schools and child care centres

Ontario has over 11,000 public schools, private schools and child care centres. To help prevent children from being exposed to lead in drinking water, the ministry requires the owners and operators of these facilities to take the following actions:

- flush the plumbing at the start of the day either on a weekly or daily basis, depending on factors such as the age of the plumbing in the building (i.e. older buildings are more likely to have lead plumbing); lead test results from previous drinking water sampling; the location and use of drinking water fixtures; and whether there is an NSF certified filter installed on a drinking water fixture
- sample for lead at every drinking water fountain and tap that provides drinking water to children or is used in food preparation for children
- report lead levels that are greater than the provincial standard to this ministry, the local medical officer of health and the Ministry of Education
- take corrective actions to address lead exceedances
 - If a test result from a flushed sample fails to meet the standard, owners and operators must take immediate action to make the tap or fountain inaccessible to children by disconnecting or bagging it until the problem is fixed.
 - Corrective actions can include increased flushing, replacing the fixture, or installing a filter or other device that is certified for lead reduction.
 - Owners and operators must also follow any other directions from their local medical officer of health.

The majority of the test results in schools, private schools and child care centres met the standard for lead (Table 9).

Table 9: Lead test results for schools, private schools and child care centres in 2019-2020

Sample type	Total number of results	Number of test results meeting Ontario’s Drinking Water Quality Standard for lead	Number of lead exceedances (of total number of results)	Percentage of test results meeting Ontario’s Drinking Water Quality Standard for lead
Lead – Flushed	25,417	24,786	631	97.52%
Lead - Standing	25,353	23,663	1,690	93.33%

Sample type	Total number of results	Number of test results meeting Ontario’s Drinking Water Quality Standard for lead	Number of lead exceedances (of total number of results)	Percentage of test results meeting Ontario’s Drinking Water Quality Standard for lead
Lead – Total for standing and flushed samples	50,770	48,449	2,321	95.43%

A comparison of the flushed and standing lead exceedances demonstrates that flushing is effective at temporarily reducing lead levels at the tap. Permanent solutions include removing or replacing the fixture or installing and maintaining a filter at the fixture.

To find test results for your local school, private school or child care centre, contact them directly or visit the [Drinking Water Quality and Enforcement \(https://data.ontario.ca/dataset/drinking-water-quality-and-enforcement\)](https://data.ontario.ca/dataset/drinking-water-quality-and-enforcement) page on the Ontario Data Catalogue. Download the “2019-20” file, open the spreadsheet called “Test Data – Raw Data” and search for the name of your school or child care centre.

Update on testing every drinking water tap and fountain

The ministry asked facility owners and operators to submit a drinking water fixture inventory listing the number of drinking water fixtures at their facilities and to identify how many have been tested to date.

The inventories submitted show the majority of facilities have met the testing requirements.

As of April 22, 2020, operators of:

- 8,351 facilities declared they are either a child care centre or a school or private school with a primary division (grade 3 or below)
- 85% of facilities have submitted an inventory of their drinking water fixtures (9,494 of 11,203)
- 5,681 facilities have completed their drinking water fixture sampling
- 68% of child care centres and schools or private schools with a primary division have met the sampling deadline

The ministry is contacting owners and operators of the 1,709 registered facilities that have not submitted an inventory to determine whether the school, private school or child care centre is still operating. If they are operating and do not voluntarily submit an inventory, the facility will be targeted for an inspection. Based on the outcome of the follow-up, the ministry will deregister facilities that are no longer open and take compliance action, such as education and outreach, inspections and orders where necessary at facilities that have not met the sampling deadlines.

Lead compliance program results for schools, private schools and child care centres

The ministry uses a targeted compliance approach with schools, private schools and child care centres. This approach includes:

- following up on test results that exceed Ontario’s standard for lead by confirming facility operators have undertaken all actions required by the regulation and the local medical officer of health including submitting required documentation
- conducting inspections on site at the facility or via telephone
- verifying that conditions are met when operators notify the ministry they would like to move to a reduced sampling schedule

In 2019-2020, ministry inspectors followed up on 2,321 lead exceedances at 815 facilities and inspected 78 facilities. To determine which facilities to inspect, the ministry uses a risk-based approach and considers the facility’s compliance and sampling history and whether the facility operator submitted an inventory of the facility’s drinking water fixtures.

A facility, which has tested all of its drinking water taps and fountains and has a sampling history that indicates there is no issue with lead in drinking water, is able to change from annual sampling to sampling every third year. In 2019-2020, the ministry confirmed that 300 facilities were eligible to move to a reduced sampling schedule.

For detailed information on these schools, private schools and child care centres, please visit the [Drinking Water Quality and Enforcement \(https://www.ontario.ca/data/drinking-water-quality-and-enforcement\)](https://www.ontario.ca/data/drinking-water-quality-and-enforcement) page on the Ontario Data Catalogue.

Story from the frontline: A water inspector's actions to protect children

In October 2019, Mahmod Mahmod, a water inspector with the ministry, conducted an inspection of a child care centre in eastern Ontario. During his inspection, a review of the centre’s records showed that the child care centre operator had not properly collected drinking water samples for lead testing.

To address this issue, Mahmod required the owner to develop and implement a process to review annual testing to ensure that regulatory requirements were being met. The owner of the child care centre was also required to submit documentation to demonstrate that the required actions had been addressed.

Mahmod worked with the owner to assist them in their development of a procedure that is designed to ensure drinking water samples for lead testing are collected at the proper frequency at the child care centre moving forward. Once the procedure was complete, he reviewed it and was satisfied that the owner had met all the required actions identified in his inspection.

Update on Health Canada’s guideline

In 2019, Health Canada revised its Canadian Drinking Water Quality Guideline for lead in treated drinking water from 10 to 5 micrograms per litre. The ministry recognizes that lead in drinking water is an important issue for parents and the public. That’s why the ministry will be consulting with Ontarians on whether and how to adopt Health Canada’s reduced guideline for lead in drinking water, proposing changes that build on Ontario’s already stringent lead protection framework (such as changing testing requirements for municipalities) and increasing transparency in lead testing results. The ministry expects to begin this consultation process in early 2021.

Looking ahead

Throughout this report we have remembered past events that have led us to our current framework and highlighted the current state of Ontario’s drinking water. It is also important to look ahead at what the ministry is working on to continue improving drinking water protection and compliance.

Environmental Compliance Hub Ontario

In recognition of the important role that technology can play in helping to protect public health, the ministry launched a major multi-year project in 2016 to modernize the ministry’s compliance processes. The project involves consolidating eight existing data applications into one Environmental

Compliance Hub Ontario (ECHO) was launched in an initial phase in July 2020, with full implementation targeted for April 2021.

ECHO will allow the ministry to better analyze and use its compliance data to measure how the regulated community is performing and whether the ministry is achieving its targeted compliance outcomes. ECHO will eventually allow us to make several other improvements to our processes that will help reduce unnecessary burdens on the regulated community, including:

- improvements to the way drinking water test results are submitted
- an online portal that will allow the regulated community to submit adverse water quality incident information and other types of reports and notifications electronically

"Year-at-a-glance" report

As previously mentioned, data and analytics help us to drive better compliance outcomes. An example of how data and analytics can be used to promote compliance was demonstrated through a pilot project completed in 2019 that had the ministry sharing testing and profile information with owners of non-municipal year-round residential drinking water systems. Each owner received a tailored "year-at-a-glance" report, which summarized available ministry data, including:

- their drinking water system profile information
- a summary of required samples versus the records of samples taken that were in the ministry’s database
- a list of adverse water quality incidents reported for their system

The goals of the project were to:

- correct outdated profile information
- correct erroneous sample data
- decrease the number of missed samples across the sector each year
- initiate actions to correct chronic adverse water quality results
- improve compliance and inspection performance as a result of increased communication from the ministry

Initial results of the pilot project were successful, and positive feedback was received from drinking water system owners.

In 2020, this “year-at-a-glance” report became an annual part of the compliance approach used for non-municipal year-round residential drinking water systems and was expanded to owners of drinking water systems serving designated facilities. Going forward, the use of this concept will be explored in other parts of the ministry to improve compliance outcomes in other programs using this system-focused approach.

Administrative monetary penalties

Ontario is looking to expand the use of administrative monetary penalties (AMPs). The intent is to provide more options for provincial officers such as water inspectors to address non-compliance.

An AMP is a financial penalty issued to a violator, by the regulator, for breaking the law. AMPs are used across government as a quick and effective tool to return the violator into compliance with the law, deter against future non-compliance and ensure consequences are proportionate to the contravention.

Legislative changes were made in 2019 to provide the government with the enabling authority needed to issue administrative monetary penalties for environmental contraventions. The authority would apply to key environmental statutes, including the *Safe Drinking Water Act*.

These changes aim to address gaps in the ministry’s compliance and enforcement toolkit - the new administrative monetary penalties could be used where there is non-compliance with the law but where prosecution may not be the most appropriate tool to restore compliance or address the non-compliance.

Consultation and stakeholder engagement are planned on a proposal to implement new administrative monetary penalties.

Conclusion

Over the past year, Ontarians have demonstrated a commitment to working together to overcome adversity. As we continue to navigate through these difficult times and adjust where needed, we will continue to provide supports to our ministry partners, stakeholders, businesses and the public for the delivery of clean, safe drinking water. We also remain committed to focusing on areas for continued improvement such as access to clean drinking water for all First Nations communities, updating the source protection science framework to ensure continued protection of Ontario’s drinking water and increased transparency and access to data.

As we move forward into 2021 to face whatever new challenges and opportunities arise, Ontarians can have confidence that the province and its many collaborative partners will remain vigilant in their efforts to safeguard our province’s drinking water and continue to provide some of the best drinking water in the world.

Appendix 1: Municipal and non-municipal drinking water systems and municipal wastewater systems that sought regulatory relief due to COVID-19 pandemic (as of September 30, 2020)

Search table

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Searches include hidden columns

Show/hide columns

Show/hide columns

System type

Licence # / System #

System name

Type of relief

Date relief was granted

Date relief expired

[Skip past table](#)

Table

<https://www.ontario.ca/page/2019-2020-chief-drinking-water-inspector-annual-report>

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System type	Licence # / System #	System name	Type of relief	Date relief was granted
Municipal Drinking Water	100-101	Collingwood Drinking Wa...	Timeframe extended for a...	09-Apr-20
Municipal Drinking Water	009-101	South Peel Drinking Water...	Flexibility in timelines to ...	14-Apr-20
Municipal Drinking Water	009-101	South Peel Drinking Water...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	009-101	South Peel Drinking Water...	Temporary relief from limi...	14-Apr-20
Municipal Drinking Water	009-103	Inglewood Drinking Water...	Temporary relief from limi...	14-Apr-20
Municipal Drinking Water	068-101	City of Niagara Falls Distr...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	196-101	North Bay Drinking Water...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	204-102	Val Gagne Drinking Water...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	221-101	Atikokan Drinking Water ...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	224-101	Fort Frances Drinking Wat...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	234-102	Madsen Drinking Water S...	Temporary relief from out...	14-Apr-20
Municipal Drinking Water	003-101	Blackstock Drinking Wate...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-102	Port Perry Drinking Water ...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-103	Bowmanville Drinking Wa...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-104	Greenbank Drinking Wate...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-105	Uxbridge Drinking Water ...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-106	Cannington Drinking Wate...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-107	Beaverton Drinking Water...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-108	Orono Drinking Water Sys...	Temporary relief to extend...	15-Apr-20
Municipal Drinking Water	003-109	Newcastle Drinking Water...	Temporary relief to extend...	15-Apr-20

- [1](#)
- [2](#)
- [3](#)
- ...
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[Download JSON \(https://api.ontario.ca/api/data/70821?count=0&download=1\)](https://api.ontario.ca/api/data/70821?count=0&download=1)

[Print selection](#)

Reference

O’Connor, D. R. (2002). [Report of the Walkerton inquiry: a strategy for safe drinking water, part 2](http://www.archives.gov.on.ca/en/e_records/walkerton/report2/index.html) (http://www.archives.gov.on.ca/en/e_records/walkerton/report2/index.html). Commission of the Walkerton Inquiry, Ontario Ministry of the Attorney General.

Updated: December 21, 2020
Published: December 21, 2020

Footnotes

- [1] [^] The reported number of risk assessments will change as new systems come into use/change in use, and routine re-inspections and risk assessments are completed. Risk categories may also fluctuate (e.g, if recommended improvements are taken to reduce the system’s risk). Similarly, a system may require reassessment to determine if the risk level has changed (e.g, if the water source or system integrity is affected by adverse weather events or system modifications).
- [2] [^] An adverse test result does not necessarily mean that users are at risk of becoming ill. When an adverse water quality incident is detected, the small drinking water system owner/operator is required to notify the local medical officer of health and to follow up with any action that may be required. The public health unit will perform a risk analysis and determine if the water poses a risk to health if consumed or used and take additional action as required to inform and protect the public. Response to an adverse water quality incident may include issuing a drinking water advisory that will notify potential users whether the water is safe to use and drink or if it requires boiling to render it safe for use. The public health unit may also provide the owners and/or operators of a drinking water system with necessary corrective action(s) to be taken on the affected drinking water system to address the risk.
- [3] [^] The date of January 1, 2012 is given here because that was the deadline the Ministry of Health gave to the public health units to identify and assess the risk of all small drinking water systems in their area.



The Corporation of The Town of Amherstburg

December 22, 2020

VIA EMAIL

Peter Julian, MP
House of Commons
Ottawa, Ontario
Canada
K1A 0A6

RE: Formal Endorsement of Bill C-213 The Canada Pharmacare Act

At its meeting of December 14, 2020 Council passed the following resolution for your consideration:

“That Administration BE DIRECTED to send correspondence in support of Bill C-213, The Canada Pharmacare Act regarding universal public drug coverage.”

Enclosed is a copy of the Member of Parliament, Peter Julian’s correspondence for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

cc:

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Email: lmoy@tecumseh.ca

Mary Birch, Director of Council and Community Services/Clerk -County of Essex
Email: mbirch@countyofessex.ca

Valerie Critchley, City Clerk – City of Windsor
Email: clerks@citywindsor.ca

AMO
Email: amo@amo.on.ca

From: peter.julian@parl.gc.ca

Sent: November 26, 2020 5:55 PM

To: Aldo DiCarlo <adicarlo@amherstburg.ca>

Subject: Request regarding Bill C-213 The Canada Pharmacare Act

Mayor DICARLO
AMHERSTBURG

Dear Mayor DICARLO,

We are writing to you today seeking the City Council of AMHERSTBURG's formal endorsement of Bill C-213, the *Canada Pharmacare Act*.

Introduced in February 2020, [the Canada Pharmacare Act](#) is ground-breaking new federal legislation based on the recommendations of the Hoskins Advisory Council on the Implementation of National Pharmacare and modelled on the *Canada Health Act*.

The *Canada Pharmacare Act* specifies the conditions and criteria that provincial and territorial prescription drug insurance programs must meet to receive federal funding. This includes the core principles of public administration, comprehensiveness, universality, portability, and accessibility.

Universal public drug coverage has been recommended by commissions, committees, and advisory councils dating as far back as the 1940s. Immediately following the last election, the New Democratic Party of Canada began working to draft a legislative framework to enable the implementation of a universal, comprehensive and public pharmacare program. The *Canada Pharmacare Act* is the first piece of legislation introduced by the New Democrat Caucus in the current Parliament.

As you know, across Canada, people are making impossible choices every day because they cannot afford their prescription medications. Over the past year alone, one-in-four Canadians were forced to avoid filling or renewing a prescription due to cost or take measures to extend a prescription because they could not afford to keep the recommended dosage schedule.

Even those with private coverage are seeing their employer-sponsored benefits shrink – a trend that has accelerated due to the economic impacts of COVID-19. In fact, Canadians are twice as likely to have lost prescription drug coverage as to have gained it over the past year.

Simply put, universal public pharmacare will extend prescription drug coverage to every single Canadian, while saving billions every year. The final report of the Hoskins Advisory Council found that, once fully implemented, universal public pharmacare will reduce annual system wide spending on prescription drugs by \$5 billion. Businesses and employees will see their prescription drug costs reduced by \$16.6 billion annually and families will see their out of pocket drug costs reduced by \$6.4 billion a year.

Although a recent study from Angus Reid Institute found near universal support for pharmacare among the Canadian public, powerful vested interests in the drug and insurance industries are lobbying to block this critical program in order to protect their profits.

Indeed, the *Canada Pharmacare Act* is reaching a crucial period in the legislative process. The first hour of debate on this bill took place in Parliament on November 18, 2020. The second hour of debate and the first vote will be held in February 2021. This legislation could be enacted by next spring, allowing millions of Canadians who are struggling to pay for medication to receive the support they desperately need.

That's why we need your help to secure the adoption of the *Canada Pharmacare Act* in Parliament. We are asking your City Council to join other municipalities across Canada to formally endorse Bill C-213. We will be publicizing this support nationally.

For more information on C-213 and to sign the e-petition, please visit our website:

www.pharmacarec213.ca

Thank you very much for your consideration. Please feel free to contact us if you require further detail.

We look forward to hearing from you.

Sincerely,
Peter Julian, MP
New Westminster-Burnaby

Jenny Kwan, MP
Vancouver East

Don Davies, MP
Vancouver Kingsway



The Corporation of The Town of Amherstburg

December 22, 2020

Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Flr,
777 Bay St, Toronto, ON M7A 2J3
Sent via email: minister.mecp@ontario.ca

RE: Development Approval Requirements for Landfills – (Bill 197)

At its meeting of December 14, 2020, Council passed the following resolution for your consideration:

“That Administration BE DIRECTED to send correspondence in support of the City of St. Catharines request to amend Bill 197, COVID-19 Economic Recovery Act, 2020 to eliminate the development approval requirement provisions from adjacent municipalities and that the ‘host’ municipality be empowered to render final approval for landfills within their jurisdiction.”

Enclosed is a copy of the City of St. Catharines correspondence for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

CC:

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Email: premier@ontario.ca

Hon. Steve Clark, Minister of Municipal Affairs,
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Valerie Critchley, City Clerk – City of Windsor
Email: clerks@citywindsor.ca

Robert Cook
Email: robertcookconsulting@gmail.com

Association of Municipalities of Ontario (AMO)
Email: amo@amo.on.ca

All Ontario Municipalities

October 7, 2020

Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Flr,
777 Bay St, Toronto, ON M7A 2J3

Sent via email: minister.mecp@ontario.ca

**Re: Development Approval Requirements for Landfills - (Bill 197)
Our File 35.2.2**

Honourable and Dear Sir,

At its meeting held on October 5, 2020, St. Catharines City Council approved the following motion:

WHEREAS Schedule 6 of Bill 197, COVID-19 Economic Recovery Act, 2020 considers amendments to the Environmental Assessment Act relating to municipal autonomy and the principle that municipalities can veto a development outside their municipal boundary in an adjacent municipality; and

WHEREAS Bill 197 empowers multiple municipalities to 'veto' development of a landfilling site within a 3.5 km zone inside the boundary of an adjacent municipality; and

WHEREAS Bill 197 establishes a dangerous precedent that could be expanded to other types of development; and

WHEREAS Bill 197 compromises municipal autonomy and the authority of municipal councils to make informed decisions in the best interest of their communities and municipal taxpayers; and

WHEREAS amendments in Schedule 6 could cause conflict in the effective management of landfill sites, put significant pressure on existing landfill capacity, and threaten the economic activity associated with these sites;

THEREFORE BE IT RESOLVED That the City of St. Catharines calls upon the Government of Ontario (Ministry of the Environment, Conservation and Parks (MOECP) to amend Bill 197, COVID-19 Economic Recovery Act, 2020, to eliminate the development approval requirement provisions from adjacent municipalities and that the 'host' municipality be empowered to render final approval for landfills within their jurisdiction; and

BE IT FURTHER RESOLVED that a copy of this motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, local MPP's., the Association of Ontario Municipalities (AMO) and Ontario's Big City Mayors (formerly Large Urban Mayors Caucus of Ontario-LUMCO)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Ontario municipalities with a request for supporting motions to be passed by respective Councils and copies of the supporting motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, the local MPP's, the Association of Ontario Municipalities (AMO).

If you have any questions, please contact the Office of the City Clerk at extension 1506.



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

Cc. Hon. Premier Doug Ford premier@ontario.ca
Hon. Steve Clark, Minister of Municipal Affairs, Housing minister.mah@ontario.ca
Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Association of Municipalities of Ontario amo@amo.on.ca
Chair of Ontario's Big City Mayors, Cam Guthrie mayor@guelph.ca
All Ontario Municipalities (via email)

2021 FEE SCHEDULE

Category	Detail	2020	2021	HST 2021	Total 2021	
CONSERVATION SERVICES						
Conservation Areas						
Conservation Areas Annual Pass						
Annual Pass	Holiday Beach/Hillman CAs	\$ 66.37	\$ 66.37	\$ 8.63	\$ 75.00	
	Deposit (key fob)	\$ 10.00	\$ 10.00	N/A	\$ 10.00	
Holiday Beach Conservation Area						
Daily Permits						
Daily vehicle permit	per vehicle	\$ 8.85	\$ 8.85	\$ 1.15	\$ 10.00	
Special events	per vehicle	\$ 13.27	\$ 13.27	\$ 1.73	\$ 15.00	
Daily bus permit	per bus	\$ 53.10	\$ 53.10	\$ 6.90	\$ 60.00	
	+ per person	\$ 1.77	\$ 1.77	\$ 0.23	\$ 2.00	
Camping						
Camping	per night	unserviced	\$ 32.74	\$ 32.74	\$ 4.26	\$ 37.00
	per night	20 amp service	\$ 37.17	\$ 37.17	\$ 4.83	\$ 42.00
	per night	50 amp service	\$ 41.59	\$ 41.59	\$ 5.41	\$ 47.00
	per night	additional vehicle	\$ 8.85	\$ 8.85	\$ 1.15	\$ 10.00
Group camping	Flat rate	per night	\$ 53.10	\$ 53.10	\$ 6.90	\$ 60.00
	plus cost per person	+ cost per person	\$ 1.77	\$ 1.77	\$ 0.23	\$ 2.00
Seasonal camping - 2021 fees approved in 2020.	\$500 deposit required	15 amp service	\$ 1,910.00	\$ 2,060.00	\$ 267.80	\$ 2,327.80
		50 amp service	\$ 1,910.00	\$ 2,060.00	\$ 267.80	\$ 2,327.80
		Outdoor Winter Storage 2020/2021	\$ 160.00	\$ 160.00	\$ 20.80	\$ 180.80
Seasonal camping - 2022	\$500 deposit required	15 amp service	N/A	\$ 2,260.00	\$ 293.80	\$ 2,553.80
		50 amp service	N/A	\$ 2,260.00	\$ 293.80	\$ 2,553.80
		Outdoor Winter Storage 2021/2022	\$ 160.00	\$ 180.00	\$ 20.80	\$ 200.80
Facilities Rental						
Property Rental (Wedding, etc.)	per event	\$ 1,000.00	\$ 1,000.00	\$ 130.00	\$ 1,130.00	
Firewood		\$ 100.00	\$ 100.00	\$ 13.00	\$ 113.00	
Cottage Rental	Peak Season Nightly - 2 night minimum	\$ 200.00	\$ 225.00	\$ 29.25	\$ 254.25	
	Peak Season Weekly	\$ 1,100.00	\$ 1,275.00	\$ 165.75	\$ 1,440.75	
	Shoulder Season Nightly - 2 night minimum	\$ 125.00	\$ 150.00	\$ 19.50	\$ 169.50	
	Shoulder Season Weekly	\$ 700.00	\$ 875.00	\$ 113.75	\$ 988.75	
	Cleaning Fee	\$ 100.00	\$ 125.00	\$ 16.25	\$ 141.25	
	Damage Deposit	\$ 200.00	\$ 200.00	\$ -	\$ 200.00	
Hillman Marsh Conservation Area						
Daily Permits						
Daily vehicle permit	per vehicle	\$ 5.31	\$ 5.31	\$ 0.69	\$ 6.00	
Special Events	per vehicle	\$ 8.85	\$ 8.85	\$ 1.15	\$ 10.00	
Camping						
Group camping	per night	\$ 44.25	\$ 44.25	\$ 5.75	\$ 50.00	
	+ cost per person	\$ 1.77	\$ 1.77	\$ 0.23	\$ 2.00	
Property Rental (Wedding, etc.)	per event	\$ 1,000.00	\$ 1,000.00	\$ 130.00	\$ 1,130.00	

2021 FEE SCHEDULE

Category	Detail	2020	2021	HST 2021	Total 2021
John R. Park Homestead Conservation Area					
Daily Permits					
Per person	Donation only				
Special Events	Adult	\$ 5.31	\$ 6.19	\$ 0.81	\$ 7.00
	Child 3-16	\$ 3.54	\$ 4.42	\$ 0.58	\$ 5.00
	Child 2 and under	\$ -	\$ -	\$ -	\$ -
	Family maximum	\$ 17.70	\$ 22.12	\$ 2.88	\$ 25.00
Group Tours	per person	\$ 4.42	\$ 4.42	\$ 0.58	\$ 5.00
	if requires site opening by staff	\$ 132.74	\$ 132.74	\$ 17.26	\$ 150.00
Facilities (Visitor Centre) Rental					
Less than 40 people/3 hours or less	Meeting/Event Rental	\$ 75.00	\$ 75.00	\$ 9.75	\$ 84.75
	Damage deposit (refundable)	\$ 250.00	\$ 250.00	-	\$ 250.00
More than 40 people/up to 8 hours no tent, food or alcohol	Meeting/Event Rental	\$ 550.00	\$ 550.00	\$ 71.50	\$ 621.50
	Damage deposit (refundable)	\$ 1,000.00	\$ 1,000.00	-	\$ 1,000.00
More than 40 people/up to 48 hours with tent, food and liquor permits	Meeting/Event Rental	\$ 2,750.00	\$ 2,750.00	\$ 357.50	\$ 3,107.50
	Damage deposit (refundable)	\$ 5,000.00	\$ 5,000.00	-	\$ 5,000.00
Miscellaneous					
Commercial & Wedding Photography (full site rental)	if open (90 minutes)	\$ 132.74	\$ 132.74	\$ 17.26	\$ 150.00
	if closed and staff come in (90 minutes)	\$ 221.24	\$ 221.24	\$ 28.76	\$ 250.00
Site Use Photography Permit	per hour	\$ 22.12	\$ 22.12	\$ 2.88	\$ 25.00
Birthday Parties	up to 20 children, 90 minutes	\$ 175.00	\$ 175.00	\$ 22.75	\$ 197.75
Costume Rental	per costume	\$ 60.00	\$ 60.00	\$ 7.80	\$ 67.80
	Damage deposit (refundable)	\$ 100.00	\$ 100.00	-	\$ 100.00
Food/Craft Vendors	per day	\$ 75.00	\$ 75.00	\$ 9.75	\$ 84.75
Greenways					
Land Leases	Market Value				
Hunting Programs					
Waterfowl Hunting					
Holiday Beach Conservation Area	full day	\$ 48.67	\$ 60.00	\$ 7.80	\$ 67.80
Hillman Marsh Conservation Area	Seasonal hunting permit	\$ 725.00	\$ 725.00	\$ 94.25	\$ 819.25
	non-refundable draw fee	\$ 15.04	\$ 15.04	\$ 1.96	\$ 17.00
	day use hunting (full day)	\$ 44.25	\$ 44.25	\$ 5.75	\$ 50.00
	Annual trapping permit	\$ 100.00	\$ 100.00	\$ 13.00	\$ 113.00
Cedar Creek	5-Year Hunting Lease (\$1,000 annual)	\$ 5,000.00	\$ 5,000.00	\$ 650.00	\$ 5,650.00
Big Creek	Seasonal hunting (minimum reserve)	\$ 650.00	\$ 800.00	\$ 104.00	\$ 904.00
Deer Hunting					
Various Properties	10-24 acre woodlot	\$ 535.00	\$ 600.00	\$ 78.00	\$ 678.00
	25-49 acre woodlot	\$ 785.00	\$ 850.00	\$ 110.50	\$ 960.50
	50 acre plus woodlot	\$ 1,035.00	\$ 1,100.00	\$ 143.00	\$ 1,243.00
	non-refundable draw fee	\$ 15.04	\$ 15.04	\$ 1.96	\$ 17.00

2021 FEE SCHEDULE

Category	Detail	2020	2021	HST 2021	Total 2021
Forestry Program					
Seedlings					
Cost of trees (per tree)	from	\$0.85	\$1.00	\$ 0.13	\$ 1.13
	to	\$1.85	\$2.25	\$ 0.29	\$ 2.54
Tree Planting	Machine Plant by ERCA (per tree)	\$ 0.65	\$ 0.65	\$ 0.08	\$ 0.73
	Hand Plant by ERCA (per tree maximum)	\$ 1.00	\$ 1.00	\$ 0.13	\$ 1.13
Maintenance/Guarantee Program	per seedling	\$ 0.40	\$ 0.40	\$ 0.05	\$ 0.45
Shipping & Handling Charge		\$ 25.00	\$ 25.00	\$ 3.25	\$ 28.25
Site Delivery Fee		\$ 50.00	\$ 50.00	\$ 6.50	\$ 56.50

Large Stock

Trees provided for hand planting by landowner	from	\$ 14.65	\$ 14.75	\$ 1.92	\$ 16.67
	to	\$ 41.00	\$ 41.00	\$ 5.33	\$ 46.33
Hand planting by ERCA	Bare root trees (per tree)	\$ 23.50	\$ 23.50	\$ 3.06	\$ 26.56
	Potted/Balled & Burlapped trees/shrubs (per tree)	\$ 10.00	\$ 10.00	\$ 1.30	\$ 11.30
Mulch	per tree	\$ 5.00	\$ 5.00	\$ 0.65	\$ 5.65

Forestry Extension Services

Tree assessments, Managed Forest Tax Incentive Program approvals, hazard/danger tree assessments or tree health assessments and related activities for municipalities	first hour	\$ 90.00	\$ 100.00	\$ 13.00	\$ 113.00
	each additional hour	\$ 65.00	\$ 75.00	\$ 9.75	\$ 84.75

COMMUNITY AND OUTREACH SERVICES

School Programs

Conservation Area Programs (Hillman Marsh/Holiday Beach/John R. Park Homestead Conservation Areas)

Half Day	per program	\$ 175.00	\$ 175.00	-	\$ 175.00
Full Day	per program	\$ 285.00	\$ 285.00	-	\$ 285.00
	additional parents	\$ 8.50	\$ 8.50	-	\$ 8.50
Special High Skills Major Certification Programs (virtual)	per program, plus applicable special materials costs if required	\$ 309.73	\$ 398.23	\$ 51.77	\$ 450.00
Summer Camp programs	2 hours (per program)	\$ 150.00	\$ 175.00	-	\$ 175.00
	4 hours (per program)	\$ 250.00	\$ 285.00	-	\$ 285.00
Ticketed Experiential Events (eg. Owl Prowl, Candlelight Tour)			\$ 13.27	1.73	\$ 15.00

Offsite Presentations

School camps and in-class programs (not at a Conservation Area)	Half Day (per program) from:	\$ 200.00	\$ 200.00	-	\$ 200.00
	Second class: same day/same school	\$ 150.00	\$ 150.00	-	\$ 150.00
Travel fee to offsite presentation (not at a Conservation Area)	per kilometre	\$ 0.40	\$ 0.40	0.05	\$ 0.45
Virtual Field Trip	per program, up to 30 students (1 hour)		\$ 100.00		\$ 100.00
Corporate Team Building Activities	per program 10 - 50 participants (1.5-3 hours)		\$250 - \$700	+HST	

2021 FEE SCHEDULE

Category	Detail	2020	2021	HST 2021	Total 2021
WATERSHED MANAGEMENT SERVICES					
Floodplain Regulations and Related Development Applications					
Requests for information on regulations for property transaction (lawyers, owners, purchasers or agents)		\$ 175.00	\$ 175.00	\$ 22.75	\$ 197.75
Applications for renewal of existing permits within one calendar year of expiration of original permit		\$ 115.00	\$ 115.00	-	\$ 115.00
Placing or grading of fill within regulated areas, light repair of existing breakwalls, placement of armourstone less than 2 tonnes/metre, small building additions, small out buildings not requiring a survey		\$ 150.00	\$ 150.00	-	\$ 150.00
Completing files required for approvals complying with the DART Protocol for Municipal Drainage Act/Section 28		\$ 200.00	\$ 200.00		\$ 200.00
Technical evaluations (elevation, setback survey or site report; property evaluation for tax assessment; ecological evaluation and/or report)		\$ 775.00	\$ 775.00	\$ 100.75	\$ 875.75
Alteration to waterways/shorelines including breakwalls armourstone repairs exceeding 4 tonnes/meter, finger docks less than 15 square metres , crossings, outlets, etc. (not requiring engineering or other detailed analysis)		\$ 500.00	\$ 500.00	-	\$ 500.00
Alteration to waterways/shorelines including breakwalls, crossings, outlets, etc. (requiring engineering or other detailed analysis) and docks exceeding 15 square metres that include lifts/ PWC platforms/or other accessories		\$ 800.00	\$ 800.00	-	\$ 800.00
Applications for new building construction including renovations and for sites not directly abutting shorelines or watercourses		\$ 500.00	\$ 500.00	-	\$ 500.00
Applications for building construction sites directly abutting shorelines or watercourses (including additional impacting on setback)		\$ 800.00	\$ 800.00	-	\$ 800.00
Application for non-inhabitable garage/storage building <64 m ² and for <50% building additions not including other renovations, armourstone breakwall repairs between 2 and 4 tonnes/metre.		\$ 250.00	\$ 250.00	-	\$ 250.00
Applications involving more than one regulated activity, or those requiring engineering studies/designs, environmental studies		\$ 1,400.00	\$ 1,400.00	-	\$ 1,400.00
Applications where work has proceeded without authorization and/or prior to application of permit					
Development proposals involving multiple dwelling units (more than 5 lots) where stormwater management or other engineering evaluations are required.	Base cost (up to 5 lots)	\$ 2,000.00	\$ 2,000.00	-	\$ 2,000.00
	Cost per additional lot	\$ 160.00	\$ 300.00	-	\$ 300.00
	Maximum	\$ 5,000.00	\$ 5,000.00	-	\$ 5,000.00
Condominium/Townhome proposals where stormwater management or other engineering evaluations are required	Base cost (single condominium building)	\$ 2,500.00	\$ 2,500.00		\$ 2,500.00
	Cost per additional unit up to 6 units	\$ 200.00	\$ 200.00		\$ 200.00
	Maximum (more than one condominium building)	\$ 4,000.00	\$ 4,000.00		\$ 4,000.00
Commercial/industrial/institutional developments where stormwater management or other engineering evaluations are required.	Base cost (up to one hectare)	\$ 1,750.00	\$ 1,750.00	-	\$ 1,750.00
	Cost per additional hectare	\$ 400.00	\$ 400.00	-	\$ 400.00
	Maximum	\$ 4,000.00	\$ 4,000.00	-	\$ 4,000.00
Municipal Infrastructure/Recreational Projects/Greenhouse proposals involving one or more regulated activities or those requiring specific engineering design and or Environmental studies.	Base Cost for projects less than 20ha	\$ 2,500.00	\$ 2,500.00	-	\$ 2,500.00
	Maximum Cost for multidisciplinary activities and or ones larger than 20 ha	\$ 6,500.00	\$ 6,500.00	-	\$ 6,500.00
Input/review/comment on full Environmental Impact Assessments (EIAs) done by consultants		\$ 1,025.00	\$ 1,025.00	-	\$ 1,025.00
Input/review/comment on scoped EIAs done by consultants		\$ 500.00	\$ 500.00	-	\$ 500.00
Technical review and clearance where EIA or site visit is not required		\$ 115.00	\$ 150.00	-	\$ 150.00
Input, review, clearances on substantial drainage proposals (multiple crossings, significant bank stabilization, in defined areas of environmental concern, etc.)		\$ 800.00	\$ 800.00	-	\$ 800.00
Input, review, clearances on other drainage proposals under the Drainage Act (single crossing, minor bank stabilization)		\$ 150.00	\$ 500.00	-	\$ 500.00

2021 FEE SCHEDULE

Category	Detail	2020	2021	HST 2021	Total 2021
Other Development Services					
Survey services		\$ 425.00	\$ 425.00	\$ 55.25	\$ 480.25
Technical review fee assessed on resubmission of previously reviewed technical or environmental studies		\$ 250.00	\$ 250.00	\$ -	\$ 250.00
Watershed Planning					
Planning Act Applications					
Minor Variance		\$ 115.00	\$ 115.00	-	\$ 115.00
Draft Plan of Subdivision/Condominium Approval		\$ 300.00	\$ 300.00	-	\$ 300.00
Clearance Letters for Subdivision/Condominium Approval (applies to each phase of subdivision requested)		\$ 115.00	\$ 115.00	-	\$ 115.00
Consent		\$ 200.00	\$ 200.00	-	\$ 200.00
Multiple Consent applications on a single application (up to 3)		\$ 200.00	\$ 200.00	-	\$ 200.00
Multiple Minor Variance applications on a single application (up to 3)		\$ 115.00	\$ 115.00	-	\$ 115.00
Minor Official Plan/Zoning By-Law Amendment (E.g., Single Family Residence)		\$ 200.00	\$ 200.00	-	\$ 200.00
Major Official Plan/Zoning By-Law Amendment (E.g., Industrial, Commercial, Institutional, Subdivision etc)		\$ 300.00	\$ 300.00	-	\$ 300.00
Site Plan Control		\$ 200.00	\$ 200.00	-	\$ 200.00
Official Plan Amendment and Zoning By-law Amendment Combination		\$ 275.00	\$ 275.00	-	\$ 275.00
Consent with Zoning By-Law Amendment Combination		\$ 250.00	\$ 250.00	-	\$ 250.00
Consent with Minor Variance Combination		\$ 250.00	\$ 250.00	-	\$ 250.00
New Services					
Input and review of relevant EAs and Master Plans	Base cost		\$ 1,500.00	-	\$ 1,500.00
CORPORATE SERVICES					
Other Fees					
Scan to file (wide format)	original sheet	\$ 15.00	\$ 15.00	\$ 1.95	\$ 16.95
	each additional sheet	\$ 2.00	\$ 2.00	\$ 0.26	\$ 2.26
Scan to print (wide format)	original sheet	\$ 15.00	\$ 15.00	\$ 1.95	\$ 16.95
	each additional sheet	\$ 10.00	\$ 10.00	\$ 1.30	\$ 11.30
NSF cheque fee		\$ 35.00	\$ 35.00	\$ 4.55	\$ 39.55



Essex-Windsor Solid Waste Authority

360 Fairview Ave. West, Suite 211 Essex, ON N8M 3G4
ph: 519-776-6441 f: 519-776-6370
tf: 1-800-563-3377 / tty: 1-877-624-4832
email: ask@ewswa.org / web: www.ewswa.org

January 5, 2021

File: Annual Reports
Sent By: Email

Town of Essex
Attention: Mr. Robert Auger, Clerk
33 Talbot St. South
Essex Ontario
N8M 1A8

Dear Mr. Auger,

**Subject: Regional Landfill Operations Annual Report
Reporting Year 2019**

Please find enclosed the Essex-Windsor Regional Landfill Annual Operations Report 2019 as required under Ministry of the Environment Environmental Compliance Approval #A011101 dated September 28, 1995.

If you have any questions concerning the content of the report, please feel free to contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Tom Marentette', with a large, stylized loop at the end.

Tom Marentette, Manager of Waste Disposal



Essex-Windsor Regional Landfill Operations Report 2019

Report Date: December 15, 2020

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APPENDIX

- Site Plan Map
- Operations Report Map

This document has been formatted for accessibility and is available in other formats upon request.

Essex-Windsor Regional Landfill

Annual Operations Report for January – December 2019

1 Introduction

The Essex-Windsor Regional Landfill Site is located on the south half of Lots 14, 15, and 16, Concession 7 in the Town of Essex (formerly the Township of Colchester North). The Essex-Windsor Solid Waste Authority (EWSWA) operated the landfill during the period covering this report. Staff of EWSWA manages the Site and operates the weigh scale, provides inspection services, contract administration and maintains the associated records for the Site.

1.1 Environmental Compliance Approval

The Essex-Windsor Regional Landfill Site is licensed by the Ontario Ministry of the Environment, Conservation and Parks (MECP) formerly the Ontario Ministry of the Environment and Climate Change (MOECC) under Environmental Compliance Approval (ECA) No. A011101 dated April 3, 2017. The MOECC issued this ECA in order to consolidate the originally issued Certificate of Approval dated September 28, 1995 and all subsequent amendments up to and including Notice No. 22 dated April 7, 2016.

1.2 Purpose

The purpose of this report is to fulfil conditions 15.1 and 15.2 of the ECA.

2 Waste Quantities and Types

2.1 Waste Quantities

The Essex-Windsor Regional Landfill site was officially opened to the receipt of waste on July 2nd, 1997. The site was originally licensed to accept waste from all generators of non-hazardous solid waste located only in the County of Essex and City of Windsor. In November 2007, the site service area was expanded to include the Province of Ontario.

A total of 351,657 tonnes of waste were received during operations in 2019 compared to 248,040.32 tonnes in 2018. There was a 41.77% increase in total waste being landfilled at the Essex-Windsor Regional Landfill for 2019 compared to 2018. The waste generation sources as determined by landfill

and transfer station records are as follows: Essex-Windsor 349,260.10 tonnes and Chatham-Kent 2,396.14 tonnes.

The Essex-Windsor Solid Waste Authority has implemented a number of waste bans or restrictions at the site and as a result does not accept tires, old clean corrugated cardboard, white goods, fish offal, brush, grass and leaves for disposal. Most of these items are instead diverted to our on-site recycling depot. The Landfill does accept tires, old clean corrugated cardboard and white goods for recycling and brush, grass and leaves for composting.

The average daily waste quantity delivered to the Site during the 303 days of operation in 2019 was 1161 tonnes per operating day (see Table 1 for monthly amounts).

Table 1: Waste Quantities by Month for 2018 and 2019

Month	2018 Tonnes	2018 Average Daily Waste Tonnes	2019 Tonnes	2019 Average Daily Waste Tonnes
January	14,231.56	547	19,679.99	757
February	12,525.38	545	21,104.22	918
March	14,504.34	558	24,804.85	954
April	15,656.79	626	27,017.07	1,081
May	26,583.40	1,022	43,607.19	1,677
June	20,355.50	783	37,401.31	1,496
July	25,231.09	1,009	21,007.59	807
August	21,683.01	834	24,020.39	923
September	17,093.15	712	19,335.92	805
October	20,638.96	794	20,839.74	801
November	30,286.81	1,165	48,380.70	1860
December	29,250.33	1,219	44,458.03	1852
Totals:	248,040.32	818	351,657	1161

2.2 Special Wastes

Certain wastes require specific approval or special handling. These are classified as "special wastes", and could include such things as solid waste in barrels, asbestos, dusty waste, or industrial solid waste. The following table

provides a summary of the most common special waste received at the Regional Landfill.

Table 2: Special Waste Quantities Received

Special Waste	Loads in 2018	Loads in 2019
Asbestos	105	146
Bleaching Clay	105	91
Municipal Sludge	319	276

2.3 Waste Refused

The Authority's Weigh-person is required to question waste haulers about the nature of the wastes being disposed of, and to look for suspicious, unauthorized, or banned materials present in a load. The Authority also employs Waste Inspectors as well as the contracted heavy equipment operators who are located in the active disposal area to inspect loads of waste for unacceptable material such as liquids, suspected hazardous wastes, special waste which have not been approved and/or waste banned from the site by the Authority. As well, wastes are inspected to ensure compliance with waste bans and regulations under the Environmental Protection Act.

If wastes of the aforementioned types are brought to the site by a licensed commercial hauler they are refused from landfilling and returned with the hauler for proper disposal or recycling. The following waste refusals took place in 2019:

Table 3: Waste Refused

Waste Type	Quantity in 2019
Tires	63
Major Appliances	13
Propane Tanks	8
Paint, Ballasts & Fluorescent Tubes	2
Small Appliances/Electronics*	89
Car Batteries	3
Metal Items	2
Total	180

Table 3 Notes: * Small Appliances/Electronics include televisions & miscellaneous small electronic devices

2.4 Waste Types

Municipally delivered wastes hauled directly to the site in 2019 totalled 24,085.13 tonnes. Municipal refuse is also included as part of the refuse from the Authority's two transfer stations. Municipal refuse from the transfer stations for 2019 was 78,366.43 tonnes. Therefore, total municipal residential refuse for 2019 was 102,451.56 tonnes.

Total refuse brought in from Transfer Stations No. 1 & 2 (Windsor and Kingsville respectively) in 2019 represented 105,621.09 tonnes. This refuse represents 30% of the total waste received in 2019. The reader is referred to the annual reports of the Transfer Stations for details on the types of waste included in this total.

IC&I refuse delivered directly to the landfill totalled 28,861.13 tonnes in 2019. IC&I refuse is also included as part of the refuse from the Authority's two transfer stations.

During 2019 a total of 3,063.73 tonnes of sludge was delivered to the site from the Towns of Amherstburg, Kingsville, Leamington and Essex. The sludge is incorporated with the other wastes and co-disposed in the active fill area. The amount of sludge disposed of in 2019 was 0.9% of the total waste stream, which is below the 2% limit stipulated in the Site's ECA. See Table 5 for a full list of waste types.

2.5 Waste Diversion Activities including MHSW (Municipal Hazardous and Special Waste) and Recycling Depot

Conditions 18 and 19 of ECA A011101, as amended April 3, 2017, serve to approve various waste diversion activities which are allowed to be undertaken at the site. Such diversion activities include refrigerant appliances, blue box recyclables, scrap metal, tires, waste electrical & electronic equipment and household chemical and hazardous waste.

The depot is licensed to collect and transfer the following waste classes: 112, 145, 146, 147, 148, 212, 213, 221, 242, 243, 252, 261, 263, and 331.

The site was officially open to the receipt of MHSW on September 9th, 2013. During 2019 a total of 204 residents from the Essex County area attended the site to drop off an assortment of MHSW, electronics, tires and blue box materials (recyclables). A summary of the MHSW materials and quantities is listed in Table 4A and 4B.

Table 4A: MHSW Litres

MHSW Material Type	Litres in 2018	Litres in 2019
Paints & Coatings	5,430	4,214
Adhesives & Flammable Liquid	1,045	1,470
Corrosive Liquid	85	0
Antifreeze (Glycol)	225	70
Aerosols	160	60
Pesticides	540	65
Waste Motor Oil	1,300	2250
Total	8,785	8,129

Table 4B: MHSW Kilograms

MHSW Material Type	Kilograms in 2018	Kilograms in 2019
Car Batteries	640	0
Inorganic Oxidizers (fertilizers)	85	0
Dry Cell Batteries	265	360
Waste Oil Filters	65	60
Propane Cylinders	115	120
Propane Tanks	270	0
Fire Extinguishers	55	55
Fluorescents & Misc. Bulbs	105	300
Total	1,600	895

For 2019, there were no spills/upsets or corrective actions taken as a result of the operation of the depot. Daily inspection reports are kept on file at the Regional Landfill Site and available upon request.

The Authority contracted with Buckham Transport and EnviroSystems Inc. to manage the majority of MHSW material at its facilities. Aevitas is contracted for Fluorescents & miscellaneous bulbs and SafetyKleen for waste motor oil.

Table 5: Waste Material Types and Tonnage

Material Type	2018 Tonnes	2018 Percent	2019 Tonnes	2019 Percent
Municipally delivered Refuse	23,534.36	9.5	24,085.13	6.8
Municipally delivered Clean Up	265.05	0.1	191.57	0.1
Recycling Residual	1,099.52	0.4	2,497.31	0.7
Municipal Construction & Demolition	0.00	0.0	0	0
Pollution Control Grit	1,431.53	0.6	1,241.48	0.4
Municipally delivered Sewage Sludge	3,126.34	1.3	3,063.73	0.9
Residentially delivered Refuse	18.49	0.0	23.50	0.0
Residential Construction & Demolition	9.25	0.0	8.28	0.0
Residential Shingles	0.89	0.0	2.27	0.0
Charitable Organizations	0.00	0.0	58.26	0.0
Contaminated Soil	20,175.58	8.1	116,360.58	33.1
Vines – Greenhouse	55,240.46	22.3	58,472.47	16.6
Greenhouse Waste	8,065.37	3.3	10,418.28	3.0
ICI delivered Refuse	28,014.82	11.3	24,666.01	7.0
ICI Construction and Demolition	3,343.31	1.3	3,918.90	1.1
ICI Shingles	453.06	0.2	276.22	0.1
Asbestos	280.34	0.1	751.92	0.2
Transfer Station Refuse	102,981.95	41.5	105,621.09	30.0
Annual Total	248,040.32	100	351,657.00	100

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Table 6: Traffic Data for 2019 by Month

Month	Waste	Leachate	Alternate Daily Cover	Compost	Auto Shredder Fluff	Tires	Glass	PDO	Total for Month
January	1356	121	2	23	115	5	13	6	1,641
February	1290	131	0	21	122	3	14	4	1,585
March	1566	180	0	48	138	7	12	8	1,959
April	1738	308	21	191	101	10	12	9	2,390
May	2594	307	21	210	67	7	10	5	3,221
June	2209	274	31	209	68	3	14	3	2,811
July	1587	297	22	304	66	10	10	5	2,301
August	1794	101	44	238	70	8	12	6	2,273
September	1490	98	107	210	66	0	12	4	1,987
October	1626	122	26	222	72	5	10	3	2,086
November	3083	130	10	252	69	0	12	2	3,558
December	2920	97	13	171	73	2	11	6	3,293
Totals	23,253	2,166	297	2,099	1,027	60	142	61	29,105

Table 6 Notes: PDO = Public Drop Off

3 Traffic

A total of 29,105 vehicles hauling all types of material as shown in Table 6 entered the site in 2019. The daily average volume of traffic hauling waste material only averaged out over the number of working days the site was open during 2019 (303 working days), equalled 77 waste vehicles per day. A total of 5,852 additional vehicles entered the site for other related landfill operations. Accordingly, the total traffic for 2019 was 34,957 vehicles resulting in average vehicles per day of 115.

4 Inspections and Complaints

4.1 Inspections

The Solid Waste Authority provides a full-time on-site supervisor at the Regional Landfill Site. One of the roles of the supervisor is to undertake a perimeter check of the site on a daily basis to identify problems in any of the following areas: leachate springs, erosion, drainage, litter, daily cover, leachate levels, etc. As well, the supervisor is responsible for ensuring compliance with waste bans, ECA and Regulations under the Environmental Protection Act.

4.2 Complaints

A formal complaint process is in place at the site. During 2019, there was a total of one complaint reported.

The family of Terri Colenutt reported odour during the four days prior to their complaint notification on November 26, 2019. The odour was present around 6-7AM each morning. The landfill manager contacted the family and invited them to visit the landfill to better identify the odour but they declined.

4.3 Accidents, Fires and Incidents

There were no accidents or incidents that impacted landfilling operations in 2019.

5 Site Development and Maintenance

5.1 Disposal Operations

Waste disposal operations at the Site were performed by Canadian Transfer 1869096 Ontario LTD., under contract with the Essex-Windsor Solid Waste

Authority. The work performed includes the placement and compaction of waste; the placement of daily, intermediate and final cover and maintenance of access roads. Staff of the Essex-Windsor Solid Waste Authority carried out litter control, dust control, cleaning of roads and general maintenance.

5.2 Disposal Areas

The Essex-Windsor Regional Landfill Site is 123 hectares in size with a waste footprint of 64.5 hectares. The disposal area is divided into five cells and further divided into north and south cells for construction. At this time Cell 4 South, and Cell 5 North and South have not been developed. Cell 3 South was substantially completed in February 2019. Landfilling in block 1 of Cell 3 South began November 21, 2018. The design capacity and area of the waste cells are as follows:

Table 7: Capacity of Disposal Areas

Cell	Area (hectares)	Total Volume (cubic metres)	Waste Mass (Tonnes)
1	14.4	1,707,000	784,000
2	11.4	2,834,000	1,360,000
3	10.0	2,675,000	1,284,000
4	10.6	2,969,000	1,427,000
5	11.6	2,615,000	1,245,000
Column Totals:	58.0	12,800,000	6,100,000

Table 7 Notes: (Proctor & Redfern, Vol. 1 – Design Operations Report, October 1993).

1. Total volume is calculated based on measurement from top of the leachate collection system to final contours including 1.0 meter of final cover. Waste 10,167,000 m³; Daily & Interim cover 2,036,000 m³; Final cover 597,000 m³ = 12,800,000 m³. See ECA Condition 4.5 (3) and (4).
2. Waste density without soil cover is 600 kg/m³.
3. Waste to daily and interim cover ratio is 5:1 (by volume).
4. Total volume represents the sum of daily and interim cover volume, final cover volume and waste volume.

Table 8: Waste Cell Refuse Tonnage

Year	Cell 1	Cell 2	Cell 3	Cell 4
1997	83,970	0	0	0
1998	180,363	0	0	0
1999	188,298	0	0	0
2000	193,513	0	0	0
2001	226,426	0	0	0
2002	80,859	150,120	0	0
2003	0	272,974	0	0
2004	56,514	221,646	0	0
2005	43,873	152,801	0	0
2006	19,930	168,526	0	0
2007	5,789	180,003	0	0
2008	92,032	103,852	0	0
2009	41,274	117,804	0	0
2010	94,209	104,965	0	0
2011	77,520	147,052	0	0
2012	0	26,908	143,397	0
2013	5,640	60,161	122,203	0
2014	0	34,490	133,757	0
2015	0	160,849	20,553	0
2016	0	152,800	34,195	63,703
2017	0	2,135	1,153	242,151
2018	28,277	45,391	41,695	132,677
2019	0	122,166	227,522	1,969
Total Tonnes	1,418,487	2,224,643	724,475	440,500

Cell 1 of the Essex-Windsor Regional Landfill was opened to the receipt of waste in July 1997 and as of December 31st, 2019 had approximately 1,418,487 tonnes of waste in-situ.

During 2019, approximately 122,166 tonnes of additional waste was placed in Cell 2 north as a result of airspace recovery and re-grading activities. This airspace recovery operation was conducted to recover airspace due to consolidation of garbage caused by the stockpiling of clay excavations from the recent construction of Cell 4 North.

Cell 2 of the Essex-Windsor Regional Landfill was constructed in two phases, Cell 2 North was constructed in 2002 and landfilling began in that portion of the cell in June 2002. Cell 2 South was constructed in 2004/2005 and landfilling began in that portion of the cell in early 2005. As of December 31, 2019, Cell 2 had approximately 2,224,643 tonnes of waste in-situ. Cell 2 was originally designed to accommodate the disposal of 1,360,000 tonnes of waste.

Cell 3 north of the Regional Landfill was open to the receipt of waste in 2012 and as of December 31st, 2019 had approximately 724,475 tonnes of waste in-situ.

Cell 4 north of the Regional Landfill was developed in 2015 and was open to the receipt of waste on April 6, 2016. As of December 31st, 2019 approximately 440,500 tonnes of waste has been placed in Cell 4 north.

Construction of Cell 3 south at the Regional Landfill began in 2018. It was substantially complete in February 2019, however it was opened to the receipt of waste November 21, 2018.

5.3 Waste Disposal Methods

The ramp method of landfilling was employed at the Regional Landfill Site during operations in 2019. Wastes were deposited at the bottom or top of the ramp and pushed upwards or downwards in a lift over the operating face. The landfill contract with the heavy equipment operators specifies that the lift shall be a maximum height of 3 metres, that the ramp slope is to be 5:1, and that the layer of waste, prior to compaction should not exceed 0.45 metres. The Contractor was noted as generally complying with these requirements during the year. The waste is spread using a Caterpillar D8T bulldozer and is then compacted using a Caterpillar 836K Landfill compactor.

At the end of each working day, or more frequently if needed, the tipping area is covered completely with a layer of soil or other approved equal (daily cover). The primary function of daily cover is to reduce odours, nuisance, vectors, fires, litter and unsightliness of the landfill site. Several forms of alternative daily cover are combined with clay to accomplish this. They include street sweepings, auto shredder fluff, and tarps. For 2018 and 2019 the following quantities of cover was combined with clay and tarps for application to the active tipping area at the end of each working day.

Table 9: Daily Cover

Material Type	2018 Tonnes	2019 Tonnes
Alternative Daily Cover	5,093.80	6,119.36
Auto Shredder Fluff	42,052.03	37,911.72
Clay	0.00	0.00

As per ECA No. A011101, samples of Shredder Fluff were taken on a monthly basis and submitted for analysis of Ontario Regulation 558 Schedule IV Inorganics and PCBs. In every case the Auto Shredder Fluff samples conformed to the specifications of a non-hazardous waste under Ontario Regulation 558. Detailed sample records are available for review at the offices of the Essex-Windsor Solid Waste Authority.

5.4 Site Maintenance

EWSWA Staff carried out the day to day maintenance of the site. This included, but was not limited to, the cleaning and scraping of roads, litter control, dust control and the maintenance of the leachate collection system.

There are 15 litter control units stationed at the Site. The portable litter control units are used in conjunction with the permanent litter control fence surrounding the active tipping area to control the movement of litter on the site. The units are 10 metres long by 5 metres high with a wire mesh type fence attached to them. The units are mounted on skids that permit easy relocation by the heavy equipment at the site. The units are moved frequently to coincide with wind direction and have assisted greatly in controlling the movement of litter away from the disposal area.

The removal and control of mud from the road is accomplished by the application of several pieces of equipment. A water truck combined with a

front end loader (F.E.L.) and a truck wheel wash are used in various combinations and have all but eliminated the tracking of mud off the site.

Dust control for 2019 was accomplished by using a 3,800 imperial gallon water truck equipped with spray bars. During the dry periods, water was applied to the tipping face area and roads to control dust.

5.5 Vegetation and Cover

In order to promote a thicker and healthier growth of grass on top of the waste cells, several major grass cuts were completed in 2019. By cutting the grass more often weed patches do not get a chance to germinate and the grass is allowed to re-establish itself in poor growth areas. A healthy, thick grass growth reduces erosion, surface water infiltration and cell cap desiccation. Annual inspection results suggest that the regular cutting of the grass has resulted in much thicker healthier growth of grass.

5.6 Roads

A water truck and a front-end loader, owned by EWSWA, were utilized as required to clean the County road and internal access road at the Regional Site. The Authority carried out daily and monthly road patrols on access routes to the Site, and local municipal roads that surround the Site, for illegally dumped waste and waste that may have fallen off of trucks on the way to the Site.

The roads patrolled include County Road 18 from County Road 23 to Coulter Sideroad, County Road 23 from Highway 3 to County Road 18, Ferris Sideroad from Concession Road 8 to County Road 18, McCormick Sideroad from County Road 18 to Concession Road 6, Coulter Sideroad from Concession Road 8 to Concession Road 6, Concession Road 8 between the Coulter and Ferris Sideroads and Concession Road 6 between the Coulter and McCormick Sideroads. Material picked up from the road patrols was brought to the landfill for proper disposal and the wood and brush was placed on the compost pad for chipping. For 2019 the illegal dumping of waste around the site continued to be minimal.

5.7 Erosion Control/Drainage

Washouts were repaired as required and a number of areas which experienced minor erosion during the year were repaired in 2019. All landfill surface water ditches were cleaned out and re-graded as required.

5.8 Volume Analysis and Compaction

Monthly compaction surveys of the Site were carried out in 2019 to provide for accurate volume analysis. The results are included in Table 10. The compaction surveys were completed by EWSWA staff. The average compaction of waste for the Regional Landfill for 2019 was 0.789 tonnes/m³, which is 31.5% greater than the minimum acceptable compaction criterion of 0.600 tonnes/m³.

Table 10: Compaction by Month for 2018 and 2019

Month	2018 Compaction (tonnes per cubic metre)	2018 Criteria (% based on 0.600 tonnes per cubic metres)	2019 Compaction (tonnes per cubic metre)	2019 Criteria (% based on 0.600 tonnes per cubic metres)
January	0.800	33.3	0.765	27.5
February	0.778	29.6	0.802	33.6
March	0.806	34.3	0.825	37.5
April	0.804	34.0	N/A	N/A
May	0.795	32.5	0.804	34.0
June	0.761	26.8	0.819	36.4
July	0.814	35.7	0.776	29.4
August	0.786	31.1	0.806	34.4
September	0.678	13.0	0.759	26.6
October	0.684	14.0	0.759	26.6
November	0.860	43.4	0.791	31.9
December	0.867	44.4	0.773	28.9
Average	0.786	31.01	0.789	31.5

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Based on the 2019 average compaction ratio of 0.789 tonnes/m³ and based on the 351,657 tonnes of waste received during operations in 2019, the approximate volume of airspace consumed in 2019 as a result of landfilling activities was 445,670 m³. At the end of 2019, the approximate capacity of airspace remaining for the Essex-Windsor Regional Landfill was estimated to be 6,005,252 m³. The remaining capacity of the Landfill is shown in Table 11.

Table 11: Historical Compaction Results

Year	Waste Landfilled (Tonnes)	Annual Average Compaction (Tonnes per Cubic Metre)	Volume Consumed (Cubic Metres)	Remaining Volume (Cubic Metres)
				12,200,000*
1997	83,970.78	0.650	129,186	12,070,815
1998	180,363.45	0.757	238,261	11,832,555
1999	188,298.61	0.882	213,490	11,619,065
2000	193,513.28	0.791	244,643	11,374,422
2001	226,426.47	0.778	291,037	11,083,386
2002	230,979.74	0.779	296,508	10,786,878
2003	272,974.15	0.761	358,704	10,428,174
2004	278,159.99	0.737	377,422	10,050,752
2005	196,674.46	0.713	275,841	9,774,911
2006	188,456.38	0.757	248,952	9,525,959
2007	185,793.91	0.780	238,197	9,287,762
2008	195,885.12	0.833	235,156	9,052,606
2009	159,078.74	0.685	232,230	8,820,376
2010	199,175.61	0.759	262,417	8,557,959
2011	224,572.04	0.814	275,887	8,282,072
2012	170,305.06	0.774	220,032	8,062,040
2013	188,004.02	0.789	238,281	7,823,759
2014	168,247.68	0.774	217,374	7,606,385
2015	181,401.74	0.806	225,064	7,381,321
2016	250,698.66	0.804	311,814	7,069,507
2017	245,440.17	0.810	303,012	6,766,495
2018	248,040.32	0.786	315,573	6,450,922
2019	351,657.00	0.789	445,670	6,005,252
Totals:	4,808,117.38	0.774	6,194,751	6,005,252**

* Source – ECA Condition 4.5 (3) & (4). Waste 10,167,000 m³; Daily & Interim cover 2,036,000 m³ = 12,200,000 m³

** Difference due to rounding

5.9 Composting

The Essex-Windsor Regional Landfill Compost Pad is located on the same property as the Regional landfill. As part of Cell 3 South construction in 2018 a new compost pad was constructed at the north-east corner of the property, north of the storm water pond. The compost operation is licensed under ECA No. A011105, which allows for the operation of an onsite composting operation. In 2019 an amount of 10,301 tonnes of yard waste was brought directly to the Regional Landfill Composting site by generators of yard waste or their haulers. An additional 16,775.95 tonnes was transferred to the site from the Authority's Windsor Public Drop-off Depot for a total of 27,077.23 tonnes of yard waste. For additional detailed information regarding the composting operation please refer to the Essex-Windsor Regional Landfill Composting Operations Report, 2019.

5.10 Cell Development

Cell 3 North development was completed in 2012. Waste was disposed in Cell 2 and Cell 3 for 2015. During 2015 the construction of Cell 4 North was completed. On April 6, 2016 Cell 4 North began to have waste placed in it. Construction of Cell 3 South began in May 2018 and continued throughout the balance of the year. As part of Cell 3 South construction in 2018, the MSHW pad was relocated to an adjacent location to accommodate the installation of a leachate collection manhole. The MSHW pad continues to function in the same manner as the old pad.

6 Gas Management

The Essex-Windsor Regional Landfill gas management system consists of a number of wells established throughout the Landfill site designed to reduce landfill gas emissions.

6.1 Vacuum Flare

In January 2009 the vacuum flare was decommissioned and replaced by a landfill gas collection system that the Authority contracted with Integrated Gas Recovery Services Inc. to construct.

The original agreement with Integrated Gas Recovery Services Inc. (IGRS) was terminated at the end of 2015. As of 2016 to present the Authority has contracted with IGRS to maintain and operate the vacuum flare. The Greenhouse Gas (GHG) and National Pollutant Release Inventory (NPRI) is

completed and reported by IGRS annually. This reporting is submitted separate from this report by EWSWA. The results are summarized in Table 12 of this report.

Typical maintenance of the gas collection system was complete by (IGRS) staff throughout the year including additional maintenance as typically required during winter months to remove ice and improve drainage in the Big "O" collection pipes. Other improvements included replacing access road crossings with solid wall HDPE piping to improve drainage and reinforce connections.

Table 12: Landfill Monthly Flare Data for 2019

Month	Average Flow (SCFM)	Average Percent Methane	Operation Time (Hours)	Operation Time (percent of Month)	Volume of Gas (SCF)	Volume CH4 (SCF)
January	206	45.8	481	64.6	6,327,395	2,897,947
February	192	47.7	546	81.2	6,595,062	3,145,845
March	223	46.4	559	75.2	7,940,258	3,684,280
April	212	48.3	600	83.3	7,677,633	3,708,297
May	213	51.0	586	78.8	7,302,449	3,724,249
June	205	49.3	542	75.3	6,654,361	3,280,600
July	202	47.5	513	69.0	6,228,728	2,958,646
August	227	43.2	569	76.5	8,009,226	3,459,986
September	240	43.8	415	57.6	6,307,302	2,762,598
October	235	43.4	506	68.0	7,719,549	3,350,284
November	263	50.3	672	93.3	10,700,974	5,382,590
December	279	50.9	593	79.7	10,165,208	5,174,091
Totals:	225	47.5	6,582	77.4	91,628,145	43,529,413

Table 12 Notes: SCFM=Standard Cubic Feet per Minute; SCF=Standard Cubic Feet, CH4=Methane

7 Leachate System Maintenance

7.1 Leachate System General History

A perimeter leachate collection system and a leachate underdrain system is in place at the Site. The system was constructed in a number of phases.

Phase I, which surrounds the east cell of the former Landfill Site No. 1 (now Cell 1 of the Regional Landfill), was installed beginning in August 1990 and became functional in October 1990, although it was not completed until March 1991. The leachate catchment area for Phase I was originally 13.8 hectares.

The catchment area was reduced to 12.76 ha in 1997 with the development of the Regional Landfill and further reduced to 9.76 ha as a result of the 1998 Landfill Mining project.

Phase II, which surrounded the former west cell of Landfill Site No.1, was installed between January and March 1993. This phase of the collection system became operational in April 1993. The leachate catchment area for Phase II is 5.76 hectares.

In 1997 the development of Cell 1 of the Essex-Windsor Regional Landfill led to the expansion of the former Area 1 (Phase III). The southern section of Cell 1 was excavated down to a depth of 10 metres below the existing site grade and extended approximately 100 metres to the south. A leachate collection underdrain system, consisting of a series of parallel perforated pipes, was installed at the base of the new landfill cell. A new pump station was installed in order to permit the leachate to be pumped out of the cell for treatment. This phase of the leachate underdrain system became functional in September 1998.

Later in September of 1998, the southern section of Cell 1 was expanded further when an additional 3 hectare area just north of the original Cell 1 excavation was developed (Phase IV). This area was also excavated down to a depth of 10 metres below existing grade and extended approximately 100 metres to the north. This portion of the leachate underdrain system was activated in 1999. The Cell 1 Leachate Underdrain System has a total catchment area of approximately 6 hectares.

Phase V of the leachate collection system was installed during the construction of Cell 2 North in the winter of 2002 and became operational on June 6th, 2002. Phase V consists of 4.95 hectares of leachate underdrain system, only 2.70 ha of which was activated during 2002. In 2003 the remaining 2.25 ha area was activated so that landfilling activities could be carried out in this section of Cell 2. This section of the Landfill, like all the newly constructed areas of the Landfill was also excavated down to a depth

of 10 meters below existing grade and consists of a series of parallel perforated pipes designed to collect and convey the leachate.

Phase VI of the leachate collection system was installed during the construction of Cell 2 South in 2004. Phase VI consists of 5.45 hectares of leachate underdrain system, 4.13 ha of which was activated during 2005. The remaining 1.32 ha was activated in mid-December 2006.

Phase VII of the leachate collection system was installed during the construction of Cell 3 north which started in July of 2011. This phase consists of 4.9 hectares of leachate underdrain system, 2.1 ha of which was activated during 2012. In 2013 an additional 1.4 ha became operational. The remaining 1.4 ha will become operational in 2014. As was the case for all the previous leachate collection systems, the collection pipes were installed at a depth of approximately 10 metres below existing grade and consist of a series of parallel perforated pipes designed to collect and convey the leachate to a pump station.

In 2015, the construction of Cell 4N resulted in the further expansion of the Essex-Windsor Regional Landfill Leachate Collection System (Phase VIII). The northern section of Cell 4N encompasses an area of 5.7 hectares which was excavated down to a depth of 10 meters below the existing site grade. As per the landfill design specifications a leachate collection underdrain system, consisting of a series of parallel perforated pipes was installed at the base of the new landfill cell. A new pump station was also installed in order to permit the leachate to be pumped out of the cell for treatment.

This phase of the leachate collection system was not activated in 2015 as no waste was placed in the cell and was activated in 2016. In 2017 the collection system operated as designed with only minor repairs required to control panels, mostly due to power fluctuations.

7.2 Leachate System Maintenance during 2019

The entire leachate collection system is drained/pumped to one of three leachate collection ponds on the west side of the Site. The leachate is collected by tanker truck from the ponds and taken to the Lou Romano Pollution Control Plant in the City of Windsor for treatment or land applied/re-circulated on site, depending on the time of year and the annual quantity of leachate produced.

7.3 Leachate Quantities

The leachate management system in place at the Regional Landfill Site does not permit the calculation of precipitation-based leachate generation rates, as has been the practice since 1991 at the former Landfill Site No. 1. At the former Landfill Site No. 1 there was minimal leachate storage capacity, so leachate had to be removed as it was generated. This provided accurate generation statistics.

The leachate collection system at the Essex-Windsor Regional Landfill Site is operated to remove leachate from the system to prevent leachate mounding in the waste. It also prevents ground water contamination; however, leachate is now stored on site, in lined leachate ponds, in order to maximize the utilization of leachate land application and recirculation systems described in Sections 7.5 through 7.8 and to provide for hydraulic and organic equalization of the leachate.

As of the end of 1999 there was a combined storage capacity of 23,400 m³ in three ponds, the south, east and west ponds. Two 5-HP aerators are installed in the south pond and one 5-HP aerator was installed in each of the west and east ponds. The aerators help control odours while at the same time reducing BOD (Biochemical Oxygen Demand) levels in the leachate.

During November 2005 the south pond was drained and the sumps were vacuumed out of any sediment build up.

Leachate generated at the Essex-Windsor Regional Landfill is managed or treated via a number of different leachate treatment technologies. These include hauling leachate off site to an approved sewage treatment facility, re-circulating leachate into existing landfilled waste or land applying leachate to a vegetative ecosystem.

In 2019, the various leachate management systems both on and off the site managed 95,072.74 m³ of leachate, an increase compared with the 67,375.50 m³ in 2018. The quantities of leachate in 2019 are shown in Table 13.

Table 13: Leachate Management in 2019

Month	Trucked off Site	LLTS (spray)	LLTS (Trickle)	West Cell Land Treatment	Total (cubic metres)
January	5,106.85	0.00	0.00	0.00	5,106.85
February	5,580.50	0.00	0.00	0.00	5,580.50
March	7,765.15	0.00	0.00	0.00	7,765.15
April	13,392.17	0.00	0.00	0.00	13,392.17
May	13,302.16	0.00	0.00	0.00	13,302.16
June	11,761.97	0.00	0.00	0.00	11,761.97
July	12,823.34	0.00	0.00	474.00	13,297.34
August	4,166.76	0.00	0.00	1,443.00	5,609.76
September	3,975.95	0.00	0.00	518.00	4,493.95
October	5,290.67	0.00	0.00	97.00	5,387.67
November	5,704.75	0.00	0.00	0.00	5,704.75
December	3,670.47	0.00	0.00	0.00	3,670.47
Totals:	92,540.74	0	0	2,532	95,072.74

Table 13 Notes: LLTS = Leachate Land Treatment System

7.4 Leachate Quality

Leachate is produced primarily from the percolation of incident precipitation into the refuse. Processes within the refuse degrade the quality of the percolating water, creating the leachate. The chemical characteristics of the leachate can vary within the refuse, depending on various factors, such as refuse composition and age refuse hydraulic conductivity, leachate residence time, and the leachate flow regime.

Samples of the leachate are collected for analysis of a range of general chemistry and metal compounds from two locations within the leachate collection system as part of the groundwater monitoring program detailed in

Section 8.2 and the environmental monitoring programs for the various leachate land treatment systems detailed in Section 7.9. The samples collected from Pump Station 1 (PS1) reflect the leachate generated by waste in Cell 1, Cell 2 and Cell 3N of the Regional Landfill. Samples collected from PS3 reflect the leachate from the West Cell of the former Essex County Landfill Site No. 1. Samples collected from PS2 which was installed in 2015, reflect the leachate from Cell 4N.

During 2019 leachate samples were collected as part of the Regional Landfill Leachate Management Program. The leachate samples were analyzed in the field for pH, conductivity, temperature and turbidity. Samples were submitted to Exova Accutest Laboratories Limited and analyzed for general chemical parameters, volatile organic compounds (EPA Method 624) and semi-volatile compounds (EPA Method 625).

The general chemical results for the collected leachate samples in 2019 were comparable to the historical findings for the leachate collector systems with minor historical exceedances.

7.5 Leachate System Maintenance

Condition 9.4 of the ECA No. A011101 for the Site requires that the leachate collection system be flushed and cleaned at least once every two years. Heaton Sanitation was contracted to carry out the work in 2018, but due to surcharging of the collection system in January, February, and March and again in mid-October, November and December this work was delayed until 2019. Other than surcharging due to persistent precipitation, there were no significant problems detected with the system. A plan to implement additional leachate haul trucks was initiated in December 2018. The system is scheduled to be flushed and cleaned out again in the year 2021.

Pump station repairs and preventative maintenance was carried out as required during 2019. This included but was not limited to the following:

- Regular inspection and adjustments of the pumps as required,
- The removal and power washing of pumps,
- The painting of electrical panels,

7.6 Leachate Springs and Stains

A leachate stain is defined as a discolouration of the soil that extends no more than 1 metre from its source. A leachate spring is defined as an active movement of leachate that extends beyond 1 metre from its source. During 2019, there were no springs or stains.

7.7 Leachate Land Treatment System

In 1992 the Ministry of the Environment approved a four-year experimental program for the land treatment of leachate at Landfill Site No. 1. In September of 1995 an amendment to the ECA was received from the Ministry of the Environment lifting the four-year experimental requirement. This allowed for the continuation of the system until such time that the land's ability to treat the leachate has been exhausted or when the land is required for other uses.

The current delivery system network configuration consists of 99 impact sprinklers, which apply leachate across 1.0 ha, and 72 subsurface drip irrigation laterals, which apply leachate to 0.8 ha.

In 2019 the Leachate Land Treatment System (LLTS) spray system and trickle system were not started in 2nd quarter as usual due to saturated ground conditions.

The vegetation in the Land Treatment Area is comprised mainly of reed canary grass, which is cut and maintained as required. Vegetation is cut and baled and then removed for composting.

The ECA issued by the Ministry of the Environment for operation of the Land Treatment System permits continued operation until environmental monitoring indicates that the treatment capacity of the site has been exhausted.

7.8 West Cell Land Treatment and Recirculation System

Condition 9 of ECA No. A011101 dated April 3, 2017 authorizes operation of the West Cell Leachate Land Treatment and Recirculation System (LTRS). Condition 9.1 (h) allows for the continued operation of the LTRS until such time as environmental monitoring indicates that the treatment capacity of the system has been exhausted. The LTRS integrates leachate land treatment technology with leachate recirculation to dispose of leachate and accelerate the rate of landfill stabilization. Recirculation of leachate into the

West Cell occurs by way of drip irrigation laterals that distribute leachate through 20 sand-filled trench reservoirs constructed into the waste below the cap. The land treatment delivery network is comprised of twelve distribution laterals supplying leachate to 120 impact sprinklers.

Both the land treatment component and recirculation system of the LTRS was not operated during 2012 or 2013 as the area was sprayed for a total kill off of invasive plants. Leachate land application resumed on May 4th, 2015 but the recirculation component was not operated.

The West Cell land application system was started on July 25, 2019 and closed and winterized on October 22, 2019. During this period 2,532.00 m³ of leachate was applied over approximately 30 days.

7.9 Cell 1 Land Treatment System

Condition 9 also authorizes operation of the Cell 1 Leachate Treatment System (C1-LTS). The Cell 1 leachate treatment area was added in 2000. The area is slightly less than a hectare in surface area and is situated on the landfill area designated as Cell 1 (immediately north of the fill area). The C1-LTS employs the same spray technology as the other leachate and treatment systems located on site. It is comprised of one block containing 8 laterals supplying leachate to a total of 60 impact sprinklers.

The C1-LTS was decommissioned on June 16th, 2008 to recover air space for landfilling.

7.10 Cell 1 Bio-Reactor

ECA No. A011101 was amended again on October 31st, 2000 to authorize operation of the Cell 1 Bio-Reactor. This five-year, full scale, pilot project was constructed in the southern portion of Cell 1 and commenced operation in March of 2001. The system was a multilevel leachate recirculation network with each level comprised of horizontal infiltration trenches constructed within the refuse to provide equitable leachate distribution for the purpose of enhancing waste biodegradation.

The Cell 1 Bio-Reactor was decommissioned in 2006.

7.11 Environmental Monitoring of Leachate Land Treatment Systems

As required by the Ministry of the Environment and Climate Control, a detailed environmental monitoring and data collection program was conducted for the LLTS and West Cell for 2019.

Groundwater and surface water monitoring and sampling were completed around the landfill site perimeter, including areas downgradient of the on-site leachate treatment areas. Detailed findings will be included in the 2019/2020 Biennial Monitoring Program Report for the Regional Landfill Site prepared by WSP.

In summary, groundwater and surface water quality showed no detectable effects from the current operations of the leachate land treatment areas at the landfill site. For additional detailed information regarding the Leachate Land Treatment Systems, please refer to the 2019 Annual Monitoring Report, Leachate Management Program Essex-Windsor Regional Landfill Site prepared by WSP.

8 Monitoring Programs

The ECA requires that a number of additional monitoring programs be carried out at the Essex-Windsor Regional Landfill. These include monitoring of the ground and surface water, precipitation, sediment sampling, dust monitoring, gas and woodlot monitoring. In September 2003, ECA No. A011101 was amended to reflect the recommended monitoring changes submitted by WSP, for the Essex-Windsor Regional Landfill in their annual monitoring reports dated 1999, 2000, 2001 and 2002.

The most significant changes were that Monthly Operations Reports was amended from monthly to annual submissions. Each of the programs carried out in 2019 is described in more detail in the following sections.

8.1 Surface Water and Sediment Monitoring

The 2019 surface water and sediment sampling programs consisted of the following as noted in WSP's Annual Summary:

- Collection and analysis of Storm Water Management pond water samples on a monthly basis.

- Collection of samples from 5 surface water monitoring locations (SW2, SW3, SW8, SW9 & SW12) was taken following a "precipitation" event. A

precipitation event is when 30 mm or more of precipitation is received within a contiguous 24-hour period.

Collection of sediment samples from 5 surface water monitoring locations (SW2, SW3, SW8, SW9 & SW12) once per year.

The 2019 monitoring services for the Leachate Monitoring Program (LMP) and related annual reporting activities were completed at the site. In summary, groundwater and surface water quality showed no detectable effects from the current operations of the leachate land treatment areas at the landfill site.

8.2 Ground Water Monitoring

All routine ground water monitoring in 2019 was carried out by WSP and consisted of the following activities:

- Measurement of ground water levels at 85 monitoring locations.
- Collection of samples twice per year from 25 ground water monitors in the Shallow Ground Water System and 5 ground water monitors in the Upper Sand Ground Water System.
- Annual ground water monitoring from 21 monitors in the Middle Aquitard, 10 in the Lower Sand Ground Water System, 3 in the lower Aquitard, 24 from the Upper Aquitard and 8 from the Bedrock Aquifer.
- Select monitors were also sampled and analysed for BTEX compounds during the spring and fall sampling events.

Generally, groundwater elevations during 2019 are consistent with the historical database. Groundwater chemical results during 2019 are generally consistent with historical results and continue to document naturally poor groundwater quality at the site.

In summary, groundwater and surface water quality showed no detectable effects from the current operations of the leachate land treatment areas at the landfill site.

8.3 Weather Monitoring

A complete weather station is located at the Regional Landfill. It collects wind speed and direction, temperature and precipitation measurements.

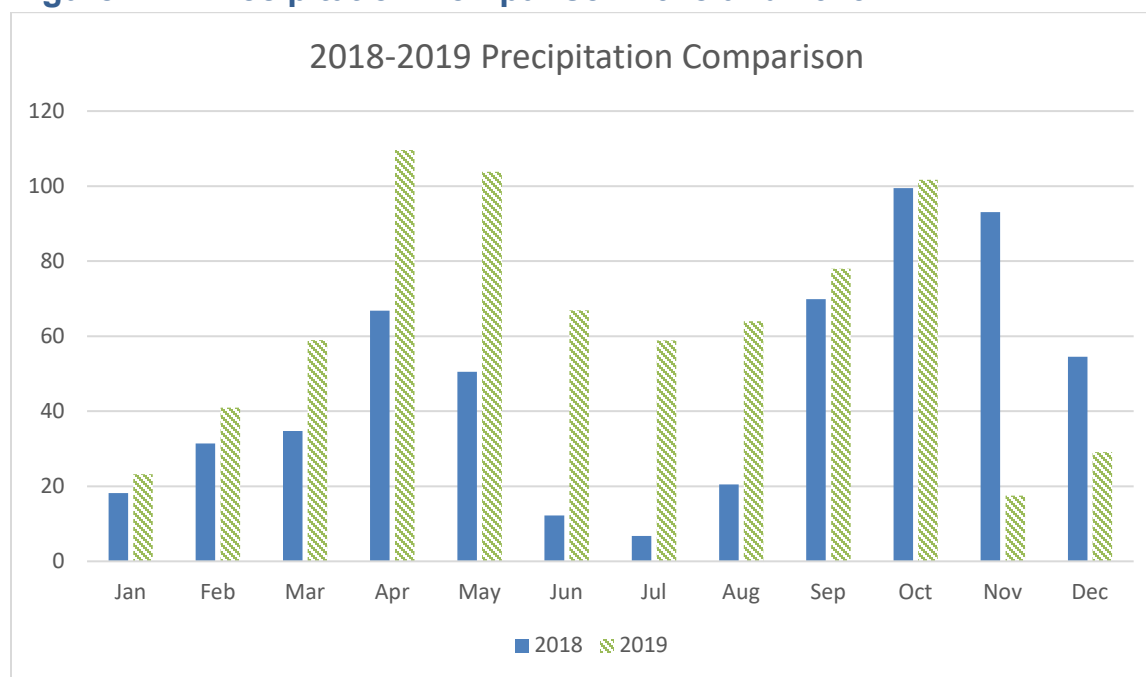
The wind information is used to direct litter control operations and to assist in investigating odour complaints.

The information obtained through precipitation measuring is also used to facilitate the surface water sampling program carried out at the Site, and to calculate the appropriate application rate for the leachate land application/recirculation systems.

The total amount of precipitation received at the Landfill in 2019 was 752.7 mm. The total amount received in 2018 was 558.1 mm; this is an increase of approximately 35% compared to 2018. The monthly precipitation rates are shown in Table 14 and Figure 1.

Table 14: Precipitation by Month in 2019

Month	Millimetres of Precipitation
January	23.2
February	41
March	59
April	109.6
May	103.8
June	66.9
July	58.9
August	64
September	78
October	101.7
November	17.5
December	29.1
2019 Total:	752.7

Figure 1: Precipitation Comparison 2018 and 2019

8.4 Leachate Level Monitoring

Monthly leachate level monitoring was conducted throughout the year on all maintenance holes and the pump stations on the perimeter leachate collector system and all refuse monitors. The leachate collector system is typically operated with either off-site leachate haulage or on-site land treatment/recirculation to maintain gravity drainage of the collector system. Leachate elevations within the perimeter collector system are typically maintained below the surrounding shallow groundwater elevations to maintain groundwater movement toward the Landfill. The leachate level monitoring results for 2019 indicated that in general the collector system was typically operated as designed.

8.5 Gas Monitoring

The gas monitoring program was expanded through 2017 to incorporate additional shallow flow/upper sand monitors to delineate potential gas migration at the perimeter of all existing refuse areas on site (21S-III, 95-I, 95-III, 96-I, 96-III, 97-I, 97-III, 102-I, 102-III, 103-I, 103-III, 104-I, and 104-III).

Combustible gas was detected within the waste at Monitors 35A-II, 36-I, 38, 42, 64, 69, and 70 at concentrations that represent a potential health and

safety concern. Access to the waste footprint (closed and open) should be restricted to adequately trained site personnel. Concentrations adjacent to the waste footprint do not present an immediate health and safety concern to onsite structures.

Based on typical combustible concentrations less than 0%, reported for Monitors 14A-I/II/III/IV and in consideration of the acceptable groundwater chemical concentrations reported to date, the monitors appear to remain in good condition. Routine monitoring and maintenance was conducted by Comcor Environmental Limited under contract.

8.6 Dust Monitoring

The dust monitoring field program was conducted by EWSWA's staff in accordance with the Off-Site Dust Monitoring Program that was attached to the letter from EWSWA to the MOECC, dated May 28, 1997. The ECA conditions pertaining to dust are Conditions 4.22 through 4.26.

A series of three dust fall jars were placed by EWSWA to capture representative sample areas. Three locations were selected to consist of background, active fill or work face area, and down wind or potential impact area. Dust samples were collected monthly.

A total of 12 samples were collected by EWSWA from the three selected locations at the end of each month (or representative month-long period). The samples were submitted to Maxxam Analytics for laboratory analysis. The samples were analyzed for insoluble and soluble particulate. Based on the analytical results, the reported concentrations were below the acceptable level for dust fall ambient air quality of 7.0 g/m²/month over 30 days or 4.6 g/m² over one year. Consequently, no additional dust control measures or corrective measures were warranted during the monitored periods.

8.7 Other Monitoring Programs

As per the recently amended Waste ECA (Condition 8.10), an air monitoring program was implemented at the Regional Landfill site in 2017. Air samples were collected at five perimeter sampling locations once monthly in July through October 2017. In addition, air samples were required to be collected at four source sampling locations during the first month of sampling. Based on the reported analytical results, no exceedances of the target list of compounds were reported, and the majority of reported parameters were

below the laboratory detection limits, with the exception of o-Xylene and m&p-Xylene concentrations for perimeter samples AQ8 and AQ9 in August 2017. Sample location AQ8 is northeast of Cell 4N and AQ9 is in the southeast corner of the landfill. O-Xylene and m&p-Xylene concentrations for samples AQ8 and AQ9 both exceeded the MOECC JSL of 100 µg/m³ for these parameters. However, the total xylenes concentration met the MOECC Standard for samples AQ8 and AQ9. In addition, the total xylene concentrations for all five samples during the August monitoring event were well below the Upper Risk Threshold of 7,300 µg/m³ for total xylene. No further exceedances of the target list of compounds were reported during the subsequent September and October air monitoring events. As such, no further action is recommended at this time. This air monitoring program will be performed every five years as required by the current ECA.

8.8 Woodlot Monitoring

In November 2008, the Landfill Liaison Committee concurred with staff recommendation that the formal woodlot monitoring program for the Essex-Windsor Regional Landfill be concluded and further, that the woodlots be visually examined on an annual basis and if unjustifiable stress and decline of the woodlot trees is observed, then an independent evaluation will be sought to determine if a monitoring program be re-established.

A tour of the woodlots conducted during 2019 indicated that the health of the woodlots appeared to be consistent with previous inspections.

8.9 Aquatic Biology Monitoring

In February 2004, the Landfill Liaison Committee concurred with the staff recommendation that the Aquatic Biology Monitoring program be discontinued until either an onsite leachate treatment facility is constructed and discharges treated leachate to the storm water management pond or the monthly pond chemistry results indicate the pond is being adversely affected as a result of landfill operations.

Regional Landfill Site Annual Operations Report 2019

Tom Marentette

Manager, Waste Disposal

A handwritten signature in black ink, appearing to read 'Tom Marentette', with a large, stylized loop at the end.

Eli Maodus

General Manager

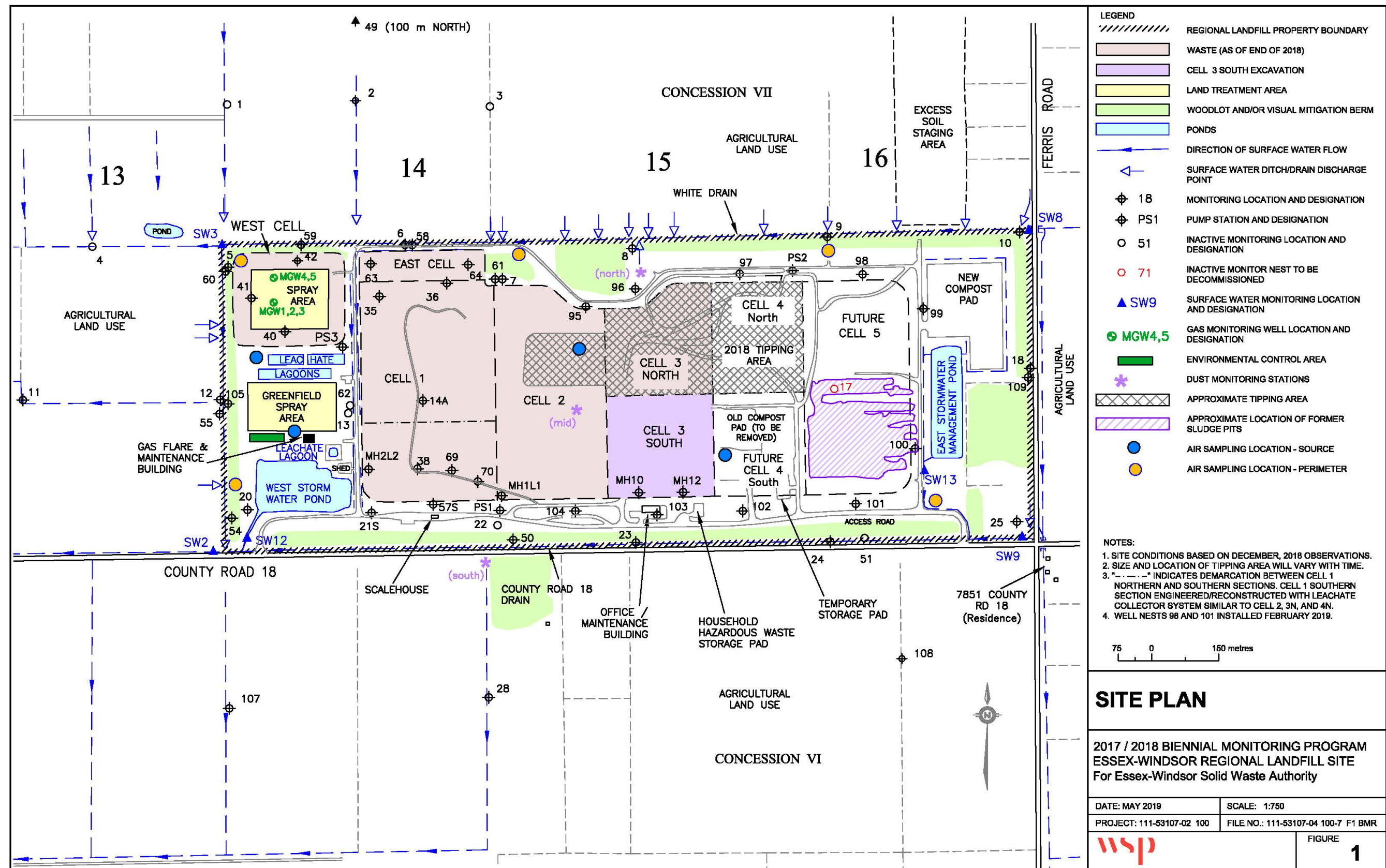
A handwritten signature in black ink, appearing to read 'Eli Maodus', written in a cursive style.

Report prepared by:

Dee Blais, Administrative Assistant

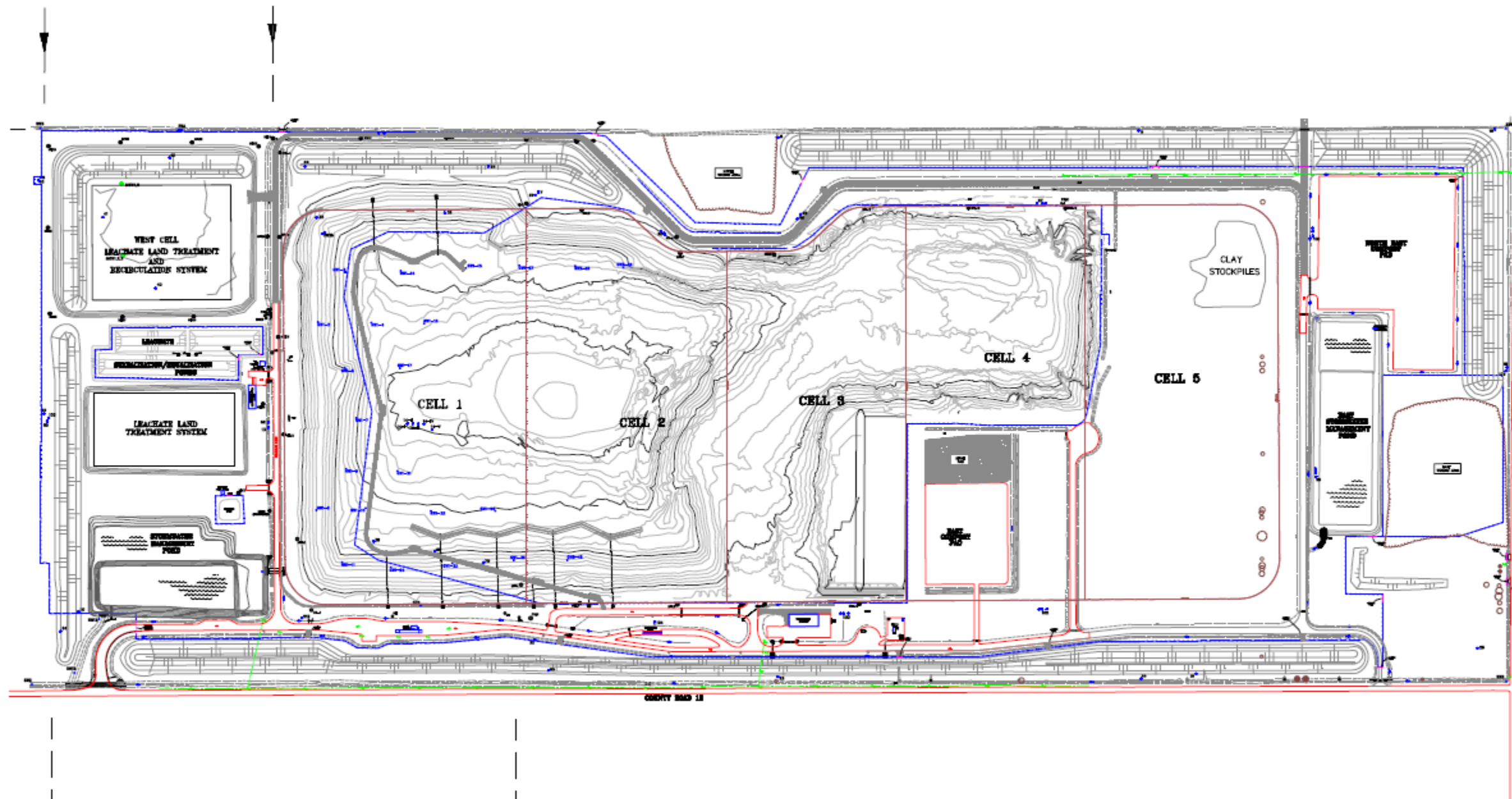
Appendix

- Site Plan Map
- Operations Report Map





ESSEX-WINDSOR SOLID WASTE AUTHORITY
880 FAIRVIEW AVE. W., ESSEX, ONTARIO, CANADA L3R 9T8
(519) 978-5441 T-800-865-8977 FAX (519) 978-8070



KEY:		Leachate Collection System		Stormwater		Gas Collection System	
	Roadway		Leachate Collection Line		Stormwater		Gas Collection System
	Gravel Roadway		Leachate Collection Line		Stormwater		Gas Collection System
	Ditch		Leachate Collection Line		Stormwater		Gas Collection System
	River		Leachate Collection Line		Stormwater		Gas Collection System
	Contour		Leachate Collection Line		Stormwater		Gas Collection System
	Woodlot		Leachate Collection Line		Stormwater		Gas Collection System
	Rip Rap		Leachate Collection Line		Stormwater		Gas Collection System
	Building		Leachate Collection Line		Stormwater		Gas Collection System
	Cutoff Dam		Leachate Collection Line		Stormwater		Gas Collection System
	Access Gate		Leachate Collection Line		Stormwater		Gas Collection System
	Fence		Leachate Collection Line		Stormwater		Gas Collection System
	Culvert		Leachate Collection Line		Stormwater		Gas Collection System
	Underdrain		Leachate Collection Line		Stormwater		Gas Collection System
	Gas well		Leachate Collection Line		Stormwater		Gas Collection System
	Gas well		Leachate Collection Line		Stormwater		Gas Collection System

ESSEX - WINDSOR
SOLID WASTE AUTHORITY
REGIONAL LANDFILL
2019 SITE PLAN

AUTOCAD FILE:
RLF_2019-site plan.dwg
CIVIL 3D 2012

DRAWN BY:
A.E.B.B. ①
DATE:
DEC. 31, 2019
SCALE: AS SHOWN
50 0 50 100

From: [REDACTED]
To: [REDACTED]
Subject: FW: Gravel Watch - Ontario on the Rocks
Date: Friday, January 8, 2021 10:26:40 AM
Attachments: [Gravel Watch Municipal Letter January 2021.docx](#)
[Ontario on the rocks.docx](#)

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

Good morning,

Please find attached a letter and an accompanying document for the Mayor and Council. In addition, please accept my sincere wishes for your personal and your community's health.

Bryan Smith, President
Gravel Watch Ontario

info@gravelwatch.org



To: Mayor and Council

From: Gravel Watch Ontario

Re: Ontario on the Rocks

Date: January 8, 2021

Gravel Watch is a province-wide umbrella group representing communities and individuals across the province. Like you, we keep a watchful eye on aggregate-related operations, practices, and policy development throughout Ontario. In addition to that vigilance, we offer many resources to our members and the public, providing education via our website at www.gravelwatch.org and in monthly meetings. Further, we advocate on behalf of members, communities, the environment, and all Ontarians, for better management of aggregate resources. We believe that these can be of use to you and to members of your community.

When, in 2020, we sent a previous communication, we were pleased that we subsequently heard from community groups. That means that you shared the document, and we shared your burden of providing information around aggregate issue to the community. If we lightened your load by doing so, that is a good thing. We know what difficult times you are steering your municipality through. Thank you for that work.

The attached document, *Ontario on the Rocks: A Report on the Economic, Social and Environmental Consequences of Resource Extraction*, is a summary of some current policy directions as well as our recommendations which have been previously offered to the Ministry of Natural Resources and Forestry. It suggests the following:

- Stimulating the Ontario economy's emerging industries as well as reducing costs to the municipalities and the province through resource recovery and other measures;



- Prioritizing local industry, and local jobs through provincial procurement practices;
- Quantifying, evaluating, and conserving aggregate resources;
- Valuing agriculture and water resources above the narrow, short-term interests of one industry
- Showing respect to individuals, community groups and municipalities in a way that recognizes not only your attachment but your detailed knowledge of the particularities of your location.

Gravel Watch Ontario invites you to consider and discuss the attached document, and to share it actively with members of your community who have an interest in moving toward better management of aggregate resources. Additionally, Gravel Watch is open to discussions with you and them via our email connection i.e., info@gravelwatch.org, our website at www.gravelwatch.org, or by calling 289-270-7535.

Sincerely,

Bryan Smith, President

Gravel Watch Ontario

Introduction

Ontario is the economic engine of Canada in the several sectors – manufacturing, agriculture and resource extraction. The first two of these depend on Ontario's rich resources. This paper will focus on resource extraction knowing that while it seems to support economic activity and therefore communities, it actually undermines the environment necessary to sustain communities and agriculture. Further, this paper will discuss the relationships between the extraction industry and the province at community, municipal and provincial levels. These relationships are complex and costly for the province. As a wise woman said "Gravel is complicated". While mining and forestry are also resource extraction industries, and while there are parallels and analogies between those and the extraction of aggregate, it is on the rock, sand, clay and gravel that this paper will focus.

Extraction creates an economic boost?

It is commonly believed that gravel pits or quarries create jobs. Community members see trucks coming and going. Municipalities see some portion of the levy coming to their limited coffers. Machine operators, blasters and other labour are required, and often live in nearby communities. This appearance of economic activity is deceptive: When the economy is active, there is demand for aggregate for a variety of uses; the extraction does not create the economic conditions but rather is a response to economic conditions. So, stimulus to extraction either by incentive measures or lightening some part of the industry's responsibilities is not a positive economic boost. The aggregate industry allows pits and quarries to remain dormant for decades between contracts without major economic impact on the surrounding communities, though with consequences for the environment only somewhat less than those during active periods.

Aggregate extraction has multiple costs for the province. The bulk of gravel, stone and sand are bought by municipalities and the Province. Roads and bridges consume them in their raw and processed states; the bills land on the desks of government officials and are paid by the public. The industry in Ontario is largely

weighted to multi-national corporations who are the players in the large projects which governments undertake. When a local municipality is contracting for materials and/or road work, they often find that the local company is owned by a larger one. This structure of the industry means that money flows out of Ontario to corporate head offices. That net outflow reduces the economic value of Ontario's economy. It would be better if Ontario's road construction were sourcing its materials from local producers which would result in much higher direct and indirect investments in Ontario than that to be anticipated from international bankers.

Extraction takes away!

By its very nature, extraction takes valued resources from the environment. Where this results in greater value in a full-cost equation, this could be deemed a good thing. In Ontario, Canada's most southerly province, agriculture is the largest industry. Because food travels from food to table, it engenders multiple additional jobs and processes along the way. Farmers work at planting and sowing; food processors work at capturing the flavour and nutrition; warehousing and transportation move the goods to local, national and international markets and consumers. Contrary to the extraction of cash from Ontario's economy, this results in an inflow to farm owners and their employees.

The vital contribution of agriculture to the province relies on a precious resource – topsoil. Fertile lands in Southern Ontario are valued around \$30 000 an acre. Given that 6 inches of topsoil is largely what generates this price, we can see its extraordinary monetary value. When extraction occurs, however, topsoil ceases to be available for agriculture. Worse, when it is shaped into berms alongside pits and quarries in a vain attempt to hide their view from passersby and to prevent waves of dust from sailing over, topsoil's microbial life ends, so soil fertility is damaged. That loss to agricultural potential is costly. In light of the extraction industry's negative impact on agricultural lands already under significant pressure, and in light of the presence of vast numbers of dormant and relatively inactive pits, there is an argument to be made for the closure of the pit license application process in Ontario. Under that balanced approach, agricultural and

recreational land uses would produce economic growth while inefficient and under-utilized operations would be rationalized.

Extraction costs in municipal and provincial road work.

The costs of extraction industries are largely borne by the public. This is a highly inefficient way to do business because it means that cost accounting is done by multiple public agencies at several levels. Municipalities' budgets are strained by the load which extraction puts on roads. Each new pit adds the potential for new stretches of road to require upgrading and resurfacing of haul routes. This extracts vital funds from road maintenance budgets that are needed to respond to winter conditions, for regular repairs or to replace surfaces which were paved with substandard materials in the same way as the Province experienced significantly short lifespans. This cost was created when contaminated aggregate was substituted for quality.

Currently, when aggregate moves longer distances, it travels on provincial highways. They are routinely pummelled by overloaded trucks. The Ministry of Transport inspections have revealed 10 to 20% excess loads on gravel trucks, representing an undue strain on roads, as well as a significant safety hazard. The costs of accidents on public highways are immeasurable when they take lives. Even when they do not, they spread costs among fire departments, local and provincial police forces, road repairs and reconstruction when surfaces are damaged or guard rails ploughed aside by trucks, and the high costs of hospitalization and rehabilitation of the injured. When gravel trucks crash, everything stops! – The vital movement of goods from producer to consumer, of just-in-time parts to manufacturers, of business people to their time-sensitive meetings or of workers to their punch-clock jobs are all affected adversely by the poor safety record of aggregate hauling. The aggregate industry needs to reconsider the how, the when and the why of hauling rock and smaller products around the province.

Aggregate does not need to move by truck. Were it to move by longer distances train, for instance, the infrastructure would be private and under federal jurisdiction reducing costs and liability for the Province. There are existing

examples, particularly in Alberta, of efficient use of railways to move aggregate. Further, shipping aggregate by boat is practised in Ontario and could relieve the strain on current roads and/or the need to add lanes or highways.

Aggregate Costs the Public's Health

While aggregate production is supposed to be an “interim use”, its duration is such that it has significant health and other impacts on neighbouring communities. Dust produced during extraction routinely leaves the pit areas and spread to “sensitive receptors”, i.e., people. Included in that dust output is fine particulate matter, of under 2.5 microns in size, which a series of research papers including those by Public Health – Ontario, reveal to damage lungs, hearts and brains. That direct impact is complicated by yet another factor of quarrying, the haulage by diesel trucks whose negative impacts include the emission of fine particulate especially when idling at entry gates, loading or exiting and when accelerating from pits onto roads. While fine particulate matter is invisible to the human eye, the belching black fumes are seen by our eyes, sensed by our noses and suffered by our lungs. The presence of dust and fine particulate matter in the air engenders massive costs in health for members of the public and the public system offering it, as well as shortening productive life spans. Human conditions are economic conditions.

Public health is affected too when water quality or quantity from private, community or municipal wells is undermined by dewatering of pits, by below-the-water-table extraction, by the loss of filtration values of overburdens and gravel deposits, the diminution of headwater recharge zones as well as effects on surface water. When pits are dewatered, water tables fall, necessitating deeper drilling of wells. This costs well-owners. When pits open ground water to the sky, run-off, deposition from the air and other vectors can add contaminants to drinking water, necessitating more expensive filtration and treatment. When deep sand and gravel layers are removed above the aquifer, the rapid infiltration of water means that the filtering process supplied naturally by the sand and gravel as in moraines, drumlins and alvars is lost. Emerging science provided by toxicologist Poh-Gek Forkert and others points to the need for filtration and

entrapment of a number of toxins used currently, or historically and now banned. When source water recharge zones become smooth surfaces like roads, pits, parking areas in quarries, water sources dry up. There is unanimous agreement in the Legislature, for instance that “The Paris Galt Moraine is an essential water recharge area in Ontario’s largest watershed – the Grand River Watershed – purifying water at no cost to the citizens” and that “This is about conserving what nature can do for free, so I cannot think of a more fiscally responsible solution. Failure to act could put the government on the hook for hundreds of millions in water infrastructure”. This applies broadly across the province as does the necessity to sustain wetlands. Wetland loss has resulted in significant reductions in groundwater and surface water which effects domestic and industrial uses of water, and therefore has significant economic impact. If any of these processes allows chemical and/or biological contaminants to reach drinking water, the tragic results, like those at Walkerton, are immediate, early or painfully slow deaths. Dollars and cents don’t make sense of these losses.

Extraction is No Limit

There is no indication that Ontario needs any more gravel, rock, sand or clay. Not a single road, bridge or highway has come to a halt because of a lack of supply. Not a single skyscraper or foundation has been prevented because no aggregate was available. In fact, as regards roads, every indication is that Ontario uses too much aggregate in building them, the highest in Canada despite harsher climates elsewhere, and higher than adjacent American states where traffic volumes match or exceed ours. Is the province over-consuming and paying the price. Innovations in building materials see more and glass and steel in use, vastly diminishing the quantities of aggregate needed directly or indirectly. The resurgence of wood in exterior and interior construction suggests that this renewable resource might be more efficient as well as sustainable than a finite supply of aggregate. There seems little risk that potters will run out of mud.

Fortunately, Ontario’s ‘finite’ supply is close to infinite. The report prepared for the MNRF by Larry Jensen, an accredited geologist, analyzes licences across the province and predicts from them a 100 to 200 year supply with existing licenses.

From that you would deduce that Ontario needs no more licenses to be issued, freeing up MNRF staff to effectively monitor and enforce policies in an equitable and consistent manner and even to assist operators in the efficient workings of their equipment. (One inspector on a noise complaint realized that the screeching which produced calls to the office was a bearing that would cost thousands to replace and would result in long down-time. He recommended lubricants. Neighbours and employees had a more pleasant experience after lubrication and the gravel pit saw economic benefit). Additionally, MNRF staff could also be deployed to determine the actual amount of virgin aggregate available when accurate data has not been available beyond the licence amounts. To those efficiencies could be added a drive to rehabilitate the approximately 7 000 abandoned pits across the province, restoring them to productive uses, agricultural, recreational or other, and getting the province back on track with the work to move other depleted sites out of post-extractive neglect and into the hands of willing landowners. There is no crisis in supply; there wasn't in the 1970 despite industry crying "Wolf" and there won't be in the foreseeable future.

Ontario is further supplied with stone or crushed product when reprocessing occurs. This increases Ontario's supply and the horizon for adequate availability. It also moves from an intense consumption of energy to less one. While traffic is slowed by a machine which removes, melts and reapplies asphalt to roads, it is not brought to a stop as when truckloads of damaged road surfacing materials are hauled away, and new cement or asphalt is laid. Recycled aggregate has home uses as well, crushed brick pathways for example, when houses give way to higher and/or more modern structures. This industrial process also creates jobs in the proximity of the new project while saving provincial costs associated with haulage as previously described. Aggregate can be part of a circular economy, and by doing so can be perceived as both for the people who benefit from the jobs and the speed of transition from wreckage to new construction and for the people who live in rural areas which are spared destruction.

Three Heads are Better than One

The value of public consultations is that they bring together stakeholders from multiple sectors: those who work in the field, such as industry and ministry; those who live beside the field, such as individuals and community groups; and, scientists, such as academics whose research provides emerging knowledge which can result in current and future savings and accredited qualified consultants. Regarding the science community, we might have hoped that emerging science were more carefully listened too before the release of heavy liquid metals into the waters around the Reed Paper Mills, and might want to harken to the warnings that qualified consultants working with the best current knowledge and ethical interests would apply to operations and rehabilitation of aggregate extraction sites. It is fitting that aggregate policy be for the people who live with it, pay for it, and require it (and especially robust worker safety and residential health standards) for their continued benefit. Since industry players are in competition with each other, we should not have been surprised to see the collapse of the CornerStone Standards, nor the conflict among small versus large (and therefore international) companies evident in multiple cases. That leaves ministry staff to carry out the policy role, which means that some proponent-driven processes which the industry currently claims to struggle with could become the work of the Ministry of Natural Resources who would manage the processes, provide expertise, consult with the local, broader and scientific community, and to regulate in an equitable fashion extraction from approved sites in the interests of the people. Democracy is for the people and continues to engage people in decisions.

Recommendations

1. Adopt a balanced approach where agriculture and public investment outweigh the narrow interests of one small segment of resource extraction.
2. Stimulate the Ontario economy through a broad variety of investments in emerging industries, resource recovery, cost efficiencies, and broad consultations with stakeholders.
3. Encourage the location of industry in Ontario through procurement practices that prioritize local ownership and head offices.
4. Quantify resources; determine quality; and conserve the irreplaceable.
5. Show respect for the people as individuals and in community groups in a way that recognizes the profound attachment of rural people to productive land.

Ontario on the Rocks

A Report on the
Economic,
Social
and
Environmental
Consequences
of
Resource
Extraction

March
2019

Wridgeview Greenhouses Ltd

December 21, 2020

Dear Honorable Larry Snively and Essex Council,

Re: By-law 79-20 (Light Abatement) (Bylaw) from Leamington Council

As a proud member of the Harrow/Essex community, we work hard every day to contribute to the economic health and strong sense of community in our municipality. Because we live and work here, we are aware of the competing, and strongly held, opinions that could lead to the creation of the Bylaw similar to Leamington.

My family has farmed in Colchester South for 5 generations, adapting crops and best practices as times and markets changed. From basic livestock and crops, tobacco, peaches, processing tomatoes, fresh market vegetables, orchards and greenhouse we have been fortunate to evolve for the past 100 years and provide safe, nutritious foods with a sustainable environmental, social and business focus.

Because we, as a society, consider it desirable to conserve, protect and encourage the development and improvement of agricultural lands for the production of food, and other agricultural products, and because our provincial government recognizes pressures exerted on the agricultural community make it increasingly difficult for agricultural owners and operators to effectively achieve that goal, the Farming and Food Production Protection Act, 1998 (Ontario) (FFPPA) was put in place to protect normal farm practices. As you are aware, the use of lights to support optimal and consistent growing conditions for our greenhouse crops is a normal farm practice. The FFPPA protects our rights to use normal farm practices in the operation of our farms, without impediment and without liability for disturbance to our neighbours. FFPPA also provides us with a mechanism to challenge anyone who does try to impose restrictions or liabilities on us for disturbances, including disturbances caused by light.

The current bylaw contains provisions that are unworkable and cannot be put into practice. In particular, requiring ceiling curtains to be closed completely between 8 p.m. and 2 a.m. (section 6(b) of the Bylaw) or from one hour before sunset through to one hour after sunrise, except for between 2 a.m. and from 6 a.m. when the curtains can be 10% open (section 5(b) of the Bylaw) are both arbitrary and unworkable. It is necessary for normal farming practice in greenhouses that the ceiling curtains can be open up to 10% at any time that the ceiling curtains are required to be in use. Making it mandatory for the ceiling curtains to be completely closed does not work.

I would like to work with you to identify solutions that will enable growers to comply with reasonable light abatement aspirations of Council, while still respecting our right to farm using lights to create consistent growing conditions.

All though at this time we do not operate with lights, I can not predict what future crops and possibilities will arise. I do not support a copy and paste/unenforceable bylaw adopted by your council without at least a courtesy consultation from a multi generational resident and tax payer.

I would welcome the opportunity to participate in discussions to resolve this issue.

Yours truly,

Rodney J. Wright

President

Wridgeview Greenhouses Ltd

Harrow, Ontario.



**JOINT BOARD OF
MANAGEMENT**
Tuesday, November 17, 2020
9:00 AM
Virtually in Zoom

MINUTES

Members Present: Mayor MacDonald (Chair); Deputy Mayor Verbeke, Councillors Hammond, Tiessen - Leamington
Mayor Nelson Santos (Vice-Chair); Deputy Mayor Queen,
Councillors DeYong, Neufeld, Patterson - Kingsville
Councillor VanderDoelen - Essex
Councillor Walstedt - Lakeshore

Members Absent: Councillor Dunn - Leamington

Staff Present: Kevin Girard - Essex
John Norton, Andrew Plancke, Shaun Martinho - Kingsville
Albert Dionne - Lakeshore
Shannon Belleau, Nelson Carvalho - Leamington

**OCWA Staff
Present:** Dale Dillen, Ken Penney

Call to Order: 9:01 am

Disclosures of Pecuniary Interest: none

Adoption of Board Minutes:

No. UW-52-20

Moved by: Councillor Hammond

Seconded by: Deputy Mayor Verbeke

That Minutes of the UWSS Joint Board of Management meeting of Wednesday, October 21, 2020 be received.

Carried

Business Arising Out of the Minutes:

There was none.

Report UW/28/20 dated November 13, 2020 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to November 13, 2020

The Manager takes a moment to recognize Councillor Jacobs, who recently passed away unexpectedly. He appreciated Councillor Jacobs long term work with the UWSS Board, as well as his humour. He will be missed.

The Manager reviews his report with board members and notes a much shorter agenda this month, as last month's agenda was heavy. He notes that DiMenna Excavating has completed the pond cleanout at the Low Lift. The high water levels contributed to the need for the cleanout.

The SCADA project is finally complete and working well. The Operations Staff is going through a deficiencies list, which will take about six (6) months. This project has been a challenge to staff with a lot of changes and challenges to work through as well as steep learning curves. The staff are happy that this project is now complete.

The new security system is scheduled to be completed in the next week or so. Unfortunately there was an issue with the integration of the new SCADA system sharing the same communication system as the new security system. This has been corrected as the Manager did not want both systems on the same communication system for security reasons. The hardware has been installed for this project.

The Manager indicates that the UWSS WTP front area improvements including the parking lot expansion have been delayed until the Spring of 2021. At this point in the year the asphalt season has come to an end, therefore this project will be tendered in the early Winter and the work completed in the Spring. He also notes that the Road Use Agreement required by the County was not yet in place.

The Manager reminds the members of the board that he working with Associated Engineering (AE) regarding the DAF project for Clarifier No. 2. He notes that a site visit has been completed. Napier-Reid attended the site and brought with them some interesting equipment to demonstrate to staff. This tender package is expected to be completed early in 2021, with construction set to begin in October 2021, once the lower flows can be experienced at the WTP.

Construction for the new lab is underway. The walls have been erected and electrical work is being completed by OCWA staff this week. OCWA and UWSS are working in conjunction to source some of the equipment needed. The hope is to have this space operational by the end of January 2021. There will be space to allow for the technicians as well as the sampling staff.

The Manager informs the Board of a few smaller items including that the new CO2 system is having walls erected around it, because it can be noisy at times. The softstart for pump #8 was failing, therefore, a new one has been purchased and should be installed by the end of November. A flow meter for clarifier #1 has been purchased, with installation scheduled to be completed by the end of the week. A new awning has been installed by Suntailored Awnings over the emergency shower near the chlorine building.

The Manager informs the Board that correspondence was sent to all four (4) CAOs regarding the allocation of the remaining UWSS treatment capacity. At this point he has not received feedback from all four (4) municipalities. He is waiting to receive all feedback prior to making a recommendation to the Board. In the meantime it might be prudent to hold off on any new applications.

Finally, he notes that flows continue to trend upwards.

The Chair asks the Manager if there is a hold up at the County level regarding the easement that members could assist with. The Manager notes that the delays are experienced by all three (3) parties, mostly related to COVID-19.

Deputy Mayor Verbeke asks if the Manager can acknowledge which municipalities have responded to his letter. The Manager notes that he has received information from Kingsville, partial information from Leamington has been received, and there has been a discussion with Lakeshore.

There is a discussion regarding the timing of a possible motion from the Board regarding the allocation of water. Deputy Mayor Queen suggests UWSS should put a motion in place, however, the Manager asks that the Board allow more time for municipalities to respond. He proposes bringing information back at the December meeting.

No. UW-53-20

Moved by: Councillor Tiessen

Seconded by: Councillor VanderDoelen

That report UW/28/20 dated November 13, 2020 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to November 13, 2020 is received.

Carried (UW/28/20)

Report UW/29/20 dated November 13, 2020 re: Payments from October to November 13, 2020

No. UW-54-20

Moved by: Councillor Patterson

Seconded by: Councillor Walstedt

That report UW/29/20 dated November 13, 2020 re: Payments from October to November 13, 2020 is received.

Carried (UW/29/20)

New Business

The Manager indicates that he doesn't often like to speak about himself, but wanted the Board to know that he has been appointed to the position of President of the Canadian Water and Wastewater Association for the next term ending on November 2021. This position will bring notice of our area to the rest of Canada.

The Chair congratulates the Manager on behalf of the entire Board and notes that this Board is proud of this accomplishment and shows how well respected the Manager is within the water community.

Adjournment:

No. UW-55-20

Moved by: Mayor Santos

Seconded by: Deputy Mayor Queen

That the meeting adjourn at 9:23

Carried

Date of Next Meeting: Wednesday, December 16th, 2020, in zoom

/kmj



The Corporation of The Town of Amherstburg

December 22, 2020

VIA EMAIL

Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

RE: Opposition to Further Amalgamation

At its meeting of December 14, 2020, Council passed the following recommendation for your consideration:

“That Administration BE DIRECTED to send correspondence in support of the Town of Essex’s opposition to any further amalgamation and to further restructuring at this time.”

Enclosed is a copy of the Town of Essex correspondence for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

CC:

Taras Natyshak, MPP, Essex tnatyshak-gp@ndp.on.ca

Chris Lewis, MP

Email: chris.lewis@parl.gc.ca

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk - Town of Essex

Email: rauger@essex.ca

Jennifer Astrologo, Director of Corporate Services/Clerk - Town of Kingsville

Email: jastrologo@kingsville.ca

Agatha Robertson, Director of Council Services/Clerk - Town of LaSalle

Email: arobertson@lasalle.ca

Kristen Newman, Director of Legislative and Legal Services/Clerk - Town of Lakeshore

Email: knewman@lakeshore.ca

Brenda Percy, Municipal Clerk/Manager of Legislative Services - Municipality of Leamington

Email: bpercy@leamington.ca

Laura Moy, Director of Corporate Services/Clerk - Town of Tecumseh

Email: lmoy@tecumseh.ca

Mary Birch, Director of Council and Community Services/Clerk -County of Essex

Email: mbirch@countyofessex.ca

Valerie Critchley, City Clerk – City of Windsor

Email: clerks@citywindsor.ca

Municipalities of Ontario (AMO)

Email: amo@amo.on.ca



November 20, 2020

Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

Re: Opposition to Further Amalgamation

Dear Premier Ford,

At its regular council meeting of November 2, 2020, Council of the Town of Essex discussed the topics of restructuring, its ongoing service delivery review and related discussion concerning the feasibility of sharing some services with other local municipalities.

As a result of the discussion that ensued, the following resolution was passed,

R20-11-417

Moved By Councillor Bondy
Seconded By Councillor Garon

That the Town of Essex is strongly opposed to any further amalgamation at this time;

Whereas we feel our residents are best served now by the current model is 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 at this time, but we are not opposed to sharing some services where our service quality, safety and price to our residents is not comprised; and

That a letter be sent to the Honourable Doug Ford, Premier of Ontario and that a copy of the letter be sent to the County of Essex, all Essex County municipalities and the Association of Municipalities of Ontario (AMO) advising them of the Town of Essex's position with regards to any further amalgamation at this time.

Carried



Having already experienced an amalgamation in the not so distant past, the Town of Essex is instead focused on finding efficiencies and shared services where feasible for the Town and its residents and for the other regional municipalities.

Yours truly,

A handwritten signature in black ink, appearing to read "R. Auger", with a long horizontal stroke extending to the right.

Robert W. Auger, L.L.B.
Town Solicitor/Legal and Legislative Services, Clerk
Ext. 1132
Email: rauger@essex.ca

RWA/lam

Enclosure

c.c. Municipalities of Ontario (AMO)
amo@amo.on.ca

Mary Birch, Director of Council and Community Services/Clerk
County of Essex
Email: mbirch@countyofessex.ca

Paula Parker, Municipal Clerk/Risk Manager
Town of Amherstburg
Email: pparker@amherstburg.ca

Jennifer Astrologo, Director of Corporate Services/Clerk
Town of Kingsville
Email: jastrologo@kingsville.ca

Agatha Robertson, Director of Council Services/Clerk
Town of LaSalle
Email: arobertson@lasalle.ca



Kristen Newman, Director of Legislative and Legal Services/Clerk
Town of Lakeshore
Email: knewman@lakeshore.ca

Brenda Percy, Municipal Clerk/Manager of Legislative Services
Municipality of Leamington
Email: bpercy@leamington.ca

Laura Moy, Director of Corporate Services/Clerk
Town of Tecumseh
Email: lmoy@tecumseh.ca



The Corporation of the Town of Tecumseh

December 9, 2020

Minister of Transportation
House of Commons
Ottawa, Ontario K1A 0A6

Sent via email: marc.garneau@parl.gc.ca

Attention: The Honourable Marc Garneau

Dear Minister Garneau:

Re: Removal of the Windsor International Airport from NAV Canada closure list

The Council of the Town of Tecumseh, at its regular meeting held Tuesday, December 08, 2020, gave consideration to correspondence from the County of Essex, dated December 2, 2020, requesting removal of the Windsor International Airport from NAV Canada closure list, a copy of which is enclosed.

At their meeting, Tecumseh Council passed the following resolution:

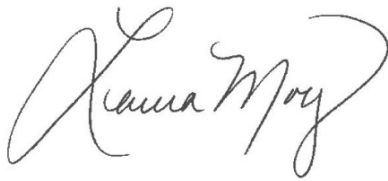
“That the Town of Tecumseh **support** the County of Essex resolution regarding the Removal of Windsor International Airport from NAV Canada closure list; and to send a letter to Transportation Minister Garneau, requesting that Navigation Canada (NAV Canada) remove Windsor International Airport from their list of airports currently being studied for possible removal of air traffic controllers, and noting the economic impact that loss of air traffic would have on the region.”

On behalf of Tecumseh County Council, I am writing to express their opposition to the review by Navigation Canada (NAV Canada) for the possible removal of Windsor International Airport air traffic controllers.

Continued...

By copy of this letter, we formally request that the local MP's and MPP's support the above motion.

Yours very truly,



Laura Moy, Dipl.M.M., CMMIII HR Professional
Director Corporate Services & Clerk

LM/pb

Attachments

1. County of Essex letter dated December 2, 2020

cc: Hon. Marc Garneau, Minister of Transport (marc.garneau@parl.gc.ca) wilsonn@navcanada.ca
Taras Natyshak, MPP, Essex (tnatyshak-qp@ndp.on.ca) Rick Nicholls, MPP, Chatham-Kent-
Essex (rick.nicholls@pc.ola.org) Percy Hatfield, MPP, Windsor-Tecumseh (Phatfield-qp@ndp.on.ca) Chris Lewis, MP, Essex (chris.lewis@parl.gc.ca) David Epp, MP, Chatham-
Kent-Leamington (dave.epp@parl.gc.ca) Irek Kusmierczyk, MP (irek.kusmierczyk@parl.gc.ca)
Drew Dilken, Mayor, City of Windsor (mayoro@citywindsor.ca) Local Area Municipalities



The Corporation of The Town of Amherstburg

December 22, 2020

Neil R. Wilson
President and Chief Executive Officer
Nav Canada
77 Metcalfe Street
Ottawa ON K1P 5L6

VIA EMAIL: wilsonn@navcanada.ca

RE: Removal of Windsor International Airport from NAV Canada Closure List

At its meeting of December 14, 2020, Council passed the following recommendation for your consideration:

"That Administration BE DIRECTED to send correspondence in support of the County of Essex requesting that Navigation Canada (NAV Canada) remove Windsor International Airport from their list of airports currently being studied for possible removal of air traffic controllers, and noting the economic impact that loss of air traffic would have on the region."

Enclosed is a copy of the County of Essex correspondence for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

CC:

Hon. Marc Garneau, Minister of Transport
Email: marc.garneau@parl.gc.ca

Taras Natyshak, MPP, Essex
Email: tnatyshak-qp@ndp.on.ca

Chris Lewis, MP
Email: chris.lewis@parl.gc.ca

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk - Town of Essex
Email: rauger@essex.ca

Jennifer Astrologo, Director of Corporate Services/Clerk - Town of Kingsville
Email: jastrologo@kingsville.ca

Agatha Robertson, Director of Council Services/Clerk - Town of LaSalle
Email: arobertson@lasalle.ca

Kristen Newman, Director of Legislative and Legal Services/Clerk - Town of Lakeshore
Email: knewman@lakeshore.ca

Brenda Percy, Municipal Clerk/Manager of Legislative Services - Municipality of Leamington
Email: bpercy@leamington.ca

Laura Moy, Director of Corporate Services/Clerk - Town of Tecumseh
Email: lmoy@tecumseh.ca

Mary Birch, Director of Council and Community Services/Clerk -County of Essex
Email: mbirch@countyofessex.ca

Valerie Critchley, City Clerk – City of Windsor
Email: clerks@citywindsor.ca

Association of Municipalities of Ontario (AMO)
Email: amo@amo.on.ca

December 2, 2020

Neil R. Wilson
President and Chief Executive Officer
Nav Canada
77 Metcalfe Street
Ottawa ON K1P 5L6

Sent via email: wilsonn@navcanada.ca

Dear Mr. Wilson,

Re: Removal of Windsor International Airport from NAV Canada closure list

Essex County Council, at its Wednesday, December 2, 2020 meeting, adopted the following resolution:

263-2020

Moved By: Tom Bain

Seconded by: Richard Meloche

That County Council send a letter to Transportation Minister Garneau, requesting that Navigation Canada (NAV Canada) remove Windsor International Airport from their list of airports currently being studied for possible removal of air traffic controllers, and noting the economic impact that loss of air traffic would have on the region.

Carried

The Windsor International Airport is a popular point of entry into Canada, providing business and general aviation options, and serving Essex County as well as the City of Windsor and surrounding communities.

Removal of the air traffic controllers would result in a closure of the Windsor International Airport, which would have a detrimental economic impact on the region.

On behalf of Essex County Council, I am writing to express our strong opposition to the review by Navigation Canada (NAV Canada) for the possible removal of Windsor International Airport air traffic controllers.

Further, on behalf of Essex County Council and by copy of this letter, we formally request that the local MP's and MPP's support the above motion.

Your consideration on this resolution is greatly appreciated.

Sincerely,



Gary McNamara
Warden, County of Essex
Mayor, Town of Tecumseh

CC:

- Hon. Marc Garneau, Minister of Transport (marc.garneau@parl.gc.ca)
- Taras Natyshak, MPP, Essex (tnatyshak-gp@ndp.on.ca)
- Rick Nicholls, MPP, Chatham-Kent-Essex (rick.nicholls@pc.ola.org)
- Percy Hatfield, MPP, Windsor-Tecumseh (Phatfield-gp@ndp.on.ca)
- Chris Lewis, MP, Essex (chris.lewis@parl.gc.ca)
- David Epp, MP, Chatham-Kent-Leamington (dave.epp@parl.gc.ca)
- Irek Kusmierczyk, MP (irek.kusmierczyk@parl.gc.ca)
- Drew Dilkens, Mayor, City of Windsor (mayoro@citywindsor.ca)
- Local Area Municipalities



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

VIA EMAIL (rauger@essex.ca)

December 22, 2020

Town of Essex
33 Talbot St. South
Essex, Ontario N8M 1A8

Attention: Robert W. Auger, Town Solicitor/Legal and Legislative Services, Clerk

Dear Mr. Auger:

RE: Opposition to Further Amalgamation

At its Regular Meeting held Monday, December 14, 2020 Council of the Town of Kingsville supported the Town of Essex's opposition to any further amalgamation at this time, as per the following Resolution:

"700-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council supports Town of Essex Resolution R20-11-417 Re: Opposition to Further Amalgamation.

CARRIED"

For reference, a copy of your correspondence to Premier Ford containing Essex Resolution R20-11-417 in its entirety (passed November 2, 2020) is enclosed.

Yours very truly,

A handwritten signature in blue ink that reads "Sandra Kitchen".

Sandra Kitchen, Deputy Clerk-Council Services
Legislative Services Department

Encl.

CC:

Doug Ford, Premier of Ontario

Email: (premier@ontario.ca)

Mary Birch, Director of Council and Community Services/Clerk
County of Essex

Email: mbirch@countyofessex.ca

Paula Parker, Municipal Clerk/Risk Manager
Town of Amherstburg

Email: pparker@amherstburg.ca

Agatha Robertson, Director of Council Services/Clerk
Town of LaSalle

Email: arobertson@lasalle.ca

Kristen Newman, Director of Legislative and Legal Services/Clerk
Town of Lakeshore

Email: knewman@lakeshore.ca

Brenda Percy, Municipal Clerk/Manager of Legislative Services
Municipality of Leamington

Email: bpercy@leamington.ca

Laura Moy, Director of Corporate Services/Clerk
Town of Tecumseh

Email: lmoy@tecumseh.ca



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

November 17, 2020

SENT VIA EMAIL

City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

Attention: Andrea Holland, City Clerk (andrea.holland@hamilton.ca)

RE: SUPPORT RESOLUTION FROM THE CITY OF HAMILTON, AMENDING THE AGCO LICENSING AND APPLICATION PROCESS FOR CANNABIS RETAIL STORES TO CONSIDER RADIAL SEPARATION FROM OTHER CANNABIS LOCATIONS

Please be advised that Council for the Corporation of the Town of Lincoln at its Special Council Meeting held on November 16, 2020, endorsed and passed the following motion in support of City of Hamilton's motion (attached) that was passed on August 21, 2020.

Moved by: Councillor J.D. Pachereva; Seconded by: Councillor Adam Russell

THAT Council for the Corporation of the Town of Lincoln support the correspondence item as attached from the City of Hamilton, regarding Amending the AGCO Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations.

CARRIED

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca



OFFICE OF THE MAYOR
CITY OF HAMILTON

September 8, 2020

Honourable Doug Ford
Premier of Ontario
Premier's Office, Room 281
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Honourable Doug Downey
Attorney General
Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, ON M7A 2S9

Subject: **Amending the AGCO Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations**

Dear Premier & Attorney General,

Hamilton City Council, at its meeting held on August 21, 2020, approved a motion, Item 6.1, which reads as follows:

WHEREAS in late 2019 the Province of Ontario announced that the AGCO had been given regulatory authority to open the market for retail cannabis stores beginning in January 2020, without the need for a lottery;

WHEREAS the AGCO has continued to send Cannabis Retail Store applications to the City of Hamilton for the required 15-day comment period,

WHEREAS the City has reviewed 61 Cannabis Retail Store applications for comment since January 2020;

WHEREAS the AGCO does not take into consideration radial separation for Cannabis Retail Stores.

THEREFORE, BE IT RESOLVED:

.../3

- (a) That the Mayor contact the Premier of Ontario, Ministry of Attorney General, and local Members of Parliament to ask that the Province consider amending its licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations.
- (b) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.
- (c) That Staff be requested to submit heat maps outlining the location of all proposed AGCO Cannabis Retail Store in the City on all AGCO Cannabis Retail Store applications.

As per the above, we write to request, on behalf of the City of Hamilton, that the appropriate legislative and regulatory changes be made and implemented to the AGCO licensing and application process to take into consideration radial separation for Cannabis Retail Stores as a condition of approval for a license.

Currently the City of Hamilton has reviewed 61 cannabis retail location applications since January 2020. Approximately 12 of these potential locations are within 50m (or less) of each other.

The City of Hamilton appreciates that the AGCO conducts a background search prior to approving any licenses, however the lack of separation between locations poses a community safety issue, as the over saturation in specific area(s)/wards, can negatively impact the surrounding community with increased traffic flow, and an overall “clustering” of stores within a small dense area.

The City of Hamilton is confident that radial separations from cannabis retail locations will have a significant positive impact on the community and allow for its residents to continue to enjoy a safe and healthy community lifestyle.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fred Eisenberger', with a stylized, flowing script.

Fred Eisenberger
Mayor

C: Hon. Donna Skelly, MPP, Flamborough-Glanbrook

Hon. Andrea Horwath, Leader of the Official Opposition, MPP, Hamilton Centre

Hon. Paul Miller, MPP, Hamilton East-Stoney Creek

Hon. Monique Taylor, MPP, Hamilton Mountain

Hon. Sandy Shaw, MPP, Hamilton West-Ancaster-Dundas



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

November 17, 2020

SENT VIA EMAIL

City of Belleville
169 Front Street
Belleville, ON K8N 2Y8

Attention: Matt MacDonald, City Clerk (mtmacdonald@city.belleville.on.ca)

RE: SUPPORT RESOLUTION FROM THE CITY OF BELLEVILLE, ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT – WEBSITE SUPPORT

Please be advised that Council for the Corporation of the Town of Lincoln at Special Council Meeting held on November 16, 2020, endorsed and passed the following motion in support of City of Belleville's motion (attached) regarding Accessibility for Ontarians with Disabilities Act – Website Support that was passed on October 26, 2020.

Moved by: Councillor Dianne Rintjema; Seconded by: Councillor J.D. Pachereva

THAT Council for the Corporation of the Town of Lincoln support the correspondence item as attached from the City of Belleville dated October 26, regarding Accessibility for Ontarians with Disabilities Act – Website Support

CARRIED

Regards,


Julie Kinkelos
Town Clerk
jkinkelos@lincoln.ca

cc: Honourable Doug Ford, Premier of the Province of Ontario
Sam Oosterhoff, MPP
Dean Allison, MP
All Ontario Municipalities



CORPORATE SERVICES DEPARTMENT
TELEPHONE 613-968-6481
FAX 613-967-3206

City of Belleville

169 FRONT STREET
BELLEVILLE, ONTARIO
K8N 2Y8

October 28, 2020

The Honourable Doug Ford
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1.

Dear Premier Ford:

**RE: Accessibility for Ontarians with Disabilities Act – Web-site Support
New Business
10, Belleville City Council Meeting, October 26, 2020**

This is to advise you that at the Council Meeting of October 26, 2020, the following resolution was approved.

"WHEREAS Section 14(4) of O. Reg 191/11 under the Accessibility for Ontarians with Disabilities Act requires designated public sector organizations to conform to WCAG 2.0 Level AA by January 1, 2021; and

WHEREAS the City remains committed to the provision of accessible goods and services; and

WHEREAS the City provides accommodations to meet any stated accessibility need, where possible; and

WHEREAS the declared pandemic, COVID-19, has impacted the finances and other resources of the City; and

WHEREAS the Accessibility for Ontarians with Disabilities Act contemplates the need to consider technical or economic considerations in the implementation of Accessibility Standards;

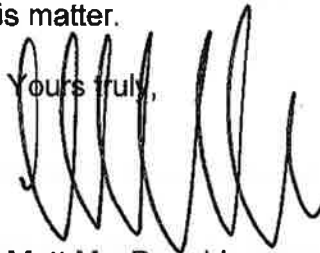
..12

BE IT THEREFORE RESOLVED THAT the Corporation of the City of Belleville requests that the Province of Ontario consider providing funding support and training resources to municipalities to meet these compliance standards; and

THAT this resolution be forwarded to the Premier of the Province of Ontario, Prince Edward-Hastings M.P.P., Todd Smith, Hastings – Lennox & Addington M.P.P., Daryl Kramp, the Association of Municipalities of Ontario and all municipalities within the Province of Ontario.”

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Matt MacDonald', with a stylized, cursive script.

Matt MacDonald
Director of Corporate Services/City Clerk

MMacD/nh

Pc: AMO

Todd Smith, MPP Prince Edward-Hastings
Daryl Kramp, MPP Hastings – Lennox & Addington
Councillor Thompson, City of Belleville
Ontario Municipalities

‡ A provincewide shutdown is in effect as of Saturday, December 26, 2020 at 12:01 a.m. Learn about the [restrictions and public health measures](#) that are in place.



Minister’s annual report on drinking water (2020)

Read an overview of our programs, policies and initiatives to protect drinking water in Ontario.

Minister’s message

2020 has been a year of many unexpected challenges as a result of COVID-19. Throughout these unprecedented times, Ontario has worked tirelessly to protect the health and wellbeing of Ontarians. Across government, the focus has been on keeping the people of this province safe while ensuring the continuity of critical operations, good and services.

One of the biggest concerns my ministry had early on was the potential impact of the pandemic on the operations of drinking water and wastewater systems across the province. Throughout these uncertain times, Ontario has remained committed to protecting water resources and staff have been working diligently to help ensure our water is safe to drink. Since first learning of COVID-19, the province took early and decisive action to help ensure that drinking water and other vital water services continue to be available and that our drinking water remains among the best protected in the world.

Providing clean, safe drinking water to Ontarians is a priority for this government and a commitment in our Made-in-Ontario Environment Plan. I am proud to report that the work the ministry and our partners are doing is helping to effectively safeguard drinking water in Ontario. The 2019-20 data provided in the Chief Drinking Water Inspector’s 2019-2020 Annual Report shows that 99.9 per cent of the over 523,000 drinking water tests from municipal residential drinking water systems met Ontario’s strict, health-based drinking water standards.

This summer, the ministry consulted on proposed enhancements to Ontario’s water taking program to further protect lakes, waterways and groundwater supplies in the province. These enhancements would give municipalities more direct input on bottled water taking decisions in their communities, help manage water taking in areas where water quantity is a concern and apply priorities of water use where there are competing demands for water. While legislation has now been passed to give municipalities more direct input on bottled water takings, we are continuing to ask the public, stakeholders and Indigenous communities for input on other aspects of this proposal over the winter as we prepare to put the proposed changes into action at the same time that the moratorium ends.

In addition to our work on water quantity, this report also describes the actions we’re continuing to take to protect our water sources in Ontario. It provides an update on the work that ministries, municipalities, conservation authorities and others have been doing to address risks to sources of drinking water through the implementation of source protection plans and policies. My ministry is also involved in various initiatives to reduce excess nutrient inputs to our waterways, such as the Canada-Ontario Lake Erie Action Plan.

As a province, we have made significant progress over the past year, but we recognize there is more work to be done. This includes work to help ensure First Nation communities can also depend on clean drinking water. Throughout the COVID-19 pandemic, we have worked with First Nation leaders and the federal government to proactively identify water and wastewater issues and provided technical support to help respond to urgent needs. We continue to work with them to support the resolution of long-term drinking water advisories and to support the long-term sustainability of each community’s water infrastructure.

While Ontario has one of the most stringent lead testing regimes in Canada, we are taking steps to review our current policies and consult on further actions to reduce levels of lead in drinking water. In 2021, we will consult the public on whether and how to adopt Health Canada’s updated guideline for lead in drinking water, which reduces the maximum acceptable concentration of lead in drinking water from ten to five micrograms per litre. We will also consult on proposed enhancements to Ontario’s already stringent lead protection framework and increasing transparency in lead testing results to keep parents and the public well informed.

Protecting the province’s drinking water and water resources involves collaborative work with several ministries, the Chief Drinking Water Inspector, the Chief Medical Officer of Health and boards of health, water associations, the Walkerton Clean Water Centre, Indigenous communities, the Ontario Clean Water Agency, municipalities, and conservation authorities. By working together, we can be confident that our water supply is clean and safe – both for Ontarians today and generations to come.

The Honourable Jeff Yurek
Minister of the Environment, Conservation and Parks

Protecting Ontario's water resources during the pandemic

The COVID-19 pandemic has presented many challenges in 2020. In Ontario, the government recognized that the pandemic could cause significant impacts, including the potential interruption of the province's drinking water supply. The province responded quickly to support the continued delivery of clean, safe drinking water and other water services to individuals and families in Ontario.

The COVID-19 virus in drinking water

Ontario has strict regulatory requirements for the disinfection of drinking water that require the use of treatment to remove or kill pathogens, including viruses. Current research also suggests that properly disinfected drinking water does not transmit the COVID-19 virus and infectious virus particles have not been detected in drinking water. To help ensure that we are continually monitoring and keeping apprised of the best available science, our government supports research on COVID-19 detection technologies for water and wastewater.

Supporting the continued delivery of safe drinking water and wastewater services

Thanks to our strong drinking water protection framework, Ontario had robust emergency planning capacity to help ensure the continued availability of safe drinking water and wastewater services as the pandemic emerged. As required by Ontario's Drinking Water Quality Management Standard, every municipal drinking water system owner and operator had plans in place setting out how they will respond in an emergency, including strategies to address impacts like reduced staffing that may occur in a pandemic.

As early details of the pandemic emerged, the ministry gathered internal subject matter experts as a pandemic planning task force. These experts identified what challenges system owners and operators might face and what support the ministry could offer them to help ensure the continual provision of safe drinking water and wastewater services. These experts used their knowledge of water science and the regulatory framework to establish criteria to determine what types of relief could be given and under what circumstances. In this early planning stage, the ministry gave careful thought to the potential impacts of the pandemic on drinking water and wastewater operations, such as impacts to staffing if workers became sick and the challenges of focusing on both priority and non-priority tasks with a reduced workforce. Providing temporary relief that was granted only on a case-specific basis after thorough analysis by ministry and public health staff (where appropriate) allowed systems to adapt to challenges while continuing to protect human health and the environment.

Operator training and certification requirements during the pandemic

In March 2020, Ontario took swift action to help ensure that the province's drinking water and wastewater systems continued to operate during the COVID-19 pandemic by making a temporary emergency order under the *Emergency Management and Civil Protection Act*. The emergency order provided temporary operational flexibility to Ontario's drinking water and wastewater system owners and operating authorities so they could address staffing shortages if and when they arose. For example, they could temporarily employ qualified but non-certified individuals to perform operational duties if needed, including knowledgeable and experienced technical personnel, supervisors, managers, professional engineers and operators with recently expired certificates. The emergency order also extended by six months any operator certificates and licences that expired during the emergency order period. This allowed operators to remain certified and licensed as they focused on providing safe drinking water and proper treatment of wastewater. These temporary changes helped ensure the continued operation of our water systems so that clean, safe drinking water was available to the public and that the environment continued to be protected.

To help ensure that drinking water and wastewater systems could continue to operate in a safe and effective manner throughout the pandemic, the ministry also proactively launched a new online portal that helped match drinking water and wastewater system owners with knowledgeable, experienced individuals who were eligible to work as operators. The portal helped build a roster of operators who were previously certified and of available operators-in-training to help employers address potential staffing shortages.

Site-specific relief

Recognizing that drinking water and wastewater systems would also face other site-specific challenges associated with the COVID-19 outbreak such as facility closures or to support physical distancing, ministry staff worked closely with system owners and operators to provide temporary system-specific relief, where appropriate, to drinking water facilities and municipal wastewater facilities. Relief was only granted when requested and when ministry officials were satisfied that public health and the environment would continue to be protected. For detailed information about the type of system-specific relief provided, please refer to Appendix 1 of the [2019-2020 Chief Drinking Water Inspector's Report \(https://www.ontario.ca/page/2019-2020-chief-drinking-water-inspector-annual-report#section-9\)](https://www.ontario.ca/page/2019-2020-chief-drinking-water-inspector-annual-report#section-9).

In March 2020, the Minister issued a direction to Conservation Authorities in Ontario enabling them to conduct virtual meetings during times where they cannot meet in person (for example, during emergencies such as the pandemic period). Authorities and source protection committees could then continue to discuss and address important local source water protection issues while protecting the health and safety of staff and committee members.

The ministry also provided temporary extensions on a case-by-case basis to Conservation Authorities that required additional time to submit annual progress reports on their drinking water source protection plans, as required by the [Clean Water Act, 2006 \(https://www.ontario.ca/laws/statute/06c22\)](https://www.ontario.ca/laws/statute/06c22). All nine requests for such extensions were assessed to confirm that the relief requested was temporary and any extensions granted by the ministry required that the progress reports would continue to be made public once they were available. The extension addressed administrative reporting deadlines and had no environmental impact; all reports were submitted by the extended deadlines. You can read more about Ontario's source protection plans in the actions to protect water sources section of this report.

Outreach and support

The ministry also worked to provide additional support to the regulated community and others involved in providing drinking water in the province. The ministry undertook the following activities:

- Providing outreach to First Nations and the Federal government through the ministry's Indigenous Drinking Water Projects Office to help proactively identify any water and wastewater issues relating to the pandemic and offer technical support to help respond to urgent needs.
- Conducting telephone assessments of other drinking water systems, municipal wastewater systems, and licensed laboratories in the province to determine if they were experiencing any difficulties in their ability to complete essential maintenance, operational, sampling, testing and reporting tasks during the pandemic and whether ministry support or technical advice was needed.
- Releasing a guide for building owners that explains water flushing strategies to restore a building's water quality after an extended vacancy. When water sits in pipes for long periods, it can pose a risk to human health. This guide helped ensure that as businesses, schools, child care centres and offices reopened, their plumbing systems were properly flushed so that water was safe to drink. You can read more information about this building plumbing guide in the emerging issues section of this report.
- Sending materials to school and child care centre operators prior to their re-opening. The materials were designed to help operators ensure that water in schools and child care centres was safe to drink before buildings were opened to staff and children. The materials consisted of a letter reminding schools and child care centres of their sampling requirements and flushing obligations under the [Safe Drinking Water Act, 2002 \(https://www.ontario.ca/laws/statute/02s32\)](https://www.ontario.ca/laws/statute/02s32) and associated regulations and the guide explaining flushing strategies.

The COVID-19 pandemic has impacted all our lives, but thanks in large part to our robust drinking water protection framework, Ontario has been able to address the inherent challenges safely and support continued provision of drinking water and wastewater services in the province. As we continue to deal with COVID-19 and the uncertainties that come with it, the ministry will continue working with system owners and operators, schools, child care centres, businesses, stakeholders and First Nations to help ensure that they have the tools and support they need.

Ontario's drinking water standards

One of the most important tools for protecting drinking water in Ontario is the application of our strict, health-based drinking water standards. The [Ontario Drinking Water Quality Standards regulation \(https://www.ontario.ca/laws/regulation/030169\)](https://www.ontario.ca/laws/regulation/030169) under the [Safe Drinking Water Act, 2002 \(https://www.ontario.ca/laws/statute/02s32\)](https://www.ontario.ca/laws/statute/02s32), sets out standards for a total of 151 microbiological, chemical and radiological parameters.

These standards are generally adopted from Canadian drinking water quality guidelines developed through a Federal-Provincial-Territorial process led by Health Canada. Ontario participates in this process and contributes Ontario-specific information and analysis, which informs the setting of national guidelines and serves as the foundation for regulatory standards in the province. Any changes to Ontario's standards are based on scientific evidence, stakeholder engagement, and consultation with the experts on the Ontario Advisory Council on Drinking Water Quality and Testing Standards which is a body established under the *Safe Drinking Water Act, 2002*.

Lead

Lead is a naturally occurring element that has many industrial uses. Exposure to lead can occur by inhalation of lead-containing particulates in air (including smoke from cigarettes and e-cigarettes), contact with soil that contains lead, eating certain canned foods, some consumer products and from drinking water. However, drinking water generally accounts for a small fraction of total lead exposure to humans.

Factors that contribute to elevated lead levels in drinking water are corrosion in older distribution pipes, lead service lines and plumbing fixtures.

Lead in drinking water can be a significant health concern. Due to the fact that their nervous systems are still developing, children aged six and under are especially susceptible to the neurological and behavioral effects of lead. Lead exposure is also associated with harmful effects on the kidney and can cause hypertension in adults.

Ontario's actions to reduce exposure to lead

Ontario has one of the most stringent testing regimes in Canada when it comes to lead in drinking water. Since 2007, Ontario has had requirements in place to test drinking water for lead in municipal drinking water supplies and from drinking water fountains and taps serving schools, private schools and child care centres. In addition to testing for lead within the drinking water system, municipalities are also required to take water samples from residential and non-residential plumbing. Where lead is identified as an issue within municipalities, they may be required to prepare and implement a lead reduction strategy to decrease lead levels. If the plumbing test results exceed the regulatory limit of ten micrograms per litre, the municipality is required to ensure all corrective actions are taken as directed by the local medical officer of health. When there is an exceedance of the provincial lead standard, drinking water systems, child care centres and schools are required to report the result to the province and the local public health unit.

Continuous improvement

In March 2019, Health Canada announced an update to the Guidelines for Canadian Drinking Water Quality, reducing the guideline for the maximum acceptable concentration of lead in drinking water from ten to five micrograms per litre.

Ontario's standard for lead in drinking water is currently ten micrograms per litre. The ministry recognizes that lead in drinking water is an important issue for parents and the public and is committed to the protection of children and families. That's why the ministry will be consulting with Ontarians on whether and how to adopt Health Canada's reduced guideline for lead in drinking water, proposed enhancements to Ontario's already stringent lead protection framework, and increasing transparency in lead testing results. The ministry expects to begin this consultation process in early 2021.

Haloacetic acids (HAAs)

Haloacetic acids (HAAs) are disinfection by-products formed when chlorine reacts with organic matter that may be present in the treated water. There is concern that long-term exposures to elevated levels of HAAs may pose a risk to health. Proper operating practices at the drinking water system can reduce the level of organic matter entering the treatment train and thus reduce the formation of HAAs.

A new water quality standard for Haloacetic Acids (HAAs) came into effect on January 1, 2020, under the [Ontario Drinking Water Quality Standards regulation \(https://www.ontario.ca/laws/regulation/030169\)](https://www.ontario.ca/laws/regulation/030169) and the [Safe Drinking Water Act \(https://www.ontario.ca/laws/statute/02s32\)](https://www.ontario.ca/laws/statute/02s32), 2002.

The standard for Haloacetic Acids is 0.080 milligrams per litre based on a running annual average of quarterly sample results.

Before the new standard came into effect Ontario prescribed a three-year monitoring period during which municipalities were required to measure seasonal variations in HAAs in the distribution system. Drinking water systems used this timeframe to implement treatment process adjustments to minimize the formation of HAAs in order to meet the standard when it came into effect in January 2020.

Emerging issues

Tracking science and technology for new/updated standards and guidelines

Through reviews of science, technology and data from our monitoring programs, the ministry identifies potential drinking water priorities for Ontario, some of which may be relevant across Canada. For example, Ontario was the first Canadian jurisdiction to identify 1,4-dioxane (a synthetic chemical that is primarily used as an industrial and commercial solvent) as a potential drinking water issue and recommended it as a priority for national guideline development. Developed through the Federal-Provincial-Territorial process, Health Canada posted a draft guideline for consultation in 2019. A provincial review of additional information on the common chemicals Per- and Polyfluoroalkyl Substances (PFAS) and Perfluoro-Octane Sulfonic Acid (PFOS) has also informed the development of interim approaches to assessing and managing related drinking water issues in Ontario. You can read more about PFAS in the following section.

Per- and Polyfluoroalkyl substances

Per- and Polyfluoroalkyl Substances (PFAS) are a group of more than 4,000 different human-made chemicals that have been used in industrial and consumer products since the 1940s. They have never been manufactured in Ontario but are found in the environment because they were used in products available here (e.g., coatings on non-stick cookware, stain and water repellent treatments for fabric, fire fighting foams) and they have since migrated into the natural environment where they take a long time to break down.

PFAS are considered an emerging issue because of the limitations in available scientific information about health effects. A number of research studies are revealing new information about potential health effects, including possible impacts to the liver and immune system, developmental effects and cancer. Most information currently available is for a small number of better known PFAS, but jurisdictions are starting to develop guidelines and guidance for assessing PFAS mixtures in the environment.

Ontario has reviewed newer scientific studies and approaches in other jurisdictions to develop interim drinking water advice for assessing PFAS. Advancements in the science will continue to be tracked to inform updates to the ministry's advice.

Rapid tests to determine the presence of bacteria

Drinking water distribution systems are complex and dynamic environments where numerous physical, chemical and biological interactions and reactions occur involving microorganisms, nutrients and particles. These processes can significantly impact water quality. Waterborne outbreaks of illness have been linked to the degradation of water quality in drinking water distribution systems. Ontario is looking into how new rapid tests could be used to assess water quality in distribution systems. This work is informed by Health Canada guidance on new rapid tests for detection of bacteria, which outlines their advantages over routine culture tests that are performed in a laboratory, that are slower and do not detect as many types of bacteria.

Plumbing guide for reopening buildings after an extended vacancy

When water remains stagnant in plumbing, there is a potential for the growth of pathogens such as *Legionella* and *Mycobacterium avium*, among others. Inhalation of these pathogens when they become airborne in water droplets, for example during toilet flushing or showering, may lead to respiratory infections with potentially lethal consequences. This year, this concern was elevated due to the COVID-19 pandemic when buildings were left vacant for extended periods of time.

To equip building owners and maintenance personnel with the necessary knowledge and tools to help ensure drinking water was safe before reopening, the ministry worked with other ministries, agencies and experts to make [guidance \(https://www.ontario.ca/page/guide-maintaining-building-plumbing-after-extended-vacancy\)](https://www.ontario.ca/page/guide-maintaining-building-plumbing-after-extended-vacancy) available.

COVID-19 wastewater surveillance

As part of Ontario's COVID-19 Fall Preparedness Plan to quickly identify, manage and prevent outbreaks, the province is investing \$12 million in the development of a COVID-19 wastewater surveillance initiative to test wastewater samples in communities across the province.

Research tells us that testing for COVID-19 in wastewater can provide an early warning system for detecting the virus in communities. Several universities across Ontario are already using wastewater sampling to successfully detect and monitor local outbreaks of COVID-19. Ontario is partnering with these academic institutions, in cooperation with public health units and municipalities, to create an integrated project that expands wastewater sampling and analysis provincially, including to First Nations and communities with vulnerable populations, such as long-term care homes and correctional facilities.

Key findings from the Chief Drinking Water Inspector

Ontario's Chief Drinking Water Inspector reports annually on the performance of Ontario's regulated drinking water systems. Data associated with the 2019-2020 Chief Drinking Water Inspector's report is also available on Ontario's [Data Catalogue \(https://data.ontario.ca/\)](https://data.ontario.ca/).

This year's results show that Ontario's drinking water continues to be among the best protected in the world.

Municipal and laboratory results

More than 80 per cent of Ontario residents get drinking water from a municipal residential drinking water system in the city or town where they live. These drinking water systems are inspected each year to make sure they are following Ontario drinking water regulations.

In addition, all laboratories licensed by the province to perform drinking water testing are inspected twice annually. These laboratories must report the results of all drinking water tests that they are licensed to conduct to the ministry.

The 2019-20 test and inspection results for Ontario's municipal residential drinking water systems and licensed laboratories show that:

- drinking water supplied by municipalities was tested over 523,000 times and 99.9 per cent of tests met Ontario's drinking water quality standards
- all municipal drinking water systems were inspected at least once and laboratories that test drinking water were inspected at least twice during the year
- seventy-one per cent of municipal systems scored 100 per cent on their inspection
- ninety-nine per cent of laboratories received an inspection rating above 80 per cent

Compliance and enforcement activities

Compliance and enforcement activities are conducted by inspectors to help ensure the regulated community follows Ontario's strict drinking water laws. These activities include education and outreach, routine inspections, following up on adverse water quality incidents, and where necessary, the issuance of an order or a referral for investigation. Where the laws are not followed the inspector works with the drinking water system owner and/or operator to bring them into compliance. If the non-compliance is of a serious nature or the drinking water system owner and/or operator fails to come into compliance, inspectors may issue an order to prompt compliance with the applicable legislation or regulation, or refer them for investigation. In 2019-20 ministry staff undertook the following enforcement activities:

- One order was issued to a municipal residential drinking water system. This order directed the owner of the system to provide proper treatment, monitor treatment equipment, respond to an alarm in a timely manner, review data within the necessary timeframe, and create required records. The inspector is monitoring the progress of the owner's actions and the ministry is also considering further enforcement actions.
- Seven orders were issued to six owners of non-municipal systems that supply water to people's residences such as privately-owned systems that serve apartment buildings, private subdivisions, and mobile home parks. As an example, one of these orders directed the owner of an apartment building to obtain a certified operator to operate and maintain the system. Of the seven orders, three orders have been fully complied with and the ministry is working with the remaining owners to address their non-compliance issues.
- A total of four orders were issued to the owners of privately-owned systems serving four designated facilities. A designated facility provides services to people who can be especially vulnerable to illness, such as children or the elderly, and can include health care facilities, schools, camps, and child care centres. For example, one order directed the owner to provide a sampling plan and a copy of the certificate of analysis for raw microbiological samples. Two orders have been complied with and the ministry is working with the remaining two owners to address their non-compliance issues.
- A total of four orders were issued to owners of four licensed laboratories. For example, some of these orders directed certain laboratories to stop testing without a licence or to stop improperly subcontracting lab work. In all cases, all orders were complied with.

Charges before the courts for more serious violations resulted in convictions:

- The owners, operators and corporations associated with six systems that supply drinking water to residences in cities, mobile home parks and children's camps were convicted and fined a total of \$32,750.00. They were convicted for offences that included giving false or misleading information in log book entries and failing to comply with an order to confirm that a certified operator had been hired. One legal entity was convicted of charges relating to supplying drinking water to users of a system without first performing sampling and testing for *E. coli* and total coliform after being shut down for 7 days or more.

Lead testing

Ontario has the most stringent provincial regime for testing lead in drinking water in the entire country and is the only province that requires lead testing in drinking water from all schools and child care centres. Ontario's Chief Medical Officer of Health reports that there have been no cases of lead toxicity in children due to drinking water in the last ten years.

Lead can enter drinking water through contact with plumbing that contains lead or that was constructed using lead solder. On July 1, 2017, the province expanded testing requirements in [Ontario Regulation 243/07](https://www.ontario.ca/laws/regulation/070243) (<https://www.ontario.ca/laws/regulation/070243>), made under the [Safe Drinking Water Act](https://www.ontario.ca/laws/statute/02s32) (<https://www.ontario.ca/laws/statute/02s32>), 2002, to help protect children from lead in drinking water. This change means that every tap or fountain used for drinking water or to prepare food or drinks for children in schools and child care centres must have been tested for lead at least once by January 2020 (for child care centres and schools with primary divisions) or January 1, 2022 (for schools without primary divisions).

When an exceedance(s) of the lead standard is identified, facilities must take immediate corrective action. The local public health unit and the Ministry of the Environment, Conservation and Parks are notified within 24 hours when a testing laboratory detects an exceedance of the standard for lead in a school, private school or child care centre's drinking water sample.

Facilities must take immediate action, including rendering the tap or fountain inaccessible to children by disconnecting or bagging it until the issue is resolved.

Corrective actions can include:

- replacing or removing the fixture
- increasing flushing
- installing a filter
- resampling the fixture that had the exceedance
- taking any other measures as directed

The test results from drinking water samples to date show that the majority of schools and child care centres in Ontario met the provincial standard for lead in drinking water. Ninety-five per cent of more than 50,000 test results in 2019-20 met the province’s lead standard. Test results improved when water was flushed through the pipes before the sample was taken. Over 97 per cent of flushed samples met Ontario’s standard for lead. The fact that fewer flushed test results exceeded the standard than standing test results is consistent with previous years and demonstrates that flushing is an effective way to temporarily reduce lead levels below the standard for lead. More permanent solutions include replacing or removing the problematic fixtures or installing filters on them and ensuring that the fixtures are maintained and the filters are replaced in accordance with manufacturers’ instructions.

Operator certification and training

Operators of drinking water systems must be trained and certified according to the type and class of the system where they work. Depending on the classification level of the drinking water system in question, operators must complete between 60 and 150 combined hours of continuing education and on-the-job training every three years to renew their certificates. Operators can hold multiple certificates, which allows them to work in more than one type of drinking water system.

As of March 31, 2020, 11,807 certificates were held by 8,207 certified drinking water operators in Ontario. This includes 111 certificates that were extended by the COVID-19 related emergency order held by 105 operators. More details are provided in Section 2 of this report - Protecting Ontario’s water resources during the pandemic.

One-hundred and eighty people, including 11 operators with certificates that were extended by the emergency order, were employed as system operators in First Nation communities across the province. The Walkerton Clean Water Centre provides training for operators and owners of drinking water systems provincewide, with a focus on small and remote communities including First Nations.

As of Sept 30, 2020, more than 93,000 persons had been provided with high-quality operator training programs on water treatment equipment, technology and regulatory requirements since the Walkerton Clean Water Centre opened its doors. Operator training programs also covered environmental issues such as water conservation and energy efficiency, with the aim of increasing the sustainability of drinking water operations.

Actions to support the delivery of clean, safe drinking water in Ontario

Accreditation audits for drinking water systems and drinking water testing services

Municipal residential drinking water systems and licensed laboratories are required to be accredited by third party organizations designated as accreditation bodies for the purpose of accreditation under the *Safe Drinking Water Act*. In 2020 all operating authorities for the aforementioned drinking water systems were actively accredited to the requirements of the Drinking Water Quality Management Standard and no accreditations were revoked or suspended. Likewise, all licensed laboratories were actively accredited to the requirements of the standard for testing and calibration laboratories and none of the licensed laboratories had their laboratory accreditation status suspended or revoked.

Year-at-a-glance report initiative

The ministry distributed year-at-a-glance reports to non-municipal year-round residential drinking water systems for a second year in 2020.

Non-municipal year-round residential drinking water systems supply water on a year-round basis to six or more private residences (e.g., detached homes, apartments, condominium units, townhouses and mobile home parks).

This year the distribution of year-at-a-glance reports was expanded to designated facilities. A designated facility is a type of non-municipal drinking water system that provides drinking water to people who may be more at risk of illness. Examples of designated facilities include child care centres, children’s camps, and seniors’ facilities.

The year-at-a-glance report is tailored to individual drinking water system owners and operators and provides important information for them by summarizing the samples taken at their system throughout the previous calendar year, while identifying missed samples or errors and any adverse sample results.

These simple reports benefit the system’s owner and operator and residents who consume the drinking water through the early identification of sampling and testing concerns. Rather than waiting for issues to be identified through a routine inspection, this report allows the ministry to guide owners and operators to modify their sampling behaviour to prevent missed samples and help ensure their contact information is up to date. As this contact information is used for the communication of adverse water quality events, it is critical that it remains updated.

Actions to support First Nation communities

First Nation communities in Ontario have the highest number of long-term drinking water advisories in the country. As of December 11, 2020, there were 43 long-term drinking water advisories impacting 26 First Nation communities in Ontario.

Although the federal government and First Nations share primary responsibility for safe drinking water on First Nation reserves, Ontario has taken steps to help ensure that First Nation communities also have access to clean drinking water. Ontario has been working collaboratively with First Nation organizations and the federal government by providing technical advice to support safe, sustainable water infrastructure in these communities so they can develop the capacity to resolve long-term drinking water advisories.

The province has collaborated with Political-Territorial Organizations, Tribal Councils and their member communities to assess existing water infrastructure against Ontario standards and support the development of long-term community water infrastructure plans. As of December 2020, a total of 63 water and 17 wastewater assessments and site visits had been completed in 59 First Nation communities.

This work has continued throughout the COVID-19 pandemic. Ontario staff reached out to First Nation communities and the Federal government to proactively identify any water and wastewater issues relating to the pandemic and provided technical support to help respond to urgent needs on a case-by-case basis.

In November 2020, Neskantaga First Nation evacuated residents and declared a state of emergency due to issues with their drinking water system. In response the province, through the Ontario Clean Water Agency (OCWA) and by request of the community, has been providing technical support onsite to assist in resolving these issues. In addition to this onsite support, the province is also focused on determining, with the community and the federal government, what other supports can be provided to help ensure the long-term sustainability of the drinking water system.

Through the Walkerton Clean Water Centre, Ontario has also been working with First Nations on the development of training programs to support operators, managers and community leaders in maintaining safe drinking water systems. This year, the in-classroom sessions of the Entry Level Training for drinking water operators were impacted by the COVID-19 pandemic but restarted in August, 2020. As of December 2020, 128 individuals had successfully completed the Entry Level Training for drinking water operators, approximately half of whom are from Northern Ontario.

The Ontario Clean Water Agency’s (OCWA’s) Training Department also offers a full range of technical training in water and wastewater treatment, water distribution, wastewater collection, preventive maintenance, electrical awareness, health and safety and compliance subjects. First Nations operator training services are delivered as part of OCWA’s operations and engineering services or through third-party training agreements. In addition to training, OCWA trainers and mentors also provide advice to Chiefs and councils on their water systems. Further information on how OCWA supports First Nation communities’ access to safe, sustainable drinking water can be found on the [OCWA website \(http://www.ocwa.com/what-we-do\)](http://www.ocwa.com/what-we-do).

There is more work to be done to help ensure that First Nation communities in the province can dependably access clean drinking water. Ontario will continue to advocate on behalf of First Nation communities to encourage Indigenous Services Canada, and Health Canada’s First Nations and Inuit Health Branch, to develop sustainable drinking water systems and monitoring programs that are consistent with our rigorous provincial standards. Ontario will also continue to reach out to First Nation communities to offer technical support on water and wastewater related challenges that arise as a result of the COVID-19 pandemic.

Actions to address blue-green algae blooms

Blue-green algal blooms continue to be an issue that people across the province are concerned about, especially during the warmer months. As of December 2, 2020, the ministry confirmed the occurrence of 91 blue-green algal blooms for the 2020 calendar year.

Blue-green algae (also called cyanobacteria) are naturally occurring microscopic organisms that can produce “blooms” in lakes when environmental conditions are favourable. Such conditions exist when there are sufficient levels of nutrients such as phosphorus and nitrogen, warm water temperatures and calm weather conditions.

Some blooms of blue-green algae produce toxins, known as cyanotoxins, that have the potential to harm humans and other animals.

In recent years, there has been an increase in the occurrence of blue-green algal blooms in Ontario. The causes for recent increases in blue-green algal blooms are not fully understood, however, climate change, invasive species and increases in inputs of nutrients (such as phosphorus and nitrogen) are likely contributors. In Ontario water bodies, phosphorus is the leading nutrient of concern that influences how much algae can grow. Increased phosphorus loadings are likely coming from agricultural and stormwater runoff, as well as septic systems. Phosphorus stored in lake bottom sediments may also be contributing.

Ontario has an [action plan to address blue-green algal blooms \(https://www.ontario.ca/page/blue-green-algae\)](https://www.ontario.ca/page/blue-green-algae). Actions in the plan include communicating, engaging, and working with partners; reducing nutrients; improving public awareness about best practices; protecting drinking water sources; supporting science and innovation; and administering legislation, regulations, policies and programs to protect water quality.

The ministry has developed specialized training for ministry staff and comprehensive protocols for responding to occurrences of blue-green algal blooms. Ministry staff are responsible for assessing reports of suspected blue-green algal blooms and determining the appropriate course of action for each occurrence. When a bloom is suspected, the ministry's role is to gather, assess and provide scientific and technical information, as appropriate. For example, if a bloom is suspected, ministry staff take and analyze surface water samples for algal toxins to determine whether a blue-green algal bloom is occurring. The ministry has a protocol in place to help ensure that there is consistent communication, engagement and collaboration with various governmental bodies including local health units, municipal staff, Conservation Authorities and other ministries and federal agencies. Public health agencies are the primary lead for health-related matters, including providing any formal public health messaging such as beach postings related to blue-green algal blooms. Incidents reported to the ministry and confirmed as blue-green algal blooms are tracked by the ministry.

There are also several recent actions that the ministry has taken to help reduce the impacts of blue-green algal blooms:

Licensing changes to strengthen drinking water protection

Municipal residential drinking water systems are required to proactively monitor their surface water sources for the presence of harmful algal blooms – specifically blooms that are near or may impact their water intake.

Additionally, starting in 2019, the ministry began incorporating requirements for a harmful algal bloom monitoring, sampling and reporting plan into the licences of municipal residential drinking water systems that use surface water (water that comes from lakes, rivers, streams and ponds) as their source. This requirement is being added as licences are renewed and should be incorporated into all licences for systems with a surface water source by the end of 2021.

New method for analyzing algal toxins levels

The Ministry of the Environment, Conservation and Parks has the only laboratory in Ontario licensed to analyze drinking water and surface water samples for specific types of microcystin, including microcystin-LR (a common type of microcystin which has a drinking water quality standard limit).

The ministry's laboratory has developed a state-of-the-art analytical method to determine specific algal toxin levels in surface and drinking water and report them to public health units in less than 24 hours in case of emergency. The method is the only accredited technique in Ontario to confirm the presence of these toxins.

Ontario will continue its work to better understand and reduce harmful and nuisance algal blooms. You can find more information on these and other Ontario drinking water source and lake protection programs on [ontario.ca](https://www.ontario.ca) and in our [Made-in-Ontario Environment Plan \(https://www.ontario.ca/page/made-in-ontario-environment-plan\)](https://www.ontario.ca/page/made-in-ontario-environment-plan). Further information about the Canada-Ontario Lake Erie Action Plan, and updates on additional actions to protect Ontario's water sources including actions to address nutrients such as phosphorus entering the water, are included in the next section of this report.

Actions to protect water sources

***Clean Water Act* and source protection plan update**

Local source water protection plans are in effect across the 38 source protection areas in Ontario. These plans contain a series of locally developed policies that protect vulnerable areas susceptible to contamination and depletion. Ministries, municipalities, conservation authorities and others have been implementing the policies since 2016 to address various risks to the sources of drinking water.

The annual progress reports for source protection demonstrate that implementation continues to progress across the province:

- The majority of significant risks to drinking water sources identified locally have been addressed through the actions set out in source protection plan policies
- By the end of 2019, 1,171 risk management plans were in place to manage the risk posed by activities such as chemical storage and certain agricultural land uses, occurring on over 1,400 properties
- 263 municipalities had initiated or completed updates to their official plans to conform with source protection plan policies
- Over 1,700 road signs have been installed on both provincial highways and municipal roadways to raise awareness of nearby drinking water sources

Municipalities and conservation authorities have done some great work to protect sources of drinking water. Here are a few recent highlights:

- In Niagara Region, an impressive education and outreach program was undertaken to paint over 300 storm drains and distribute 700 flyers to local residents about the 'Yellow Fish Road Program'.
- By implementing its Salt Optimization Strategy, the City of Barrie reduced the amount of salt used on its roads by 745 tonnes over the 2018-2019 winter season.
- The Quinte Conservation Authority reached over 20,000 people with a drinking water source protection animated video on their Facebook page, raising local awareness of the importance of source protection.

Every year, source protection authorities update the local science-based assessment reports and source protection plans to include new or expanding drinking water systems or to reflect new science. Since 2019, the Minister has approved 16 amendments and 19 orders governing future reviews and updates to these plans as part of our commitment to help ensure Ontario's drinking water sources continue to be protected.

The ministry is also working to continuously improve the source protection program and resources for all Ontarians. To help ensure Ontario's drinking water quality continues to be protected and that source water protection is supported by current science, the ministry is proposing to update the Director's Technical Rules for assessing vulnerability and risks under the [Clean Water Act \(https://www.ontario.ca/laws/statute/06c22\)](https://www.ontario.ca/laws/statute/06c22), 2006. These technical rules are used by source protection authorities and municipalities to help update and implement the assessment reports and source protection plans that protect local drinking water supplies.

The government is committed to giving the people of Ontario the tools they need to protect their drinking water sources. Guidance is being developed to help communities and individuals protect sources of drinking water that are not included in the provincially-approved source protection plans, such as privately-owned drinking water systems. The ministry is engaging a small, representative group of source protection authorities and municipalities to help develop this guidance throughout the fall of 2020.

The [Source Protection Information Atlas](https://www.gisapplication.lrc.gov.on.ca/SourceWaterProtection/Index.html?site=SourceWaterProtection&viewer=SWPViewer&locale=en-US)

(<https://www.gisapplication.lrc.gov.on.ca/SourceWaterProtection/Index.html?site=SourceWaterProtection&viewer=SWPViewer&locale=en-US>) is an interactive mapping tool available on

ontario.ca that shows the location of over 1,150 municipal drinking water protection zones, and we are proud to continue making more information accessible to the public. In 2019 and 2020 the ministry worked with the Ministry of Natural Resources and Forestry to add real-time climate displays showing river flow, snow depth and air and water temperatures from over 2,800 hydrometric stations. In addition, data from all active permits to take water are also displayed as they are issued.

Water quantity management initiatives

Ontarians can be confident that efforts to protect water resources in the province are supported by strong laws and policies based on science and evidence, and that there is a continued commitment to be vigilant and prepared to adapt to changing circumstances that could impact drinking water.

Review of Ontario's water quantity management framework

The province has completed a review of the state of water resources in key areas of Ontario and the effect water takings have on these resources. The review included examining water quantity-related policies and programs as they apply to water takers, including water bottlers taking groundwater. The review also examined how Ontario can continue to manage water takings to help ensure sustainable water resources as our climate changes and population grows.

The ministry's review, which included assessments by independent experts, found that the government's current approach to managing water takings is effective. The review also identified opportunities to improve how water takings are managed in parts of Ontario where water availability is or could become a concern. Links to the findings of the government's review can be found on the [Environmental Registry \(https://ero.ontario.ca/notice/019-1340\)](https://ero.ontario.ca/notice/019-1340).

Proposed enhancements to Ontario's water taking program

To help ensure the province continues to conserve and manage water resources for future generations, and building on the province's water quantity management review, in June and October the ministry publicly

engaged on proposed enhancements to Ontario's water taking program, including:

- requiring water bottling companies to have the support of their host municipality for new or increased bottled water takings, with an exemption for small businesses
- establishing priorities of water use in the province that can guide water taking decisions
- assessing and managing multiple water takings together in areas of the province where water sustainability is a concern
- making water taking data available to the public to increase transparency of how Ontario manages water resources

More information on proposed enhancements to Ontario's water taking program can be found at [Proposal for Updating Ontario's Water Quantity Management Framework \(https://ero.ontario.ca/notice/019-1340\)](https://ero.ontario.ca/notice/019-1340). In December 2020, legislation was passed that amends the *Ontario Water Resources Act* to require [municipal support for new or increased bottled water takings \(https://ero.ontario.ca/notice/019-2422\)](https://ero.ontario.ca/notice/019-2422).

The ministry is also publicly engaging on proposed guidance to help implement proposed enhancements to Ontario's water taking program at [Proposed Implementation of Updates to Ontario's Water Quantity Management Framework \(https://ero.ontario.ca/notice/019-2017\)](https://ero.ontario.ca/notice/019-2017). The consultation period is open from December 7, 2020 to February 5, 2021.

Moratorium on new or increased permits to take groundwater for bottled water

The [Taking Ground Water to Produce Bottled Water Regulation \(https://www.ontario.ca/laws/regulation/160463\)](https://www.ontario.ca/laws/regulation/160463) (Ontario Regulation 463/16) established a moratorium on new or increased permits to take groundwater to produce bottled water. In September the province extended this moratorium for up to six months. This extension will give the ministry time to thoroughly review and consider feedback received on our proposed enhancements to Ontario's water taking program. It will also enable us to further engage with the public, stakeholders and Indigenous communities on how we can implement certain aspects of those proposed enhancements before the moratorium ends. The proposal to extend the moratorium was made available for comment on the [Environmental Registry \(https://ero.ontario.ca/notice/019-2319\)](https://ero.ontario.ca/notice/019-2319) from August 28 to September 27, 2020.

Provincial climate change impact assessment

This August, the ministry selected a consulting team led by the Climate Risk Institute to conduct the province's first-ever multi-sector climate change impact assessment, a key climate change commitment in the province's Made-in-Ontario Environment Plan. The assessment will use the best available science and information to better understand where and how climate change is likely to affect communities, critical infrastructure, economies and the natural environment.

The impact assessment will consider a variety of information sources such as climate data, land use patterns, and socio-economic considerations. It will also consider the views of Indigenous communities, municipalities, the private sector, the public and others to help ensure that the assessment and analysis is robust in providing a thorough understanding of climate change impacts across the province.

Understanding the existing impacts of climate change and identifying potential future impacts will help the province, municipalities, Indigenous communities and other local partners make more informed, timely decisions to keep communities and people healthy and safe.

The final assessment results are expected in 2022.

Canada-Ontario Lake Erie Action Plan (LEAP)

The goal of the [Canada-Ontario Lake Erie Action Plan \(LEAP\) \(https://www.ontario.ca/page/canada-ontario-lake-erie-action-plan\)](https://www.ontario.ca/page/canada-ontario-lake-erie-action-plan) is to reduce the amount of phosphorus that goes into Lake Erie. This will help reduce harmful blue-green algal blooms which can be a risk to drinking water.

The LEAP Implementation Team is responsible for overseeing the successful implementation of the action plan and continues to meet regularly. The Implementation Team includes representatives from provincial and federal agencies and partners (e.g., municipalities, agricultural organizations, conservation authorities, and non-governmental organizations) with actions in the plan, as well as Indigenous communities. Actions associated with the plan include activities to better manage wastewater and stormwater, keep phosphorus on farmland and out of waterways, restore natural heritage features such as wetlands, and improve monitoring and science.

The implementation of the action plan is important for protecting the shared waters of the Great Lakes. The action plan will also help Ontario meet its commitments under the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, and the Made-in-Ontario Environment Plan.

Great Lakes Local Action Fund

This fall, Ontario announced that it is investing \$1.67 million in a new program that provides funding to local projects that have a positive environmental impact on the Great Lakes and/or their tributaries. The fund will provide up to \$50,000 for individual projects led by groups such as community-based organizations, environmental non-profits, small businesses, conservation authorities, municipalities and Indigenous communities.

The Great Lakes, the St. Lawrence River, the rivers and streams that feed into the Great Lakes and the rivers that connect them are a source of drinking water to millions of Ontarians. The fund will support projects to protect and restore nearshore, coastal and shoreline areas of the Great Lakes and their rivers and streams.

Lake Ontario nutrient reduction activities in Bay of Quinte, Hamilton Harbour, and Toronto Waterfront

Several locations along Lake Ontario are particularly vulnerable to nutrient inputs (such as phosphorus), especially in the summer months. These areas include the Bay of Quinte (located in the east), Hamilton Harbour and the Toronto Waterfront (both located in the western basin). Under its Great Lakes Program and in support of the Canada-Ontario Agreement (COA) the ministry has funded several initiatives to reduce the amount of nutrients entering these vulnerable areas. Some of these initiatives include upgrading wastewater treatment plants, inspecting residential septic systems, retrofitting stormwater facilities, helping farmers to implement agricultural best management practices, and training, outreach, and implementation of Low Impact Development, which is a set of practices that reduce the volume of stormwater runoff entering waterways by increasing infiltration of stormwater into the ground at the source. Examples of Low Impact Development include building rain gardens or using permeable pavement.

These initiatives have helped reduce the frequency of blue-green algal blooms, improved water clarity, and improved local drinking water quality in regions where water in-takes are present.

Pharmaceuticals and other human-use chemicals in the Lake Simcoe watershed

The ministry continues to research, monitor and collaborate on how pharmaceuticals and other chemicals used in every day products, like insect repellent, sunscreen, caffeine and artificial sweeteners, affect our waterways.

These chemicals enter our waters as they are not completely removed during wastewater treatment. For this reason, we have been monitoring for these chemicals in Lake Simcoe, as well as the Great Lakes. Our results indicate that these compounds can be detected at low levels. The ministry will continue to study these compounds as new science becomes available in order to support the overall adaptive management approach of the Lake Simcoe Protection Plan.

Lake Simcoe Protection Plan 10-year report and legislated review

Ontario released the [Minister's 10-Year Report on Lake Simcoe \(https://www.ontario.ca/page/ministers-10-year-report-lake-simcoe\)](https://www.ontario.ca/page/ministers-10-year-report-lake-simcoe) in July 2020, highlighting actions taken to implement the Lake Simcoe Protection Plan since 2015, and the progress being made towards the plan's objectives. The report presents scientific monitoring results in a public-friendly format and outlines many of the complex stressors that continue to face the Lake Simcoe watershed.

Ontario and its partners are implementing the Plan by funding research to address knowledge gaps and support innovation; monitoring environmental indicators to track change over time; influencing action on the ground through outreach and partnerships; and sharing information to support evidence-based decision making. After a decade of sustained effort, progress towards long-term objectives is being made, despite the challenges resulting from the considerable population growth in the watershed. Although phosphorus loads have been high in recent years, phosphorus concentrations in the lake have been consistently low. The amount of algae in the lake has also decreased since 2009. Most importantly, improvements are being seen in dissolved oxygen levels in the lake's deep waters, which will help support a self-sustaining cold-water fish community in the long term.

Guided by the principle of adaptive management, the [Lake Simcoe Protection Act \(https://www.ontario.ca/laws/statute/08l23\)](https://www.ontario.ca/laws/statute/08l23) requires that the Plan be reviewed every 10 years, to determine whether amendments are needed. The lessons learned from Plan implementation to date, and the new information we have gathered through research and monitoring, will inform the review. This winter, the ministry will be inviting all our partners, including the public, to participate in the 10-year review of the Lake Simcoe Protection Plan.

Muskoka watershed advisory group's report to the minister

The Muskoka Watershed Advisory Group submitted its [advice and recommendations \(https://www.ontario.ca/page/advisory-group-report-protecting-muskoka-river-watershed\)](https://www.ontario.ca/page/advisory-group-report-protecting-muskoka-river-watershed) to the minister in June 2020. The report, which is now available online, highlights several top priorities and issues for the Minister's consideration, along with some short, medium and long-term actions and projects to protect the Muskoka River Watershed and support the economy of the region.

The Advisory Group’s report was informed by community outreach with over sixty entities, including municipal governments, First Nations and Métis representatives, local organizations, waterpower producers, local agricultural industry and members of the general public.

Administrative monetary penalties

An administrative monetary penalty (AMP) is a financial penalty the regulator issues to an offender for breaking the law. AMPs are used across government as a quick and effective tool to return the offender to compliance with the law, deter against future non-compliance and help ensure consequences that are proportionate to the contravention.

Ontario’s current monetary penalties for environmental contraventions are limited in scope to certain air, land, and water contraventions and to about 140 industrial facilities.

AMPs can help fill the gap where there is non-compliance with the law but where prosecution may not be the most appropriate tool to restore compliance. Using AMPs as part of the ministry’s enforcement toolkit does not replace prosecutions. This framework gives the ministry the capacity to pursue the option of imposing immediate penalties in response to contraventions quickly and effectively. Court proceedings may follow, if warranted. A broader use of AMPs would help level the playing field between offenders and those who are acting responsibly and allow the ministry to take strong action against illegal activity, especially for repeat offenders.

The ministry is proposing to expand the use of administrative monetary penalties to uphold the laws that protect our water, air and land. Legislative changes were made in 2019 to allow administrative monetary penalties to be issued under several different environmental laws including the [Safe Drinking Water Act \(https://www.ontario.ca/laws/statute/02s32\)](https://www.ontario.ca/laws/statute/02s32), 2002, and the [Ontario Water Resources Act \(https://www.ontario.ca/laws/statute/90o40\)](https://www.ontario.ca/laws/statute/90o40). These legislative changes permit administrative penalty regulations to be made which would allow inspectors to better address violations across the ministry’s regulated community – some 150,000 entities across the province. Examples of violations that could be addressed using administrative monetary penalty regulations include:

- illegal dumping of contaminated soil, under the *Environmental Protection Act*
- violating conditions of a permit to take water, or illegal sewage discharges into waterways, under the *Ontario Water Resources Act*
- selling pesticides without a licence, under the *Pesticides Act*
- failure to have a certified operator, under the *Safe Drinking Water Act, 2002*
- violating regulatory setbacks from sensitive features such as wells and surface water, under the *Nutrient Management Act, 2002*

Funds collected through these penalties will support community projects to restore our natural environment, plant trees, clean up shoreline litter, and support other priorities.

The ministry is doing further planning and consultation with stakeholders and the public to establish how the penalties will work and looks forward to implementing them through regulations in the future.

Conclusion

In 2020 people around the world were reminded not to take their health for granted.

Throughout the uncertainty and instability that the COVID-19 pandemic has created the ministry’s top priority has been to protect human health and the environment. We continue to work to help ensure continued access to water services and to clean, safe drinking water for all Ontarians and continue to work collaboratively with other ministries to help address any COVID-19 related challenges. We will continue this work to help ensure that water system owners and operators, schools, daycares, businesses, individuals, other stakeholders and First Nations have the supports that they need to play their part in the continued delivery of safe drinking water and water services.

Throughout the pandemic, Ontarians have worked collectively to stop the spread of COVID-19 and help ensure our most vulnerable citizens are protected. We have risen to the unprecedented challenges of the pandemic and together, we will continue to support and keep safe individuals, families and businesses across this great province.

Updated: December 21, 2020
Published: December 21, 2020



MUNICIPALITY OF CHARLTON AND DACK

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January 7th, 2021

The Honourable Doug Ford
Premier of Ontario

Sent by email: doug.fordco@pc.ola.org

RE: MOTION REGARDING - Insurance

The following resolution was passed by the Council for the Municipality of Charlton and Dack on December 18th, 2020:

WHEREAS the cost of municipal insurance in the Province of Ontario has continued to increase – with especially large increases going into 2021.

AND WHEREAS Joint and Several Liability continues to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimum fault;

AND WHEREAS these increases are unsustainable and unfair and eat at critical municipal services;

AND WHEREAS the Association of Municipalities of Ontario outlined seven recommendations to address insurance issues including:

- 1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.*
- 2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10 day rule on slip and fall cases given recent judicial interpretations and whether a 1 year limitation period may be beneficial.*
- 3. Implement a cap for economic loss awards.*
- 4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third party liability coverage to \$2 million in government regulated automobile insurance plans.*
- 5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non profit insurance reciprocals.*
- 6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims and deductible limit changes which support its*



and municipal arguments as to the fiscal impact of joint and several liability.

7. *Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.*

THEREFORE BE IT RESOLVED THAT the Council for the Municipality of Charlton and Dack call on the Province of Ontario to immediately review these recommendations and to investigate the unethical practice of preferred vendors who are paid substantial amounts over industry standards, despite COVID 19 delays, as insurance premiums will soon be out of reach for many communities.

AND FURTHER BE IT RESOLVED THAT this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Rod Phillips, Minister of Finance, the Honourable Doug Downey, Attorney General of Ontario, the Honourable John Vanthof, MPP for Timiskaming- Cochrane, and all Ontario municipalities.

Yours Truly,

Dan Thibeault
Clerk Treasurer CAO
Municipality of Charlton and Dack

CC: Honourable Peter Bethlenfalvy, Minister of Finance
Honourable Doug Downey, Attorney General of Ontario
Honourable John Vanthof, MPP for Timiskaming- Cochrane
All Ontario Municipalities



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Lisa Thompson, MPP
Unit 2, 807 Queen Street
Kincardine, ON N2Z 2Y2
lisa.thompsonco@pc.ola.org

January 6, 2021

Dear Lisa Thompson,

Please be advised the Council of the Township of Huron-Kinloss at its regular meeting held on December 21, 2020 passed the following resolution;

Re: Copy of Resolution #788

Property Tax Exemptions for Veteran Clubs

Resolution No.: 788

Moved by: Jeff Elliott

Seconded by: Jim Hanna

THAT the Township of Huron-Kinloss Council support the Region of Peel in their support for Property Tax Exemptions for Veteran Clubs and the proposed amendment to the 2020 budget bill (Bill 229) to amend the Assessment Act that would provide a full property tax exemption to veterans' clubs retroactive to January 1, 2019 AND FURTHER directs staff to forward a copy of this resolution to local members of Parliament and all Ontario Municipalities.

Carried

Sincerely,

Kelly Lush
Deputy Clerk



Essex Climate Adaptation Team Meeting Minutes

Wednesday, October 7th, 2020

Zoom Virtual Meeting

1. Roll Call

Present: Councillor Kim Verbeek

Amandeep Hans

Andrea Descargar

Dan Metcalfe

Maddie Peters

Matthew Child

Kelsey Amlin

William Baker

Brian Lennie

Also Present:

Niharika Bandaru, Climate Change Analyst

Claire Sanders, Climate Change Specialist, ERCA

Jeff Watson, Planner, Planning Services

Corinne Chiasson, Assistant Planner, Planning Services

Sarah Aubin, Planning Assistant, Recording Secretary

Rita Jabbour, Manager, Planning Services

Lori Chadwick, Director of Development Services

Regrets:

Tyler Oglan

Gina Pannunzio

Brandi Bechard

Brian Hyland

Megan Balsillie

Members of the Public:

Chris Vander Doelen, Councillor

Steve Bjorkman, Councillor

Richard Meloche, Deputy Mayor

Adam Gault, Essex News

Jill Murray, Nature Conservancy

2. Declarations of Conflict of Interest

None

3. Adoption of Published Agenda

Committee to approve the October 7th, 2020 Essex Climate Adaptation Team Agenda.

Moved by: William Baker

Seconded by: Councillor, Kim Verbeek

(ECAT 2020-10-16) That the October 7th, 2020 Essex Climate Adaptation Team Agenda be adopted as presented.

“Carried”

4. Adoption of Minutes

Committee to approve the August 19th, 2020 Essex Climate Adaptation Team Meeting Minutes.

Moved by: Matthew Child

Seconded by: William Baker

(ECAT 2020-10-17) That the August 19th, 2020 Essex Climate Adaptation Team minutes be adopted as presented.

“Carried”

5. New Discussions

a. Progress Report

Niharika Bandaru, Chair, reviews the progress the Committee has made with the Climate Change Adaptation Plan. She states that a draft presentation of the Plan will be presented to the Committee at the next and final meeting.

b. Recap of Climate Projections for the Town of Essex

Niharika Bandaru, recaps the Climate Projections for the Town of Essex with the Committee.

c. Action Prioritization Activity

Niharika Bandaru advises the members that they will break into three separate breakout rooms to discuss the Action Prioritization Matrix.

All three break out rooms will be discussing the same Community Objectives with the Draft Community Action Items and Prioritization Criteria to determine the appropriate response.

<u>Break Out Room 1</u>	<u>Break Out Room 2</u>	<u>Break Out Room 3</u>
Corinne Chiasson	Jeff Watson	Niharika Bandaru
William Baker	Brian Lennie	Matthew Child
Dan Metcalfe	Kelsey Amlin	Councillor Kim
Claire Sanders	Maddie Peters	Verbeek
Andrea Descargar		Amandeep Hans

d. Brief Summary and Discussion

The Committee discussed their responses to the Action Prioritization Activity.

6. Delegations

None

7. Future Meetings

a. Essex Climate Adaptation Team Meeting December 2020

Committee to approve the December 17th, 2020 ECAT meeting starting at 5:00 pm.

Moved by: Dan Metcalfe

Seconded by: Kelsey Amlin

(ECAT 2020-10-18) That December 17th, 2020 meeting starting at 5:00 pm will be added to the Committees meeting schedule.

8. Adjournment

Moved by: Matthew Child

Seconded by: William Baker

(ECAT 2020-10-19) That the meeting be adjourned at 8:39 p.m.

“Carried”

Chair

Recording Secretary



Essex Police Services Board (EPSB)

Regular Meeting Minutes

A regular meeting of the Essex Police Service Board was held on Thursday, November 5, 2020

- 4:30 PM the meet was an electronic meeting held via Zoom.

1. Call to Order

Present:	Councillor, Kim Verbeek, Vice-Chair Katie McGuire Blais Richard Tapping Karen Robertson Councillor, Morley Bowman
Also Present:	A/Staff Sergeant Todd Lavigne Inspector Glenn Miller Chris Nepszy, Chief Administrative Officer Doug Sweet, Director of Community Services / Deputy CAO Sarah Aubin, Recording Secretary
Public Members:	Adam Gault

2. Declarations of Conflict of Interest

None

3. Adoption of Published Agenda

- a) Thursday November 5 2020 Essex Police Service Board Regular Meeting Agenda
Moved by Councillor, Morley Bowman
Seconded by Katie McGuire Blais

(EPSB-20-11-29) That the published agenda for the November 5 2020 Regular Essex Police Service Board meeting, be adopted as presented. **“Carried”**

4. Adoption of Minutes

- a) Thursday, October 1 2020 Essex Police Service Board Regular Meeting Minutes

Moved by Karen Robertson

Moved by Richard Tapping

(EPSB 20-11-30) That the minutes of the October 1 2020 Essex Police Service Board Meeting, be adopted as circulated. **“Carried”**

5. Public Presentations

None

6. Unfinished Business

7. Reports from Administration

1. Monthly Reports

September

- a) Police Services Board Report for Essex
- b) Police Services Board Monthly Overview September 2020
- c) OPP Detachment Board Report
- d) Windsor & Essex County Crime Stoppers Report

Constable Todd Lavigne explains the September monthly report to the members.

Councillor Bowman states that he has seen an increase in foot patrols throughout the Town of Essex and commends the OPP for the increased presence.

Kim Verbeek states that she has also seen an increase and advises that the newly in-depth reporting being provided to the members has also been appreciated.

Inspector Glenn Miller, states that he wants to thank the Essex Members for attending the Manning O.P.P. facility tour on October 19th and for attending the presentations done by both the Mental Health division and by K9 Maximus and his trainer.

He advises that it is Crime Prevention Week and states community safety and wellbeing is a community effort along with the O.P.P and states that he encourages everyone within the community to get involved to help prevent crime and promote safety and wellbeing.

He states that Project Red Ribbon was launched on November 5th by MADD Canada; No Alcohol, No Drugs, No Victims. He states that O.P.P continue to respond to collisions across Ontario and Canada with regards to Alcohol and Drugs. He states within the Town of Essex the community and O.P.P complete Ride programs constantly and periodically not just on holidays or specific days, and will continue to do so.

He advises that Cyber criminals have increased since COVID-19, across Ontario there has been a 400% increase in cyber-attacks. He states that if anyone in the community has been a victim of a cybercrime to contact the O.P.P.

He advises that a report titled Opioids and Overdoses and Impacts was released. The O.P.P. identified 2019 that there was a 34 % increase in Overdose related deaths across Ontario compared to 2018. Since 2017 O.P.P. have saved 177 lives by using naloxone across Ontario. He states that no overdose deaths have occurred in the Town of Essex. He states that the Mental Health calls have had positive outcomes and it is thanks to the community dialogue and awareness programs.

He advises that COVID-19 is ever changing and that the O.P.P with the community and the help of the Towns By-law officer the community has been safe and he encourages the community and the Town to keep being diligent.

Moved by: Katie McGuire- Blair

Seconded by: Councillor Morley Bowman

(EPSB 20-11-31) That the Reports from item 7.1 be received. **“Carried”**

8. Other Reports

a) Information Purposes Only

1. **20-0142** Enforcement and Amendments under the Reopening Ontario Act, 2020

2. **20-0143** Further Amendments under the Reopening Ontario (A Flexible Response to COVID 19) Act, 2020
3. **20-0146** Guidelines to School Emergency and Crisis Response Procedures During COVID-19
 - a. **20-0146** Attachment-1-Joint-Memo-from-Denise-Dwyer-and-Rick-Stubblings
 - b. **20-146** Attachment-2-Emergency-and-Crisis-Response-Guidance
 - c. **20-146** Attachment-3-Appendix-A-Fire-Drill-Safety
4. **20-0150** All-Chiefs-Memo-Changes-under-the-Reopening-Ontario-Act-2020
 - a. **20-0150** Attachment-4-O.-Reg.-36420-Rules-for-Areas-in-Stage-3-Amendments

Moved by Richard Tapping

Seconded by Councillor Morley Bowman

(EPSB 20-11-32) That the Reports from item 8.1 be received. **"Carried"**

9. New Business

10. Announcements / Notices of Motion

11. Adjournment

Moved by: Karen Robertson

Seconded by: Richard Tapping

(EPSB-20-11-33) That the meeting be adjourned at 5:08 p.m.

Next Meeting Date Thursday, December 3, 2020 at 4:30 p.m. via zoom.

Chair

Recording Secretary



Essex Municipal Heritage Committee (EMHC)

Thursday, October 29th, 2020 - 5:00 PM

Location: Electronic Zoom Meeting

Accessible formats or communication supports are available upon request. Please contact the Planning Department at essexplanning@essex.ca or 519-776-7336 extension 1128

"The EMHC is the resource base for information and knowledge for Council, administration and the community on all matters of heritage"

1. Roll Call

Present:	Laurie Brett, Chair
	Richard Kokovai, Vice Chair
	Phil Pocock
	Laurie Brett
	Richard Kokovai
	Laurie Kowtiuk
	Joseph Lucas
	Claudette Gauthier
	Councillor Steve Bjorkman
	Anthony Paniccia
Also Present:	Rita Jabbour, Staff Liaison
	Sarah Aubin, Recording Secretary
	Sara Smith, IT Technician

2. Declarations of Conflict of Interest

None.

3. Adoption of Published Agenda

- a) That the published Agenda for Thursday October 29th, 2020 EMHC Regular Meeting be adopted

Moved by Joe Lucas

Seconded by Richard Kokovai

(EMHC-2020-10-21) That the published agenda for the October 29th, 2020 Regular EMHC meeting, be adopted as presented.

"Carried"

4. Adoption of Minutes

- a) That the Special Minutes from the Thursday, September 24th, 20 EMHC Regular meeting be adopted.

Moved by Claudette Gauthier

Seconded by Laurie Kowtiuk

(EMHC 2020-10-22) That the special minutes from the September 24th, 2020 Regular EMHC Meeting be adopted as circulated.

"Carried"

5. Public Presentations

None.

6. Unfinished Business

- a) Greater Marketing and Public Education about Heritage– Ongoing

Rita Jabbour, Staff Liaison, asks the members if they have any greater marketing and public education events that they are attending or know of within the community. She states that given the pandemic she understands that public education is extremely limited.

She advises Richard Kokovai that the Heritage Tour Brochures are being prepared for distribution to the wineries.

- b) Cemeteries –ongoing

Rita advises the members that she has spoken with the Clerks Department who stated that they have budgeted funds for legal purposes in 2021 and that the ownerships of abandoned cemeteries could be a project considered for the new year.

- c) Listing –ongoing

Rita advises that she has looked into the right of way for Ferris Cemetery and states that the location is privately owned. The cemetery is within an agricultural field and it seems that there is no registered right of way from the field access to the cemetery.

She continues to advise that Huffman cemetery doesn't seem to have a registered right of way, however the cemetery is visible from the road unlike the Ferris Cemetery. She states that the only cemetery that has a registered pedestrian right of way in the Town of Essex favour is the designated Quick Cemetery.

She states that she has spoken with those within the Heritage Planning Network and advises that Kawartha Lakes has many of their cemeteries within farmers' fields and most of those do not have public access. She states that if the landowners have expressed that they would be happy to have pedestrians attending the cemeteries placement of signs and paths have been done to note that access is permissible.

However those land owners that do not want pedestrian traffic place up fences. She states that viewing cemeteries in the same way as designated houses. Designation

does not give members of the public a licence to enter the designated property and look at the house.

Moved by: Laurie Brett

Seconded by: Joe Lucas

(EMHC 2020-10-23) That administration send a letter of intent to list to the Ferris Cemetery property owners and the Huffman Cemetery property owners.

“Carried”

She states she also found out some information with regards to Conservation Easements for the Heritage Village.

She advises after speaking with the Ontario Heritage Trust she found that a voluntary legal agreement between the Heritage Village and the Trust can be done. This would establish mutually accepted conditions that will ensure the preservation of the heritage property.

She continues to explain what the Heritage Village board members will have to provide and do to have the property under a conservation easement with the Ontario Heritage Trust.

She states that this may be an avenue the board may want to go. However she states ownership has to be determined first and then administration can contact them what options are available.

She advises that Heritage Village can also list or designate their property at a municipal level, however the municipality does not have the funds or the contacts like the Ontario Heritage Trust does.

She states that she will contact Heritage Village and advise them of some options. She states she will advise at the next meeting which way the Village would like to proceed.

- d) Heritage Designation and Interpretive Plaque Program – ongoing
- e) Reports to Council
- f) Studies and Master Plans – on going
- g) Friends of the Colchester Schoolhouse – Ongoing
- h) Heritage Week 2021- ongoing

Rita advises that the Heritage Trust has not yet provided a theme for Heritage Week 2021 and suggests that the Heritage Committee consider some themes and provide them at the next meeting for discussion and choosing. She states remember that Heritage week is an opportunity to celebrate our shared heritage, natural, culutural, tangible and intangible. Some milestones noted are 50 years since HEIRS was founded and 140 years for the parish of St Clements church was founded.

Sarah Aubin, Recording Secretary, advises the members that she has spoken with the

Communications Manager, Alex Denonville, with regards to the Heritage 360 website tour. She advises that the locations to do the 360 photos are as follows:

John R Park Homestead, Essex United Church, St Clements Church, New Canaan Cemetery, Colchester School House, and a call to Central Grove Church has provided no luck with a return call at this time.

She states that guest speakers have been contacted. Seamus Gunn stated that he would be available to do a zoom meeting during Heritage Week 2021, and that Elise Harding Davis is also available to speak during Heritage Week via a Zoom Call with regards to the Lost Cemeteries within Essex County.

Rita advises that HEIRS in 2020 had a guest speaker series that was unable to transpire due to COVID-19. She states that she will be contacting them to see if they would be interested in also partaking in a zoom call during heritage week.

Sarah states that at the September meeting the Committee stated that they would like to see a Call for Heritage Memories. A discussion with the Communications manager provided an opportunity to request that the committee once a theme is established review what they would like to receive from members of the public. The Manager of Communications suggested that the committee look at the website Story Crops Org. It is a website that houses recordings of loved ones with their elders discussing their childhood memories, war time memories, and any life events. The website provides for questions that can be asked and may be a way to gather memories.

She states that the schools in the surrounding area have been contacted with regards to the colouring books and she is still waiting to hear back. She states that once a theme is chosen she will commence work on the colouring books.

Laurie Brett, Chair, asks administration to provide the previous list of Heritage Week themes to the Committee so that they can review past themes before the next meeting.

- i) Charles Maedel Commemoration Project –ongoing
- j) Heritage Walking Tour and Digital Component

Rita advises the members that with the assistance of GIS and communications a custom map providing all the listed and designated properties within the Town of Essex will be made. She states that residence will be able to click each listed or designated property and that it would provide further information about that particular location and the historical value behind it. She states that it will be a self-guided tour with information curated by the Town. Similar to the Victoria example, where they identify points of interest and themes for each urban center. Which is something that can be done similarly within Essex. She states Essex Centre could be a theme of Architecture, Colchester could be the settlement areas, and Harrow can be the rich railway history. She states that it can be ever changing and growing.

Steven Bjorkman states that another option could be a biking tour, for those that ride bikes within the rural community. They can ride the trails and follow the map to find historically significant locations.

k) Batten Schoolhouse and Iler Schoolhouse – ongoing

l) Cultural Master Plan – Ongoing

Rita advises that she has placed the Cultural Master Plan on the agenda as an ongoing item as it will be an item for the five year budget.

m) Historically Significant Name Registry – Ongoing

Rita advises that she has placed this item on the agenda to be ongoing as the committee has expressed their desire to start a historical name registry. She advises that this item will be similar to item (a) Greater Marketing and Public Education Opportunities.

7. Reports from Administration

None.

8. Correspondence

None.

9. New Business

a) Century Farms

Rita advises that Member Richard Kokovai contacted her and requested that some research be done with regards to Century Farms and placing the item on the agenda for discussion. She states that the Town of Essex has a number of Century Farms (100 years of same ownership or more) and that with the help of the committee she hopes they can compile a list of those farms and gather some further rural content.

Richard Kokovai states that the community currently does not have a program to recognize century farms and states that he would like to see a program like the walking / biking tour, website with prepared background information on the property and family to bring recognition to those families.

Laurie Brett, states that this is a wonderful idea. She states that Richard Hernamen from HEIRS was compiling a list of historically significant buildings and homesteads prior to his passing. She states she can contact HEIRS to see if she can obtain some of his research for this purpose.

Laurie Kowtiuk states that the McCormick Farms would be a century farm and a place the committee could start.

Anthony Paniccia states that while doing a google search he found under Century Farms there is already an Ontario Program and states he does not want the committee to re-invent the wheel.

Rita, advises that she also did some research prior to the meeting and found that there is a registry with century farms already. She states that the committee can contact the registry to see if any of the local century farms information is within the database and that could be the starting point for our own Municipal Database.

Laurie Brett, asks if Administration can complete this inquiry.

Rita, advises that she will contact the registry and advise of her findings.

b) Proposed Regulations under Ontario Heritage Act

Rita advises Bill 108 proposes changes to the OHA. Regulations were released on Sept 21 and commenting period ends on November 5 through the environmental registry. Changes expected to be proclaimed on January 1, 2021. Updates to the Ontario heritage toolkit are also forthcoming. Many of the proposed regulations are procedural and provide clarity on the new processes

c) Heritage Meeting Schedule 2021

Moved by: Richard Kokovai

Seconded by: Laurie Kowtiuk

(EMHC 2020-10-24) That Heritage Meeting Schedule 2021 be adopted as circulated.

"Carried"

10. Notices of Motion

11. Adjournment

Moved by Anthony Paniccia

Seconded by Steve Bjorkman

(EMHC-2020-10-25) That the meeting be adjourned at 5:58 p.m.

Next Meeting Date November 24th, 2020 at 5:00 pm Location: TBD

Chair

Recording Secretary

The Corporation of the Town of Essex
Minutes of Regular Committee of Adjustment Meeting
Tuesday November 17th, 2020

A regular meeting of the Town of Essex Committee of Adjustment was held on Tuesday, November 17th, 2020 at 4:00 PM via Virtual Zoom Meeting. Due to the ongoing COVID-19 pandemic, this meeting can only be viewed by the public electronically via livestream on YouTube at www.youtube.com/EssexOntari

1. Call to Order

- 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
- Daniel, Custom Quality Built iHomes Inc
Tracey Pillon Abbs, Pillon Abbs Inc.
Sawyer DeJonge, Everjonge Homes
Henry & Kathy Neumiller
William Kendrick
Vijay Vasantgadkar, Vijay Vasantgadkar Architect Inc.
Thomas Gee
Edwin C Hooker, Wolf Hookers Office
Robert Troup, Troup Group
Lena Bidawid, Troup Group
Marc & Rose Anne Johnson
Karl Neudorf

2. Declaration of Conflict of Interest

None

3. Adoption of Published Agenda

3.1 Tuesday, November 17th 2020 meeting of the Committee of Adjustment
Agenda.

Moved by: Brian Gray

Seconded by: Dan Boudreau

(COA-2020-11-78) That the published agenda for November 17th 2020 be
adopted as presented

“Carried”

4. Adoption of Minutes

4.1 Tuesday, October 20th, 2020 Committee of Adjustment meeting minutes

Moved by: Ray Beneteau

Seconded by: Dan Boudreau

(COA-2020-11-79) That the Regular Minutes from the Committee of Adjustment Meeting of October 20th, 2020 be adopted as circulated.

“Carried”

5. Unfinished Business

6. Reports from Administration / Applications

6.1 Corinne Chiasson, Assistant Planner RE:

Application A-26-20 Custom Quality Built iHomes Inc. (Agent: Tracey Pillon Abbs) 80 Laird Ave (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 80 Laird in Essex Centre (Ward 1). The applicants are proposing to construct a semi-detached dwelling, 1,375.2 square feet in size. As a result, the applicants are requesting the following variances from the Zoning By-law, Bylaw 1037. A 10 foot reduction in minimum lot width (the minimum lot width for a semi-detached dwelling in Residential District 2.1 is 60 feet). Relief from the required minimum lot area provision of 6350 square feet to 5000 square feet, for a variance of 1350 square feet in minimum lot area (The minimum lot area for a semi-detached dwelling in the R2.1 District is 6350 square feet).

A variance of 3.923 feet in the required side yard width (the minimum side yard width for an interior lot without an attached garage is 4 feet on one side and 10 feet on the other).

5.1.1 Public Presentations (if any)

Corinne Chiasson, Assistant Planner wrote:

Official Plan Designation: Residential

Zoning: Residential 2.1 (R2.1) – Medium 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 80 Laird in Essex Centre (Ward 1).

The applicants are proposing to construct a semi-detached dwelling, 1,375.2 square feet in size. As a result, the applicants are requesting the following variances from the Zoning By-law, Bylaw 1037:

- A 10 foot reduction in minimum lot width (the minimum lot width for a semi-detached dwelling in Residential District 2.1 is 60 feet).
- Relief from the required minimum lot area provision of 6350 square feet to 5000 square feet, for a variance of 1350 square feet in minimum lot area (The minimum lot area for a semi-detached dwelling in the R2.1 District is 6350 square feet).

- A variance of 3.923 feet in the required side yard width (the minimum side yard width for an interior lot without an attached garage is 4 feet on one side and 10 feet on the other).

The subject property is designated “Residential” under the Town of Essex Official Plan and zoned Residential District 2.1 (R2.1) for medium density residential uses under Town of Essex Zoning Bylaw, Bylaw 1037. Residential District 2.1 (R2.1) permits a mix of housing options as a main use, specifically, a single detached dwelling, duplex dwelling or a semi-detached dwelling. The applicants are proposing to build one (1) *semi-detached dwelling* on the property. A *semi-detached dwelling* is defined as one (1) dwelling divided vertically into two (2) *dwelling units* by a common interior wall.

The subject property is an *interior lot* defined as a lot other than a corner lot. The subject property fronts on a public road constructed to municipal standards, and has access to municipally owned and operated piped water, sanitary and storm sewers along the Laird Street frontage.

Note: Town of Essex Zoning Bylaw, Bylaw 1037, permits the addition of a second dwelling unit within each semi-detached dwelling unit. Although not proposed, the allowable density for a lot with a semi-detached dwelling is four (4) dwelling units.

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 the Official Plan and the Zoning By-law are maintained:

The Town of Essex Official plan encourages infill development and a greater variety of housing options near to the down town core area.

b) The variance(s) is minor and desirable for the appropriate use of the land:

The Official Plan also identifies the need for affordable housing, and rental units, and encourages increases in density and compact development closer to the core areas in Essex Centre. .

c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:

The applicants are proposing a two storey semi-detached structure with a gable style type roof to better align with the older neighbourhood architectural styles. The applicants have proposed separate access areas (driveways) to serve the parking needs of each dwelling unit. One parking space is required for each dwelling unit and this has been accommodated in the design through separate driveways. No negative impacts to traffic are anticipated as a result of this application. There is a multi-unit

residential, a condominium, and semi-detached developments located nearby subject property

- d) The variance deals with circumstances particular to the site and development: The R2.1 Zone Category permits a semi-detached dwelling as a main use subject to conforming with the established regulations concerning lot width; lot area; and, the side yard width minimum. The variance is necessary to permit a semi-detached dwelling to be constructed on a lot that is under the size prescribed in the Zoning By-law (60 ft).

Internal Departments and External Agency Comments

Internal departments were circulated. We received comments from Kevin Carter, Chief Building Official, and he noted he had no objections. We received comments from Kevin Girard, Director of Infrastructure Services, and he had no objections.

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, one (1) letter of objection was received from James Renaud, owner of the multi-residential building at 72 Laird Ave. Mr. Renaud states the following:

“There is no room for parking. People at present, park on the side walk or all around the building that I own at 72 Laird Ave. Frequently there are deep ruts which makes it difficult to cut the grass. A cement curb would deter parking on the grass or in spots that I have for my tenant’s parking lot.

I am asking for consideration that a single dwelling instead of a semi-detached dwelling be built.

Would you please notify me of the decision. I do not have a computer so I am not able to attend the meeting electronically. Thank you. James Renaud – 72 Laird Ave”

No further correspondences were received from members of the circulated public as of Thursday November 13, 2020.

Actions:

To be determined by the Committee.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource 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).

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazards, Stormwater Management and Natural Heritage. Therefore, ERCA has no objection to this application for Minor Variance.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application

Ray Beneteau states that he has concerns with the parking.

Corinne Chiasson advises that the rear yard has a 39 foot setback therefor; there is 14 feet available to the applicant to move the proposed structure towards the rear to accommodate for parking.

Moved by: Ray Beneteau

Seconded by: Phil Pocock

(CAO-2020-11-80) That application A-26-20 be **granted** to reduce the minimum lot width to 10 foot, reduction in minimum lot area provision to 5000 square feet, reduction in side yard width to 3.923 feet.

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”

6.2 Corinne Chiasson, Assistant Planner RE:

Application A-27-20 Everjonge Homes (Agent: Sawyer DeJonge) Vacant Lot on Robinson Ave, Lot 24, 12M-600 (Essex Centre, Ward 1)

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located on Robinson Ave, described as Lot 24, on Plan 12M-600, Essex Centre (Ward 1). The applicants are proposing to construct a new dwelling. Due to the configuration of the lot, the applicants are requesting the following variances from the Zoning Bylaw, Bylaw 1037 to accommodate the following: A minimum front yard depth of 5.24 metres (17.2 feet) (The minimum required front yard depth in the R1.1 district is 7.5 metres) A minimum rear yard depth of 6.4 metres (21 feet) (The minimum required rear yard depth in the R1.1 district is 7.5 metres)

6.2.1 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

Site Specific Zone: Section 28.1.29 - For Lots 15 to 19, 29 to 43, 58 to 76, all inclusive, on the east and west sides of Streets B and C, the minimum front yard depth shall be 6 meters and for Lots 69, 70 and 76, on Street C, the minimum exterior side yard width shall be 3 meters.

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located on Robinson Ave, described as Lot 24, on Plan 12M-600, Essex Centre (Ward 1). The applicants are proposing to construct a new dwelling. Due to the

configuration of the lot, the applicants are requesting the following variances from the Zoning Bylaw, Bylaw 1037:

- A minimum front yard depth of 5.24 metres (17.2 feet) (The minimum required front yard depth in the R1.1 district is 7.5 metres (24.6 feet).
- A minimum rear yard depth of 6.4 metres (21 feet) (The minimum required rear yard depth in the R1.1 district is 7.5 metres (24.6 feet).

A *front yard* is defined as a yard extending across the full width of a lot between the front lot line and the nearest wall of a main building on such lot. 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.

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 the Official Plan and the Zoning By-law are maintained:

Single unit dwellings are permitted under the Residential designation under the Town of Essex Official Plan. The variance would allow for the construction of a single detached dwelling which is a permitted use under the R1.1 zoning.

b) The variance(s) is minor and desirable for the appropriate use of the land:

The proposed layout with a slightly reduced front yard will not impede site lines for subject property, adjacent driveways or street parking. The proposal for a single family unit with an attached garage is comparable with adjacent properties.

c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:

The nearby dwellings currently under construction are comparable in size, architecture, and character of the proposed layout. An attached garage is proposed for this dwelling, which will accommodate the required one parking space provision. No impacts to traffic patterns are anticipated.

d) The variance deals with circumstances particular to the site and development:

The subject property is located along the bell curve of the street crescent which encroaches into the front yard of the subject property. The applicants have located the attached garage to the south property line in order to reduce the impact of the bell curve encroachment on the layout of the dwelling. Due to the smaller lot size, the applicants require relief from the front yard setback. The rear property line is also slightly on an angle which constricts the rear yard amenity area. This subject property is part of the Jakana Subdivision, and is currently under development. The requested relief from the setback provisions is a direct result of the property having a slight angle

to the rear lot line, and being located on the bell curve of the avenue's crescent. The applicants have attempted to design the dwelling to accommodate the zoning provisions to as nearest possible.

Public and Agency Comments

Upon circulation of the public notice we did not receive any comment as of November 13, 2020.

Internal departments were circulated, and we did not receive any 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:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

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

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

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

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazard, Stormwater Management and Natural Heritage. Therefore, ERCA has no objection to this application for Minor Variance

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application

Phil Pocock, asks the applicant if there is another style of dwelling that can be built on the subject property that would meet the zoning requirements.

Sawyer Dejonge, Applicants Agent, advises that there are other styles of dwellings however that they would not be able to provide for the square footage required for the development.

Rita Jabbour, Manager of Planning advises that there was a rezoning completed within the Jakana Subdivision by way of By-law 1257 (S28.1.29) that allows for Lots 15 to 10, 29 to 43, 58 to 76 a minimum front yard depth of 6 metres and lots 69,70 and 76 a minimum exterior side yard width of 3 meters.

Brian Gray asks administration if sidewalks are planned for the subdivision.

Lori Chadwick, Director of Development Services states that sidewalk placement would be stated in the development agreement.

Brian Gray states that there are drainage concerns within the subdivision and asks if these concerns have been met.

Lori Chadwick, states that the elevation for the remainder of the subdivision phases has been reviewed and the developer with the Chief Building Official has ensured proper drainage.

(CAO-2020-11-81) That application A-27-20 be **granted** to reduction in front yard depth from 7.5 metres to 5.24 metres and in rear yard depth from 7.5 metres to 6.4 metres

Moved by: Dan Boudreau

Seconded by: Ray Beneteau

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:

**6.3 Application -A-29-20 William Keith Kendrick (Agent: Vijay Vasantgadkar)
Vacant Lot at Southwest corner of Talbot Street and Fairview Avenue (Essex
Centre, Ward 1)**

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the vacant land located at the southwest corner of Talbot Street South and Fairview Avenue West in Essex Centre (Ward 1). The applicants are proposing to construct a 6 storey, multi-unit residential building. The proposed building will have a building footprint of 10,439 square feet, and contain underground parking. As a result, the applicants are requesting the following variances from the Zoning By-law, Bylaw 1037: A 7 foot reduction in the minimum separation requirement between the building wall and the parking area. (The minimum required separation between a building wall containing a habitable room window facing a parking area is 4.5 metres). A reduction of 1.82 metres into the required side yard. (The minimum side yard setback for Residential District 3.1 is 6 metres (20 feet) where a habitable room window of a dwelling unit faces a side lot line). A reduction of 1.82 metres in the required rear yard setback. (The minimum required rear yard depth in the R3.1 district is 7.5 metres.

6.3.1 Public Presentations (if any)

Corinne Chiasson, Assistant Planner wrote:

Official Plan Designation: “Essex Town Centre”

Zoning: Residential District 3.1 (R3.1) –High density residential

Site specific zone Section 28, No. 22 – *For the lands comprising Part of Lot 281, Concession South of Talbot Road, designated as Part 1, Plan 12R-5931, on the southeast corner of Talbot Street South and Fairview Avenue (being former R4 lands), the following provisions apply:*

- i. A minimum lot area of 71.5m² (770f²) shall be required for each dwelling unit;*
- ii. The maximum building height for a main building shall be 7 stories;*
- iii. The maximum lot coverage for a main building shall be equal to 40% of the lot area;*
- iv. The minimum interior side yard setback for the main building shall be 4.5m (15f);*

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the vacant land located at the southwest corner of Talbot Street South and Fairview Avenue West in Essex Centre (Ward 1). The applicants are proposing to construct a 6 storey, multi-unit residential building. The proposed building will have a building footprint of 10,439 square feet, and contain underground parking. As a result, the applicants are requesting the following variances from the Zoning By-law, Bylaw 1037:

- A 2.13 metre (7 ft) reduction in the minimum separation requirement between the building wall and the parking area. (The minimum required separation between a building wall containing a habitable room window facing a parking area is 4.5 metres)
- A reduction of 0.57 metres (1 foot, 9 inches) in the required side yard width. (The minimum side yard setback for Residential District 3.1 is 6 metres (20 feet) where a habitable room window of a dwelling unit faces a side lot yard). This property however received a site specific zoning amendment in 1998 that reduced the required side yard setback distance to 15 feet.
- A reduction of 1.82 metres (6 ft) in the required rear yard depth. (The minimum required rear yard depth in the R3.1 district is 7.5 metres (24.6 ft))

A side lot line means any exterior or interior lot line other than a front or rear lot line. A *side yard* means a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of the main building on such lot.

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 the Official Plan and the Zoning Bylaw are maintained:*

Official Plan: A multi-unit residential building is a permitted main use in the Town Centre designation under the Town of Essex Official Plan. The Official Plan promotes multiple dwelling units and mixed-use commercial/residential development, with a compact form in the downtown core areas. Increased density in the downtown main street area promotes pedestrian movement, it also aesthetically and functionally enhances the character of the main street. The property is zoned R3.1 which would permit this high density residential development.

- b) *The variance(s) is minor and desirable for the appropriate use of the land;*

Due to the angled property lines of the subject site the requested relief would permit the most efficient use of space and lot coverage. This proposal is considered minor because there will be no visual impacts on the adjacent properties as a result of the relief requested.

- c) *The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

The subject property is located amongst a commercial corridor and two institutional uses, a church facility and a sports and recreation complex. Future residents will benefit from the close proximity of these amenities. The compact design and high

density residential use will satisfy a growing need for rental units within walking distance to the down town/main street commercial corridor. The proposed development will utilize underground parking, and a landscaping plan will enhance the streetscaping near this intersection providing amenity areas for the residents and pedestrian traffic. This proposal will be subject to Site Plan Control. A traffic impact study will be a component of the site plan control application process and will need to demonstrate no negative impacts to the intersections of Talbot Street and Fairview Avenue.

d) The variance deals with circumstances particular to the site and development.

Due to the subject property having irregular property extents, portions of the design do overlap the required setbacks slightly. The design also includes a pool amenity area that is located on the 6th floor only. This will be the only area that encroaches into the side and rear yard setbacks. The applicants have designed mitigation barriers (parking blocks and curbing) that will act as safety mitigation for the reduction in the setback between a parking space and a habitable wall. The owner and architect have designed the site plan to ensure all other zoning provisions are satisfied.

Public and Agency Comments

Upon circulation of the public notice we did not receive any comment as of November 13th, 2020 from the public.

Internal departments were circulated, and we did not receive any 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:

Vitra Vimalananthan, Resource 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 Conservation Authorities Act, (Ontario Regulation No. 158/06).

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

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

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no objection to this application for Minor Variance.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application

Moved by: Ray Beneteau

Seconded by: Phil Pocock

(CAO-2020-11-82) That application A-29-20 be **granted** to reduce the minimum separation between habitable building wall and parking area from 4.5 metres (14 feet) to 2.1 metres (7 feet), and to reduction of 0.57 metres (1 foot, 9 inches) in the required side yard width, and reduce the rear yard from 7.5 metres (24 feet) to 1.82 metres (5.97 feet).

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”

6.4 Corinne Chiasson, Assistant Planner RE:

Application B-25-20 1954990 Ontario Inc. (Agent: Lena Bidawid) 330 South Talbot Road (Essex Centre, Ward 1)

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 330 South Talbot Road, in Essex Centre (Ward 1). The applicants are proposing to sever a ± 5.5 acre parcel from the existing ± 12.6 acre lot for the purposes of lot creation. The retained lot will have an area of ± 7.1 acres

6.4.1 Public Presentations (if any)

Corinne Chiasson, Assistant Planner wrote:

Official Plan Designation: Industrial

Zoning By-law District: Manufacturing 1.3 (M1.3) -

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 330 South Talbot Road, in Essex Centre (Ward 1). The applicants are proposing to sever a ± 5.5 acre parcel from the existing ± 12.6 acre lot for the purposes of lot creation. The retained lot will have an area of $+7.1$ acres.

Proposal Conformity with 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 also have regard to:

a) *The proposal's consistency with Provincial legislation, policies and guidelines:* This application is consistent with the PPS policies.

b) *The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:*

The Town of Essex Official Plan encourages the enhancement of the Town's assessment base, and also to provide additional local employment opportunities.

c) *The continuation of an orderly development pattern:*

The new site is located near the Highway 3 corridor, it is comparable in size and configuration to other adjacent manufacturing sites along South Talbot Road.

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:*

The proposed lot has access to municipal water, and is serviced by storm and sanitary sewers. Future development of this site will be subject to the Site Plan Control review, and a stormwater management plan will be a component of this process.

Agency and Public Comments

As a result of the giving of public notice, no phone calls or written correspondence has been received from members of the public as of Thursday November 13, 2020.

No objections were received from circulated internal agencies as of Thursday November 13, 2020.

We received comments from the Essex Region Conservation Authority, and they advised that prior to any construction or site alteration a permit may be required under the Conservation Authorities Act. They further note that they have no objections to this consent.

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 all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource 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 14th Conc. E. Drain Branch and Rush Drain. 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.

CONSERVATION AUTHORITIES AS LANDOWNERS

The parcel is adjacent to a property which is owned by the Essex Region Conservation Authority. Prior to any construction or site alteration activities adjacent to this property, or for general information regarding this property, please contact Kevin Money, Director of Conservation Services at (519) 776-5209 ext. 351.

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazard, Stormwater Management and Natural Heritage. Therefore, ERCA has no objection to this application for Consent.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application

Moved by: Phil Pocock

Seconded by: Ray Beneteau

(CAO-2020-11-83) That application B-25-20 be **granted** to sever a \pm 5.5 acre parcel from the existing \pm 12.6 acre lot for the purposes of lot creation

Reasons for Decision: The Application is in keeping with subsections 6.4 of the Town of Essex Official Plan respecting consents.

Actions:

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 all of the above conditions be fulfilled on or before November 17, 2021

“Carried”

6.5 Corinne Chiasson, Assistant Planner RE:

Application B-18-20 Marc and Rose Ann Johnston 3873 3rd Concession Road (Colchester South, Ward 3)

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 3873 3rd Concession Road in the former township of Colchester South. The applicants are proposing to sever a ± 6.88 acre parcel from the existing ± 11.94 acre lot for the purposes of a lot addition. The severed parcel is comprised of an area designated and zoned an area of Natural Environment and Wetland. Consequently, the severed parcel is proposed to be merged with the lands located directly to the East and known municipally as 3881 3rd Concession, for the purposes of conservation. The retained parcel will result in an area of ± 5 acres and will continue to be used for residential purposes.

Note An application for minor variance has also been received for the subject lands (File Number: A-18-20). The public notice for the minor variance application has been included with this notice

6.5.1 Public Presentations (if any)

Corinne Chiasson, Assistant Planner wrote:

Official Plan Designation: Natural Environment

Zoning By-law District: Natural Environment 1.1 (NE1.1)

(10.7 Natural Environment & Wetland Setback Provisions, 10.8 Natural Heritage Overlay Provisions)

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 3873 3rd Concession Road in the former township of Colchester South. The applicants are proposing to sever a ± 6.88 acre parcel from the existing ± 11.94 acre lot for the purposes of a lot addition.

The severed parcel is comprised of an area designated and zoned Natural Environment and Wetland. Consequently, the severed parcel is proposed to be merged with the lands located directly to the East and known municipally as 3881 3rd Concession, for the purposes of conservation. The retained parcel will result in an area of ±5 acres and will continue to be used for the established residential purposes.

Proposal Conformity with Provincial Policy Statement (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 subject site contains one existing single family dwelling, and the balance of the property contains provincially significant wetland/valley land, floodplain hazard, and an upland woodland. In accordance with the Provincial Policy Statement (PPS) Section 2.1 states: "natural features shall be protected for the long term. Section 2.1.4 further states: "development and site alteration shall not be permitted in: a) significant wetlands...Section 2.1.5 b) significant woodlands, c) significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The applicant is requesting this severance to add the severed lands to 3881 Concession Rd 3 in order to protect the natural heritage features in perpetuity. In order to satisfy the policies of the PPS noted above, the applicant is required to demonstrate that no negative impacts will result from this severance. Through consultation with the Essex Region Conservation Authority as prescribed in the Town of Essex Official Plan, the ERCA has identified that a Conservation Easement registered on title over the severed lands, would be an acceptable demonstration. The applicant is in agreement with a Conservation Easement being placed as a condition of his severance, as it is his objective to protect the lands in perpetuity. The registering of the easement over the severed lands will therefore satisfy the policies of the PPS.

The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:

Section 5.5 of the Town of Essex Official Plan states: that development and site alteration as defined in the PPS is not permitted within those areas designated as "Natural Environment". Further, no development shall occur on lands located adjacent to Natural Environment, unless it has been demonstrated to the satisfaction of the municipality, in consultation with ERCA, that there will be no negative impacts on the natural features or the ecological functions. As the applicants wish to protect the natural heritage feature in perpetuity ERCA and the applicant are in agreement that placement of a Conservation Easement is an acceptable demonstration that no negative impacts or future development will occur on the severed lands. The existing NE designation and NE zone category are permissive and cannot be utilized to satisfy

the PPS policies. The Zoning by-law further states that the minimum size are in an NE zone is “as existing”. The applicant is requesting to reduce the existing lot from 11.954 acres to 5 acres therefore a Minor Variance is required to accommodate this severance.

Comments were received from the Essex Region Conservation Authority (ERCA). They state the following:

“The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Cedar Creek Wetland Complex (ER 15)), significant woodland, significant wildlife habitat, and significant area of natural and scientific interest (Cedar Creek Life Science ANSI) under the Provincial Policy Statement (PPS).

Section 2.1.4 of the PPS, 2020 states - "Development and site alteration shall not be permitted in "significant wetlands..." and "significant coastal wetlands." Section 2.1.5 of the PPS states - Development and site alterations shall not be permitted in significant woodland... and significant wildlife habitat... and significant area of natural and scientific interest... unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Section 2.1.8 of the PPS, 2020 states – “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” This demonstration of no negative impact, as required by the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA), in accordance with the EIA Guidelines published by ERCA. However, other options may also qualify as an adequate demonstration of no negative impact.

Our information also indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS, 2020 – “*Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements*”. All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their related habitats, are protected under the Ontario *Endangered Species Act*. Prior to initiating any proposed works on this property, it is the proponent’s responsibility to contact the Species at Risk Branch of the Ontario Ministry of Environment, Conservation & Parks (MECP) to ensure all issues related to the *Endangered Species Act* are addressed. All inquiries regarding the *Endangered Species Act* should be made with Permissions and Compliance Section of the MECP (e-mail address: SAROntario@ontario.ca).

In our opinion, for this particular application, a satisfactory demonstration of no negative impact could be accomplished through the registration of a Conservation Easement, which would be held by the Municipality and run on title of the property in perpetuity. It is recommended that this Conservation Easement contain sufficient provisions (i.e., covenants) prohibiting use the lands which would damage or destroy the natural features or prevent their restoration and enhancement. Registration and enforcement of the provisions within the Conservation Easement would effectively mitigate the potential for disturbance of the natural feature, and therefore no further EIA or demonstration of no negative impact would be required in order to satisfy the requirements of the PPS.

It is therefore recommended that the Application may be approved subject to the condition of the registration of a Conservation Easement on title, providing for the effective protection of the natural heritage feature, in perpetuity. In consideration of the e-mail correspondence received from Corinne Chiasson of the Town of Essex, dated November 2, 2020, confirming that the Town of Essex is recommending the establishment of a Conservation Easement on title, ERCA has no objection to this application for Minor Variance and Consent subject to the condition of the registration of the Conservation Easement.” Vitra Vimalananthan, Resource Planner, (ERCA)

No other comments were received from circulated public authorities or agencies;

b) *The continuation of an orderly development pattern:*

The lot addition encompasses the entire natural feature (wetland, upland woodlands, and natural hazards associated with the floodplain of Cedar Creek) on the subject property. The retained parcel will be limited to the historically mowed cleared area around the residence and driveway in the front yard.

- c) 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:*

The existing residence (retained lot) has municipal potable water service, and is on a private septic system.

Requirement for Minor Variance A-18-20

As a result of the proposed lot addition, an application for minor variance is required to accommodate the reduction of the retained lot (3873 3rd Concession Road) from ± 11.94 acres to ± 5 acres. The Zoning By-law states that the minimum lot area and lot width for lots zoned Natural Environment District 1.1 (NE1.1) is "as existing". Therefore the subject lot requires a minor variance to recognize the reduction in the lot area and lot width.

Proposal Conformity with Provincial Policy Statement (PPS) and 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 the Official Plan and the Zoning Bylaw are maintained:*

The Official Plan contains policies that support development within NE designations provided there is a demonstration of no negative impact. The purpose of these applications is to ensure the protection of the natural heritage feature. A conservation easement registered on title over the severed lands will satisfy the requirement for a demonstration of no negative impact under the PPS and OP policies.

- b) The variance(s) is minor and desirable for the appropriate use of the land:*

The severance is a change in lot configuration, intended to consolidate the natural heritage feature to one property only, identified as 3881 Concession 3. Consolidation of natural heritage lands is a desired goal noted in the Town of Essex Official Plan.

- c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

Lot sizes vary considerably in the Natural Environment designation. The extents of the subject property follow the extents of the natural features and hazard lands. No new lots will be created as a result of these applications, therefore no impacts to character, traffic or parking patterns are anticipated.

- d) The variance deals with circumstances particular to the site and development:*

The applicant wishes to consolidate the natural heritage feature for protection in perpetuity, and as a result prepare the retained parcel for potential future sale.

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 November 13, 2020.

No comments were received from circulated internal agencies as of Thursday November 13, 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 3881 Concession Road 3. 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.
 - g) That the Owner registers a Conservation Easement over the severed parcel in favour of the Town of Essex, to protect the natural heritage in perpetuity, to the satisfaction of the Town of Essex, in consultation with the ERCA.
 - h) That minor variance A-18-20 receives approval from the Committee.
 - f) That all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

DELEGATED RESPONSIBILITY TO REPRESENT THE 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 Richmond 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.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

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

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Cedar Creek Wetland Complex (ER 15)), significant woodland, significant wildlife habitat, and significant area of natural and scientific interest (Cedar Creek Life Science ANSI) under the Provincial Policy Statement (PPS).

Section 2.1.4 of the PPS, 2020 states - "Development and site alteration shall not be permitted in

"significant wetlands..." and "significant coastal wetlands."Section 2.15 of the PPS states - Development and site alterations shall not be permitted in significant woodland... and significant wildlife habitat... and significant area of natural and scientific interest... unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Section 2.1.8 of the PPS, 2020 states – "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands

has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” This demonstration of no negative impact, as required by the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA), in accordance with the EIA Guidelines published by ERCA. However, other options may also qualify as an adequate demonstration of no negative impact.

Our information also indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS, 2020 – “Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements”. All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their related habitats, are protected under the Ontario Endangered Species Act. Prior to initiating any proposed works on this property, it is the proponent’s responsibility to contact the Species at Risk Branch of the Ontario Ministry of Environment, Conservation & Parks (MECP) to ensure all issues related to the Endangered Species Act are addressed. All inquiries regarding the Endangered Species Act should be made with Permissions and Compliance Section of the MECP (e-mail address: SAROntario@ontario.ca). In our opinion, for this particular application, a satisfactory demonstration of no negative impact could be accomplished through the registration of a Conservation Easement, which would be held by the Municipality and run on title of the property in perpetuity. It is recommended that this Conservation Easement contain sufficient provisions (i.e., covenants) prohibiting use the lands which would damage or destroy the natural features or prevent their restoration and enhancement. Registration and enforcement of the provisions within the Conservation Easement would effectively mitigate the potential for disturbance of the natural feature, and therefore no further EIA or demonstration of no negative impact would be required in order to satisfy the requirements of the PPS.

It is therefore recommended that the Application may be approved subject to the condition of the registration of a Conservation Easement on title, providing for the effective protection of the natural heritage feature, in perpetuity.

FINAL RECOMMENDATION

In consideration of the e-mail correspondence received from Corinne Chiasson of the Town of Essex, dated November 2, 2020, confirming that the Town of Essex is recommending the establishment of a Conservation Easement on title, ERCA has no objection to this application for Minor Variance and Consent subject to the condition of the registration of the Conservation Easement.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Ray Beneteau asks the applicant and the secretary treasurer if the retained parcel can be squared instead of the irregularly shaped like proposed.

Corinne Chiasson, advises that the irregular shape of the proposed retained parcel is to preserve and keep the natural valley within one property instead of across two separate subject parcels.

Marc Johnston, Applicant, states that he would have no concerns if the retained parcel was squared off instead of irregular as proposed.

Moved by: Ray Beneteau

Seconded by: Dan Boudreau

(CAO-2020-11-84) That application B-18-20 be **granted** to sever a \pm 6.88 acre parcel from the existing \pm 11.94 acre lot for the purposes of a lot addition. The severed parcel is proposed to be merged with the lands located directly to the East and known municipally as 3881 3rd Concession, and that the Conservation Easement be completed.

Reasons for Decision: The Application **is** in keeping with subsections 6.4 of the Town of Essex Official Plan respecting consents.

Actions:

- 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 3881 Concession Road 3. 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.
- g) That the Owner registers a Conservation Easement over the severed parcel in favour of the Town of Essex, to protect the natural heritage in perpetuity, to the satisfaction of the Town of Essex, in consultation with the ERCA.
- h) That minor variance A-18-20 receives approval from the Committee.

f) That all of the above conditions be fulfilled on or before November 17, 2021.

“Carried”

6.6 Corinne Chiasson, Assistant Planner RE:

Application A-18-20 Marc and Rose Ann Johnston 3873 3rd Concession Road (Colchester South, Ward 3)

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands located at 3873 3rd Concession Road in the former township of Colchester South. The minimum lot area and lot width for lots zoned Natural Environment District 1.1 (NE1.1) is as existing. As a result of a proposed severance for lot addition, the lot area for the retained parcel will be reduced from ± 11.94 acres, the existing lot area, to ± 5 acres. The lot width will be reduced from ± 362.75 feet, the existing lot width, to ± 240 feet.

Note: An application for consent has also been received for the subject lands (File Number: B-18-20). The public notice for the consent application has been included with this notice.

6.5.1 Public Presentations (if any)

Corinne Chiasson, Assistant Planner wrote:

Official Plan Designation: Natural Environment

Zoning By-law District: Natural Environment 1.1 (NE1.1)

(10.7 Natural Environment & Wetland Setback Provisions, 10.8 Natural Heritage Overlay Provisions)

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 3873 3rd Concession Road in the former township of Colchester South. The applicants are proposing to sever a ± 6.88 acre parcel from the existing ± 11.94 acre lot for the purposes of a lot addition.

The severed parcel is comprised of an area designated and zoned Natural Environment and Wetland. Consequently, the severed parcel is proposed to be merged with the lands located directly to the East and known municipally as 3881 3rd Concession, for the purposes of conservation. The retained parcel will result in an area of ± 5 acres and will continue to be used for the established residential purposes.

Proposal Conformity with Provincial Policy Statement (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:

d) *The proposal's consistency with Provincial legislation, policies and guidelines:*

The subject site contains one existing single family dwelling, and the balance of the property contains provincially significant wetland/valley land, floodplain hazard, and an upland woodland. In accordance with the Provincial Policy Statement (PPS) Section 2.1 states: "natural features shall be protected for the long term. Section 2.1.4 further states: "development and site alteration shall not be permitted in: a) significant wetlands...Section 2.1.5 b) significant woodlands, c) significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The applicant is requesting this severance to add the severed lands to 3881 Concession Rd 3 in order to protect the natural heritage features in perpetuity. In order to satisfy the policies of the PPS noted above, the applicant is required to demonstrate that no negative impacts will result from this severance. Through consultation with the Essex Region Conservation Authority as prescribed in the Town of Essex Official Plan, the ERCA has identified that a Conservation Easement registered on title over the severed lands, would be an acceptable demonstration. The applicant is in agreement with a Conservation Easement being placed as a condition of his severance, as it is his objective to protect the lands in perpetuity. The registering of the easement over the severed lands will therefore satisfy the policies of the PPS.

The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:

Section 5.5 of the Town of Essex Official Plan states: that development and site alteration as defined in the PPS is not permitted within those areas designated as "Natural Environment". Further, no development shall occur on lands located adjacent to Natural Environment, unless it has been demonstrated to the satisfaction of the municipality, in consultation with ERCA, that there will be no negative impacts on the natural features or the ecological functions. As the applicants wish to protect the natural heritage feature in perpetuity ERCA and the applicant are in agreement that placement of a Conservation Easement is an acceptable demonstration that no negative impacts or future development will occur on the severed lands. The existing NE designation and NE zone category are permissive and cannot be utilized to satisfy the PPS policies. The Zoning by-law further states that the minimum size are in an NE zone is "as existing". The applicant is requesting to reduce the existing lot from 11.954 acres to 5 acres therefore a Minor Variance is required to accommodate this severance.

Comments were received from the Essex Region Conservation Authority (ERCA). They state the following:

"The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Cedar Creek Wetland Complex (ER 15)), significant woodland, significant wildlife habitat, and significant area of natural and scientific interest (Cedar Creek Life Science ANSI) under the Provincial Policy Statement (PPS).

Section 2.1.4 of the PPS, 2020 states - "Development and site alteration shall not be permitted in "significant wetlands..." and "significant coastal wetlands." Section 2.1.5 of the PPS states - Development and site alterations shall not be permitted in significant woodland... and significant wildlife habitat... and significant area of natural and scientific interest... unless it has been

demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Section 2.1.8 of the PPS, 2020 states – “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” This demonstration of no negative impact, as required by the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA), in accordance with the EIA Guidelines published by ERCA. However, other options may also qualify as an adequate demonstration of no negative impact.

Our information also indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS, 2020 – “*Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements*”. All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their related habitats, are protected under the Ontario *Endangered Species Act*. Prior to initiating any proposed works on this property, it is the proponent’s responsibility to contact the Species at Risk Branch of the Ontario Ministry of Environment, Conservation & Parks (MECP) to ensure all issues related to the *Endangered Species Act* are addressed. All inquiries regarding the *Endangered Species Act* should be made with Permissions and Compliance Section of the MECP (e-mail address: SAROntario@ontario.ca).

In our opinion, for this particular application, a satisfactory demonstration of no negative impact could be accomplished through the registration of a Conservation Easement, which would be held by the Municipality and run on title of the property in perpetuity. It is recommended that this Conservation Easement contain sufficient provisions (i.e., covenants) prohibiting use the lands which would damage or destroy the natural features or prevent their restoration and enhancement. Registration and enforcement of the provisions within the Conservation Easement would effectively mitigate the potential for disturbance of the natural feature, and therefore no further EIA or demonstration of no negative impact would be required in order to satisfy the requirements of the PPS.

It is therefore recommended that the Application may be approved subject to the condition of the registration of a Conservation Easement on title, providing for the effective protection of the natural heritage feature, in perpetuity. In consideration of the e-mail correspondence received from Corinne Chiasson of the Town of Essex, dated November 2, 2020, confirming that the Town of Essex is recommending the establishment of a Conservation Easement on title, ERCA has no objection to this application for Minor Variance and Consent subject to the condition of the registration of the Conservation Easement.” Vitra Vimalananthan, Resource Planner, (ERCA)

No other comments were received from circulated public authorities or agencies;

e) *The continuation of an orderly development pattern:*

The lot addition encompasses the entire natural feature (wetland, upland woodlands, and natural hazards associated with the floodplain of Cedar Creek) on the subject property. The retained parcel will be limited to the historically mowed cleared area around the residence and driveway in the front yard.

f) *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:*

The existing residence (retained lot) has municipal potable water service, and is on a private septic system.

Requirement for Minor Variance A-18-20

As a result of the proposed lot addition, an application for minor variance is required to accommodate the reduction of the retained lot (3873 3rd Concession Road) from ± 11.94 acres to ± 5 acres. The Zoning By-law states that the minimum lot area and lot width for lots

zoned Natural Environment District 1.1 (NE1.1) is “as existing”. Therefore the subject lot requires a minor variance to recognize the reduction in the lot area and lot width.

Proposal Conformity with Provincial Policy Statement (PPS) and 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:

e) The general intent of the Official Plan and the Zoning Bylaw are maintained:

The Official Plan contains policies that support development within NE designations provided there is a demonstration of no negative impact. The purpose of these applications is to ensure the protection of the natural heritage feature. A conservation easement registered on title over the severed lands will satisfy the requirement for a demonstration of no negative impact under the PPS and OP policies.

f) The variance(s) is minor and desirable for the appropriate use of the land:

The severance is a change in lot configuration, intended to consolidate the natural heritage feature to one property only, identified as 3881 Concession 3. Consolidation of natural heritage lands is a desired goal noted in the Town of Essex Official Plan.

g) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:

Lot sizes vary considerably in the Natural Environment designation. The extents of the subject property follow the extents of the natural features and hazard lands. No new lots will be created as a result of these applications, therefore no impacts to character, traffic or parking patterns are anticipated.

h) The variance deals with circumstances particular to the site and development:

The applicant wishes to consolidate the natural heritage feature for protection in perpetuity, and as a result prepare the retained parcel for potential future sale.

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 November 13, 2020.

No comments were received from circulated internal agencies as of Thursday November 13, 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 3881 Concession Road 3. 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.
- g) That the Owner registers a Conservation Easement over the severed parcel in favour of the Town of Essex, to protect the natural heritage in perpetuity, to the satisfaction of the Town of Essex, in consultation with the ERCA.
- h) That minor variance A-18-20 receives approval from the Committee.
- f) That all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

DELEGATED RESPONSIBILITY TO REPRESENT THE 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 Richmond 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.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

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

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Cedar Creek Wetland Complex (ER 15)), significant woodland, significant wildlife habitat, and significant area of natural and scientific interest (Cedar Creek Life Science ANSI) under the Provincial Policy Statement (PPS).

Section 2.1.4 of the PPS, 2020 states - "Development and site alteration shall not be permitted in "significant wetlands..." and "significant coastal wetlands." Section 2.15 of the PPS states - Development and site alterations shall not be permitted in significant woodland... and significant wildlife habitat... and significant area of natural and scientific interest... unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Section 2.1.8 of the PPS, 2020 states – "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions." This demonstration of no negative impact, as required by the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA), in accordance with the EIA Guidelines published by ERCA. However, other options may also qualify as an adequate demonstration of no negative impact.

Our information also indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS, 2020 – "Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements". All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their

related habitats, are protected under the Ontario Endangered Species Act. Prior to initiating any proposed works on this property, it is the proponent's responsibility to contact the Species at Risk Branch of the Ontario Ministry of Environment, Conservation & Parks (MECP) to ensure all issues related to the Endangered Species Act are addressed. All inquiries regarding the Endangered Species Act should be made with Permissions and Compliance Section of the MECP (e-mail address: SAROntario@ontario.ca).

In our opinion, for this particular application, a satisfactory demonstration of no negative impact could be accomplished through the registration of a Conservation Easement, which would be held by the Municipality and run on title of the property in perpetuity. It is recommended that this Conservation Easement contain sufficient provisions (i.e., covenants) prohibiting use the lands which would damage or destroy the natural features or prevent their restoration and enhancement. Registration and enforcement of the provisions within the Conservation Easement would effectively mitigate the potential for disturbance of the natural feature, and therefore no further EIA or demonstration of no negative impact would be required in order to satisfy the requirements of the PPS.

It is therefore recommended that the Application may be approved subject to the condition of the registration of a Conservation Easement on title, providing for the effective protection of the natural heritage feature, in perpetuity.

FINAL RECOMMENDATION

In consideration of the e-mail correspondence received from Corinne Chiasson of the Town of Essex, dated November 2, 2020, confirming that the Town of Essex is recommending the establishment of a Conservation Easement on title, ERCA has no objection to this application for Minor Variance and Consent subject to the condition of the registration of the Conservation Easement.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Moved by: Dan Boudreau

Seconded by: Phil Pocock

(CAO-2020-11-85) That application A-18-20 be **granted** to permit the reduction in lot area and lot width for a property designated and zoned Natural Environment

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”

6.7 Corinne Chiasson, Assistant Planner RE:

**Application B-24-20 Henry & Kathy Neumiller 650 County Road 13
(Colchester South, Ward 3)**

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 650 County Road 13, in former Colchester South (Ward 3). The applicants are proposing to sever a 0.47 acre parcel from the existing ± 5 acre farm lot. The retained agricultural lot will therefore be reduced to ± 4.53 acres. The applicants wish to sever this lot for the purposes of creating a new lot.

Note: An application for minor variance has also been received for the subject lands (File Number: A-28-20). The public notice for the minor variance application has been included with this notice

6.7.1 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

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 650 County Road 13, in the former township of Colchester South (Ward 3). The applicants are proposing to sever a ± 0.47 acre parcel from the existing ± 5 acre farm lot. The retained agricultural lot will therefore be reduced to ± 4.53 acres. The applicants wish to sever this lot for the purposes of creating a new lot.

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 minimum required lot size in an Agricultural District 1.1 (A1.1) under the Town of Essex Zoning By-law, By-law 1037, is 40 hectares (100 acres) or as existing.

The minimum required lot width in Agricultural District 1.1 (A1.1) under Town of Essex Zoning By-law, By-law 1037, is 60 metres (200 feet).

Assessment of Proposal Conformity with the Provincial Policy Statement 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 also have regard to:

- a)** *The proposal’s consistency with Provincial legislation, policies and guidelines:*

The Provincial Policy Statement (PPS) discourages lot creation in prime agricultural areas. Lot creation may only be permitted for agricultural uses, agricultural related uses, lot adjustments, infrastructure and a residence surplus to a farming operation as a result of farm consolidation. The creation of new residential lots in prime agricultural areas shall not be permitted except when the severance qualifies as a residence surplus to a farming operation.

The PPS defines a *residence surplus to a farming operation* as an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation). The subject property is the only land holding that Mr. and Mrs. Nemiller own. Therefore, this application does not qualify as a surplus dwelling lot. **This proposal is therefore not consistent with the PPS policies for lot creation in prime agricultural areas. .**

b) The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:

Section 6.5 of the Town of Essex Official Plan only permits one lot creating consent in areas designated "Agricultural" for surplus dwellings, specifically, where a lot has been acquired for consolidation with another farm operation and there is a dwelling on the acquired lot, the applicant may be granted a consent to permit the severance of the dwelling and a surrounding portion of the acquired lot, if the dwelling is considered to be surplus to the needs of the farm operation. The proposal does not meet the requirements and policies of the official plan for the Town of Essex.

c) The continuation of an orderly development pattern:

The proposed lot contains one existing dwelling. The proposed extents of the new lot will not impact land currently under agricultural production (Orchard cultivation).

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:

The proposed lot has access to municipal water, and is serviced by storm drains. The lot contains a private septic system.

Requirement for a Minor Variance (A-28-20)

As a result of the proposed severance, the lot area for the severed and retained parcels will be reduced from ± 5 acres to ± 0.47 acres and ± 4.53 acres, respectively. The applicants wish to sever this lot for the purposes of creating a new lot. The minimum required lot area within an Agriculture District 1.1 (A1.1) is 40 hectares (100 acres) or as existing.

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 the Official Plan and the Zoning Bylaw are maintained:*

The minor variance is required as a result of the proposed severance application. The severance would permit 2 undersized agricultural properties. The proposed severance does not meet the criteria for an agricultural severance under the policies of the PPS or the Official Plan.

b) *The variance(s) is minor and desirable for the appropriate use of the land;*

Two residences with separate addresses exists on the subject lands. The applicant wishes the properties to be separated. This would permit the owners to reside next to the farming operation, pass on the family business to their son, and later permit the sale of the second dwelling for potential estate planning purposes

c) *The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

The residences at both 650 and 658 County Road 13 contain separate access driveways. No changes are proposed to this configuration, therefore no impacts to traffic or parking patterns are anticipated.

d) *The variance deals with circumstances particular to the site and development.*

The owners have identified that they wish to continue living next to the farming operation, but want to pass on the operations of the farm to their children. The existing 5 acre agricultural lot, which is considerably smaller than the typical 50-100 acre farm lots in the region, contains an orchard (a specialty crop) that is considered viable for the type of operation.

Public and Agency Comments

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections to the application for consent or accompanying application for minor variance. No further comments were received from other public authorities or agencies as of Friday November 13, 2020.

Upon circulation of the public notice we did not receive any comment as of November 13, 2020.

Internal departments were circulated, and we did not receive any objections.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections.

Staff's Recommendation: As presented, these applications for Consent and Minor Variance are not consistent with the PPS policies or the severance policies of the Town of Essex Official Plan. It is therefore staff's recommendation to the Committee that these applications be denied.

Action:

To be determined by the Committee.

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 applicant pay the applicable parkland dedication fee in the amount of \$1250.00 in accordance with Town of Essex Policy No. 899-11-324 to be charged against the lot created by consent and that the payment be made prior to the stamping of the deeds and/or issuance of the certificate;
- f) That a septic test report be completed and filed with the municipality by a Certified Septic System Installer confirming that the septic system(s) meet Part 8 of the Ontario Building Code (OBC) regulations prior to the stamping of the Deeds and/or the issuance of the certificate;
- g) That, prior to the granting of this consent, the requested variance should be granted by the Committee of Adjustment to accommodate the reduction in minimum frontage distance and the reduction in the side yard lot line area for the severed and retained parcel.
- h) That all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

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

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

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

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazards, Natural Heritage and Stormwater Management. Therefore, ERCA has no objection to these application for Consent and Minor Variance.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application and advises the members of administrations recommendation to deny the application as it does not align with the Provincial Policy Statement or the Official Plan of the Town of Essex.

Brian Gray states that he understands the restrictions set out in the Provincial Policy Statement and the Towns Official Plan but states that given this specific subject property and the nature of the two dwellings on the property should they follow the recommendation set out in both documents they would be creating a hardship for the applicants. He states that there is only a few properties within the Town of Essex with this type of circumstance and states that the Town should be encouraging the correction not discouraging it.

Rita Jabbour, Manager of Planning, states that the policy comes directly from the Planning Act, Provincial Policy Statement and Official Plan. She advises that a severance of the proposed is not recommended under any of the stated guidelines.

Percy Dufour, states that the Provincial Policy Statement advises that having two dwellings on one subject property is prohibited.

Rita Jabbour, states that the subject property is currently legally non-conforming. She states that a severance is possible on this subject property however it needs to be surplus to an already existing agricultural operation within the Town of Essex. She advises that the proposed severance is to create a new lot which is not permitted under the Planning Act, Provincial Policy Statement or the Official Plan.

Percy Dufour states that should the committee approve the application then they would be making the subject property conforming instead of legal non-conforming.

Moved by: Phil Pocock

Seconded by: Dan Boudreau

Ray Beneteau, member requests a recorded vote:

Member	Approved	Denied
Percy Dufour, Chair	X	
Brian Gray, Vice Chair	X	
Phil Pocock, Member	X	
Dan Boudreau, Member	X	
Ray Beneteau, Member		X

(CAO-2020-11-86) That application B-24-20 be **granted** to severe a 0.47 acre parcel from the existing ±5 acre farm lot for the purposes of lot creation.

Reasons for Decision: The Application is in keeping with subsections 6.4 of the Town of Essex Official Plan respecting consents and subsection 6.5 Consents in Areas Designated “Agricultural”.

Actions:

- 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 applicant pay the applicable parkland dedication fee in the amount of \$1250.00 in accordance with Town of Essex Policy No. 899-11-324 to be charged against the lot created by consent and that the payment be made prior to the stamping of the deeds and/or issuance of the certificate;
- f) That a septic test report be completed and filed with the municipality by a Certified Septic System Installer confirming that the septic system(s) meet Part 8 of the Ontario Building Code (OBC) regulations prior to the stamping of the Deeds and/or the issuance of the certificate;
- g) That, prior to the granting of this consent, the requested variance should be granted by the Committee of Adjustment to accommodate the reduction in minimum frontage distance and the reduction in the side yard lot line area for the severed and retained parcel.
- h) That all of the above conditions be fulfilled on or before November 17, 2021.

“Carried”

6.8 Corinne Chiasson, Assistant Planner RE:

Application A-28-20 Henry & Kathy Neumiller 650 County Road 13 (Colchester South, Ward 3)

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands agricultural lands identified as 650 County Road 13, in the former township of Colchester South (Ward 3). As a result of a proposed severance, the lot area for the severed and retained parcels will be reduced from ± 5 acres to ± 0.47 acres and ± 4.53 acres, respectively. The applicants wish to sever this lot for the purposes of creating a new lot

Note: An application for consent has also been received for the subject lands (File Number: B-24-20). The public notice for the consent application has been included with this notice.

6.8.1 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

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 650 County Road 13, in the former township of Colchester South (Ward 3). The applicants are proposing to sever a ± 0.47 acre parcel from the existing ± 5 acre farm lot. The retained agricultural lot will therefore be reduced to ± 4.53 acres. The applicants wish to sever this lot for the purposes of creating a new lot.

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 minimum required lot size in an Agricultural District 1.1 (A1.1) under the Town of Essex Zoning By-law, By-law 1037, is 40 hectares (100 acres) or as existing.

The minimum required lot width in Agricultural District 1.1 (A1.1) under Town of Essex Zoning By-law, By-law 1037, is 60 metres (200 feet).

Assessment of Proposal Conformity with the Provincial Policy Statement 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 also have regard to:

a) *The proposal's consistency with Provincial legislation, policies and guidelines:*

The Provincial Policy Statement (PPS) discourages lot creation in prime agricultural areas. Lot creation may only be permitted for agricultural uses, agricultural related uses, lot adjustments, infrastructure and a residence surplus to a farming operation as a result of farm consolidation. The creation of new residential lots in prime agricultural areas shall not be permitted except when the severance qualifies as a residence surplus to a farming operation.

The PPS defines a *residence surplus to a farming operation* as an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation). The subject property is the only land holding that Mr. and Mrs. Nemiller own. Therefore, this application does not qualify as a surplus dwelling lot. **This proposal is therefore not consistent with the PPS policies for lot creation in prime agricultural areas.**

b) *The requirements and policies of the Official Plan for the Town of Essex and the comments of other public authorities and agencies:*

Section 6.5 of the Town of Essex Official Plan only permits one lot creating consent in areas designated "Agricultural" for surplus dwellings, specifically, where a lot has been acquired for consolidation with another farm operation and there is a dwelling on the acquired lot, the applicant may be granted a consent to permit the severance of the dwelling and a surrounding portion of the acquired lot, if the dwelling is considered to be surplus to the needs of the farm operation. The proposal does not meet the requirements and policies of the official plan for the Town of Essex.

c) *The continuation of an orderly development pattern:*

The proposed lot contains one existing dwelling. The proposed extents of the new lot will not impact land currently under agricultural production (Orchard cultivation).

- 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:*

The proposed lot has access to municipal water, and is serviced by storm drains. The lot contains a private septic system.

Requirement for a Minor Variance (A-28-20)

As a result of the proposed severance, the lot area for the severed and retained parcels will be reduced from ± 5 acres to ± 0.47 acres and ± 4.53 acres, respectively. The applicants wish to sever this lot for the purposes of creating a new lot. The minimum required lot area within an Agriculture District 1.1 (A1.1) is 40 hectares (100 acres) or as existing.

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 the Official Plan and the Zoning Bylaw are maintained:*

The minor variance is required as a result of the proposed severance application. The severance would permit 2 undersized agricultural properties. The proposed severance does not meet the criteria for an agricultural severance under the policies of the PPS or the Official Plan.

- b) The variance(s) is minor and desirable for the appropriate use of the land;*

Two residences with separate addresses exists on the subject lands. The applicant wishes the properties to be separated. This would permit the owners to reside next to the farming operation, pass on the family business to their son, and later permit the sale of the second dwelling for potential estate planning purposes

- c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:*

The residences at both 650 and 658 County Road 13 contain separate access driveways. No changes are proposed to this configuration, therefore no impacts to traffic or parking patterns are anticipated.

- d) The variance deals with circumstances particular to the site and development.*

The owners have identified that they wish to continue living next to the farming operation, but want to pass on the operations of the farm to their children. The existing 5 acre agricultural lot, which is considerably smaller than the typical 50-100 acre farm lots in the region, contains an orchard (a specialty crop) that is considered viable for the type of operation.

Public and Agency Comments

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections to the application for consent or accompanying application for minor variance. No further comments were received from other public authorities or agencies as of Friday November 13, 2020.

Upon circulation of the public notice we did not receive any comment as of November 13, 2020.

Internal departments were circulated, and we did not receive any objections.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections.

Staff's Recommendation: As presented, these applications for Consent and Minor Variance are not consistent with the PPS policies or the severance policies of the Town of Essex Official Plan. It is therefore staff's recommendation to the Committee that these applications be denied.

Action:

To be determined by the Committee.

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 applicant pay the applicable parkland dedication fee in the amount of \$1250.00 in accordance with Town of Essex Policy No. 899-11-324 to be charged against the lot created by consent and that the payment be made prior to the stamping of the deeds and/or issuance of the certificate;
- f) That a septic test report be completed and filed with the municipality by a Certified Septic System Installer confirming that the septic system(s) meet Part 8 of the Ontario Building Code (OBC) regulations prior to the stamping of the Deeds and/or the issuance of the certificate;
- g) That, prior to the granting of this consent, the requested variance should be granted by the Committee of Adjustment to accommodate the reduction in minimum frontage distance and the reduction in the side yard lot line area for the severed and retained parcel.
- h) That all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

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

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

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

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazards, Natural Heritage and Stormwater Management. Therefore, ERCA has no objection to these application for Consent and Minor Variance.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Moved by: Dan Boudreau

Seconded by: Phil Pocock

(CAO-2020-11-87) That application A-28-20 be **granted** to accommodate the lot area of the severed and retained parcels will be reduced to ± 0.47 acres and ± 4.53 acres respectively

Reasons for Decision: 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”

6.9 Corinne Chiasson, Assistant Planner RE:

Application B-26-20 Thomas Howard Gee (Agents: Gordon Daniher, Edwin C. Hooker) 2889 County Road 12 (Colchester North, Ward 2)

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 2889 County Road 12 in former Colchester North (Ward 2). The applicant is proposing to sever a 0.7 acre parcel from the existing ± 50.3 acre farm lot. The retained agricultural lot will be reduced to ± 49.96 acres. The application wishes to sever this lot as it is considered surplus to the needs of the farming operation.

Note: An application for minor variance has also been received for the subject lands (File Number: A-30-20). The public notice for the minor variance application has been included with this notice.

6.9.1. Public Presentation (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

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 2889 County Road 12 in former Colchester North (Ward 2). The applicant is proposing to sever a 0.7 acre parcel from the existing +50.3 acre farm lot. The retained agricultural lot will be reduced to +49.96 acres. The applicant wishes to sever this lot as it is considered surplus to the needs of the farming operation.

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 applicant is proposing to sever a ±0.7 acre parcel from the existing ±50.3 acre farm lot. The severed parcel contains an existing single detached dwelling, and one accessory structure, and the accompanying infrastructure (i.e. septic system and access area). Access to the severed lot will continue to be by way of County Road 12.

The retained lot will have a resulting area of ±49.96 acres and will continue to be used for agricultural purposes. The retained lot has an existing driveway access off of Batten Road.

The applicant is proposing this consent due to the house being surplus to the needs of the farming operation of Mr. Gordon Daniher who has signed a purchase agreement with Mr. Gee the current owner.

Proposal Conformity with Provincial and Town of Essex Policies

The Provincial Policy Statement (PPS) states that a surplus dwelling, namely, a dwelling that is acquired as part of farm land acquisition, may be severed and sold, with the stipulation that no new dwelling will be permitted on the retained farm parcel. The Provincial Policy Statement (PPS) defines a residence surplus to a farming operation as an existing habitable farm residence that is rendered surplus as a result of farm consolidation. Farm consolidation is defined as the acquisition of additional farm parcels to be operated as one (1) farm operation. The subject lands are being purchased by Mr. Gordon Daniher. His main agricultural operation is located at 9798 Walker Road. He also owns multiple agricultural properties in the area: 4190 Smith Rd, 7043 Arner Townline, 12144 12th Concession, and 13091 13th Concession. Therefore this application for consent is consistent with the PPS policies for farm consolidation and severance of a surplus dwelling.

In accordance with Town of Essex Official Plan policies relating to consents in areas designated "Agricultural", one (1) lot creating consent will be permitted for a surplus dwelling on the condition that:

a) *No new dwelling will be permitted on the retained farm parcel:* A restricted development layer will be applied to the property upon provisional consent approval on the Town's Geographic Information System (GIS);

- b) *the size of the surplus dwelling lot should not be greater than one (1) hectare, however, the choice of consolidating outbuildings with the surplus dwelling will also be considered when the size and boundaries of the surplus dwelling lot are determined and approved by consent:* the size of the proposed surplus dwelling lot will not exceed one (1) hectare and the accessory structures will be kept with the main use dwelling;
- c) *the lot to be created has provision for sewage disposal, a potable water supply and stormwater management systems satisfactory to the Town and other statutory approval authority having jurisdiction:* the surplus dwelling lot has access to municipal water and road side swales. A condition of this consent will be that the owner confirms with the Building Department that the septic system satisfies Part 8 of the Ontario Building Code (OBC);
- d) *the severed dwelling lot will satisfy Minimum Distance Separation 1 (MDS 1) provisions of the Official Plan:* the lot to be severed contains an existing dwelling. No additional dwellings will be permitted on this lot. Therefore, no livestock facilities will be impacted by the proposed development;
- e) *the severed dwelling lot has frontage on a public road:* the severed dwelling lot has frontage on County Road 12, a public road which is owned and assumed by the County of Essex.
- f) *the surplus dwelling is in habitable condition, as determined by the Town or certified by a qualified building inspector:* no objections to the application were received from the Building Department.
-

Requirement for Minor Variance A-30-20

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 the proposed severance, the lot area for both the retained and severed parcel will decrease in size from 50.3 acres to 49.96 and +0.7 acres, respectively.

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 (OP) permits the creation of surplus dwelling lots when in accordance with the provisions of the Provincial Policy Statement (PPS). In accordance with the Town OP, the proposed surplus dwelling lot is of a size sufficient to accommodate septic services acceptable to the Town. We have received a purchase agreement from Mr. Daniher, and therefore this proposal will meet the criteria for consideration as this lot being considered surplus to the needs of the farming operation.

b) *The variance(s) is minor and desirable for the appropriate use of the land:* Lots in the A1.1 zoning district vary greatly in lot area. No new development is proposed on the severed or retained parcel;

c) *The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:* The dwelling and accompanying infrastructure are existing and there will be a prohibition against the construction of any new dwelling on the retained agricultural land.

d) *The variance deals with circumstances particular to the site and development:* The variance is necessary in order to accommodate a surplus dwelling application.

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 Friday November 13, 2020.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections.

Comments were received from the County of Essex stating they have no objections.

No comments were received from circulated internal agencies as of Thursday November 12, 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;

f) That, prior to the granting of this consent, the requested variance should be granted by the Committee of Adjustment to accommodate the reduction in minimum lot area for the retained and severed parcel.

g) That a septic test report be completed and filed with the municipality by a Certified Septic System Installer confirming that the septic system(s) meet Part 8 of the Ontario Building Code (OBC) regulations prior to the stamping of the Deeds and/or the issuance of the certificate;

h) That all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

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

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

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

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazards, Natural Heritage and Stormwater Management. Therefore, ERCA has no objection to these application for Consent and Minor Variance.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Moved by: Ray Beneteau

Seconded by: Phil Pocock

(CAO-2020-11-89) That application B-26-20 be **granted** to sever a 0.7 acre surplus dwelling lot from the existing ± 50.3 acre farm lot.

Reasons for Decision: The Application is in keeping with subsections 6.4 of the Town of Essex Official Plan respecting consents and subsection 6.5 Consents in Areas Designated "Agricultural".

Actions:

- 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;
- f) That, prior to the granting of this consent, the requested variance should be granted by the Committee of Adjustment to accommodate the reduction in minimum lot area for the retained and severed parcel.
- g) That a septic test report be completed and filed with the municipality by a Certified Septic System Installer confirming that the septic system(s) meet Part 8 of the Ontario Building Code (OBC) regulations prior to the stamping of the Deeds and/or the issuance of the certificate;
- h) That all of the above conditions be fulfilled on or before November 17, 2021.

"Carried"

6.10 A-30-20 Thomas Howard Gee (Agents: Gordon Daniher, Edwin C. Hooker) 2889 County Road 12 (Colchester North, Ward 2)

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the agricultural lands identified as 2889 County Road 12, in the former township of Colchester North (Ward 2). As a result of a proposed severance, the lot area for the retained and severed parcel will be reduced from ± 50.3 acres to ± 49.96 acres and 0.7 acres, respectively. The

minimum lot area for lots within Agricultural District 1.1 (A1.1) is 40 hectares (100 acres) or as existing. The applicants are also requesting relief from the minimum lot frontage width for an agricultural lot, from 60.96 metres (200 feet) to 33 metres (108 feet).

Note: An application for consent has also been received for the subject lands (File Number: B-26-20). The public notice for the consent application has been included with this notice.

6.10.1 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

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 2889 County Road 12 in former Colchester North (Ward 2). The applicant is proposing to sever a 0.7 acre parcel from the existing +50.3 acre farm lot. The retained agricultural lot will be reduced to +49.96 acres. The applicant wishes to sever this lot as it is considered surplus to the needs of the farming operation.

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 applicant is proposing to sever a ±0.7 acre parcel from the existing ±50.3 acre farm lot. The severed parcel contains an existing single detached dwelling, and one accessory structure, and the accompanying infrastructure (i.e. septic system and access area). Access to the severed lot will continue to be by way of County Road 12.

The retained lot will have a resulting area of ±49.96 acres and will continue to be used for agricultural purposes. The retained lot has an existing driveway access off of Batten Road.

The applicant is proposing this consent due to the house being surplus to the needs of the farming operation of Mr. Gordon Daniher who has signed a purchase agreement with Mr. Gee the current owner.

Proposal Conformity with Provincial and Town of Essex Policies

The Provincial Policy Statement (PPS) states that a surplus dwelling, namely, a dwelling that is acquired as part of farm land acquisition, may be severed and sold, with the stipulation that no new dwelling will be permitted on the retained farm parcel. The Provincial Policy Statement (PPS) defines a residence surplus to a farming operation as an existing habitable farm residence that is rendered surplus as a result of farm consolidation. Farm consolidation is

defined as the acquisition of additional farm parcels to be operated as one (1) farm operation. The subject lands are being purchased by Mr. Gordon Daniher. His main agricultural operation is located at 9798 Walker Road. He also owns multiple agricultural properties in the area: 4190 Smith Rd, 7043 Arner Townline, 12144 12th Concession, and 13091 13th Concession. Therefore this application for consent is consistent with the PPS policies for farm consolidation and severance of a surplus dwelling.

In accordance with Town of Essex Official Plan policies relating to consents in areas designated "Agricultural", one (1) lot creating consent will be permitted for a surplus dwelling on the condition that:

- a) *No new dwelling will be permitted on the retained farm parcel:* A restricted development layer will be applied to the property upon provisional consent approval on the Town's Geographic Information System (GIS);
- b) *the size of the surplus dwelling lot should not be greater than one (1) hectare, however, the choice of consolidating outbuildings with the surplus dwelling will also be considered when the size and boundaries of the surplus dwelling lot are determined and approved by consent:* the size of the proposed surplus dwelling lot will not exceed one (1) hectare and the accessory structures will be kept with the main use dwelling;
- c) *the lot to be created has provision for sewage disposal, a potable water supply and stormwater management systems satisfactory to the Town and other statutory approval authority having jurisdiction:* the surplus dwelling lot has access to municipal water and road side swales. A condition of this consent will be that the owner confirms with the Building Department that the septic system satisfies Part 8 of the Ontario Building Code (OBC);
- d) *the severed dwelling lot will satisfy Minimum Distance Separation 1 (MDS 1) provisions of the Official Plan:* the lot to be severed contains an existing dwelling. No additional dwellings will be permitted on this lot. Therefore, no livestock facilities will be impacted by the proposed development;
- e) *the severed dwelling lot has frontage on a public road:* the severed dwelling lot has frontage on County Road 12, a public road which is owned and assumed by the County of Essex.
- f) *the surplus dwelling is in habitable condition, as determined by the Town or certified by a qualified building inspector:* no objections to the application were received from the Building Department.

Requirement for Minor Variance A-30-20

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 the proposed severance, the lot area for both the retained and severed parcel will decrease in size from 50.3 acres to 49.96 and +0.7 acres, respectively.

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 (OP) permits the creation of surplus dwelling lots when in accordance with the provisions of the Provincial Policy Statement (PPS). In accordance with the Town OP, the proposed surplus dwelling lot is of a size sufficient to accommodate septic services acceptable to the Town. We have received a purchase agreement from Mr. Daniher, and therefore this proposal will meet the criteria for consideration as this lot being considered surplus to the needs of the farming operation.

b) *The variance(s) is minor and desirable for the appropriate use of the land:* Lots in the A1.1 zoning district vary greatly in lot area. No new development is proposed on the severed or retained parcel;

c) *The variance is compatible with the established character of the neighbourhood, traffic and parking patterns:* The dwelling and accompanying infrastructure are existing and there will be a prohibition against the construction of any new dwelling on the retained agricultural land.

d) *The variance deals with circumstances particular to the site and development:* The variance is necessary in order to accommodate a surplus dwelling application.

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 Friday November 13, 2020.

Comments were received from the Essex Region Conservation Authority (ERCA). They had no objections.

Comments were received from the County of Essex stating they have no objections.

No comments were received from circulated internal agencies as of Thursday November 12, 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;
- f) That, prior to the granting of this consent, the requested variance should be granted by the Committee of Adjustment to accommodate the reduction in minimum lot area for the retained and severed parcel.
- g) That a septic test report be completed and filed with the municipality by a Certified Septic System Installer confirming that the septic system(s) meet Part 8 of the Ontario Building Code (OBC) regulations prior to the stamping of the Deeds and/or the issuance of the certificate;
- h) That all of the above conditions be fulfilled on or before November 17, 2021.

Additional comments resulting from circulation:

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

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

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

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

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

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 Provincial Policy Statement of the Planning Act. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the 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 PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazards, Natural Heritage and Stormwater Management. Therefore, ERCA has no objection to these application for Consent and Minor Variance.

Discussion:

Corinne Chiasson, Assistant Planner, explains the nature of the application.

Moved by: Brian Gray

Seconded by: Dan Boudreau

(CAO-2020-11-90) That application A-30-20 be **granted** to accommodate the lot area of the severed and retained parcel reduced to \pm 49.96 acres and 0.7 acres and the reduction in the minimum lot frontage width requirement of 60.96 metres (200 ft) to 33 metres (108 feet) for the severed parcel.

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”

7. Unfinished Business

None

8. Correspondence

None

9. New Business

9.1: 1241 South Malden Road Update

Rita Jabbour advises the members that the Local Planning Appeal Tribunal approved application B-04-20 & A-04-20 (1241 South Malden Road). She advises that the conditions will commence from the date of the approval received from the LPAT.

10. Notices of Motion

None.

11. **Adjournment**

Moved by: Dan Boudreau

Seconded by: Phil Pocock

(CAO-2020-11-91`) That the meeting be adjourned at 6:38 p.m.

“Carried”

12. **Future Meetings**

12.1 December 15th, 2020 Virtual Zoom Meeting at 4:00 p.m.

Chair

Secretary-Treasurer

Court of Revision Minutes

Location: Zoom Video Conferencing

Wednesday, January 6, 2021 - 5:15 PM

The purpose of the meeting is to hold the 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

Pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated October 27th, 2020 which was considered and adopted at a Consideration Meeting held November 25, 2020 and pursuant to By-Law No.1969 which received two readings by Council at its regular meeting held December 7, 2020; and

Szakacs Drain: Repair and Improvement

Geographic Township of Colchester South, Town of Essex,

County of Essex, Project REI2016D004

Pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated October 20th, 2020 which was considered and adopted at a Consideration Meeting held November 25, 2020 and pursuant to By-Law No.1968 which received two readings by Council at its regular meeting held December 7, 2020.

This sitting of this Court of Revision was duly appointed by Council on December 7, 2020.

The Clerk confirmed that all notices have been sent in accordance with The Drainage Act.

Present: Dan Boudreau

Percy Dufour

Luke Martin

Regrets: None

Also Present: Robert Auger, Town Solicitor/Clerk, Legal and Legislative Services

Norm Nussio, Manager, Operations and Drainage

Lindsay Dean, Drainage Superintendent

Tanya Tuzlova, Operations/Drainage Clerk

Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: For Shepley Drain: none present

For Szakacs Drain:

Arlene Welzel, 1500 Ferris Road

Mary and Romano Quintigliani, 1485 Ridge Road

1. Call to Order

The Chair called the meeting to order at 5:15 PM

2. Declarations of Conflict of Interest

None declared.

3. Adoption of Published Agenda

3.1 Court of Revision Agenda

Moved by Board Member Martin

Seconded by Board Member Dufour

(COR21-01-001)That the published agenda for the January 6, 2021 Court of Revision be adopted with the following amendments:

1. Agenda Item 5 - Appeal from Mary and Romano Quintigliani, 1485 Ridge Road, Szakacs Drain
2. Agenda Item 6.1.1 – Delegation from Joe Gorski, Shepley Drain
3. Agenda Item 6.2.1 – Delegation from Mary and Romano Quintigliani, Szakacs Drain
4. Agenda Item 6.2.1 – Delegation from Arlene Welzel, Szakacs Drain

Carried

4. Adoption of Minutes

4.1. Court of Revision for North Rear Road Drain South Side (New Bridge for Grondin) held on November 25, 2020.

Moved by Board Member Martin

Seconded by Board Member Dufour

(COR21-12-002)That the minutes of the Court of Revision held on November 25, 2020, be adopted as circulated.

Carried

5. List of Written Appeals

The Clerk noted that a written appeal was received from Mr. and Mrs. Quintigliani for the Szakacs Drain. The Chair advised that: the purpose of the Court of Revision is to hear appeals regarding the Schedule of assessment only. The Schedule of Assessment may be altered but the total assessment must remain the same. If one assessment is reduced then another must be increased to balance.

6. Public Presentations

6.1. Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated October 27th, 2020 regarding Shepley Drain Replacement Bridge for Gorski Land Holdings Inc., Geographic Township of Colchester South, Project REI2020D012.

Mr. Rood presented the overview of the report and advised that he did not receive any written appeals regarding this project.

6.1.1. Other public presentations

The Chair is asked if there are any questions. There were no questions from the Drainage Board members. There were no members of the public present for the Shepley Drain project. Mr. Gorski who was registered to be a delegate was not in attendance when called upon.

6.1.2. Court of Revision Decision

Moved by Board Member Martin

Seconded by Member Dufour

(COR21-12-003) That the assessments contained in the report for the **Shepley Drain Replacement Bridge for Gorski Land Holdings Inc., Geographic Township of Colchester South, Project REI2020D012** as prepared by Gerard Rood, Professional Engineer dated October 27th, 2020 be confirmed as presented. **Carried**

6.2. Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated October 20th, 2020 regarding Szakacs Drain Repair and Improvement, Geographic Township of Colchester South, Project REI2016D004

The Chair advised that a written Notice of Appeal and details were received from Mary and Romano Quintigliani. The Chair added that the Appeal and its details were distributed to the Court of Revision members and the engineer.

Mr. Rood advised that he also received an e-mail dated December 28, 2020 from Mr. and Mrs. Quintigliani. Mr. Rood informed that he has provided the answers in his e-mail dated January 4, 2021. The first question was about the flooding at Ferris Road and if this drain is repaired, how will it benefit their property in relation to drainage. Mr. Rood replied that the new drain will provide a proper outlet for any existing tile works on the farm and provide an outlet for any new tile drainage required to address drainage problems. The next comment was to present a drainage map of the proposed drain to see how their property drains into it and benefits from this proposed project. Mr. Rood replied that the plans attached to the drainage report provide the details of how the municipal drain will be repaired and improved and the watershed for the drain. The cross sections show that the ground to the west for 40 metres is very close to the same elevation as the ground at the

drain alignment. The "DETAIL" shown on sheet 1 of the report plans illustrates that some surface drainage is achieved through use of furrows. The next question was if the proposed works to the Szakacs Drain involve leaving the old drain in place and running a new line next to it, or taking out the old one and repairing the existing line. Mr. Rood replied that the new drainage pipe will replace the existing covered drain and all connections to the existing drain will be reconnected to the new pipe system to ensure that there is a sufficient outlet for the existing private tiles on the property that use the municipal drain as an outlet. The next comment was regarding what will happen to the Tingen pond to accommodate the water going into that pond. Mr. Rood's response was that the Tingen pond is an enlargement of the Dolson Creek Drain and any flows to the pond will have direct outlet through the Dolson Creek Drain. The next question was if the Tingen pond will remain the same or is that going to change in any way. Mr. Rood's response was that the pond/Dolson Creek Drain outlet is not affected by the current report. The Town can conduct repairs and maintenance to the Dolson Creek Drain or the repaired Szakacs Drain outlet to ensure that the outlet is not obstructed and that the drain functions as intended. The next owner's comment was that they have old drainage tile on their property. The question was if that tile is going to be connected into the new drain. Mr. Rood confirmed that all existing tiles and offset or online catch basins or maintenance holes and their pipes will be connected to the repaired and improved drain provided for in the drainage report to restore full drainage for the parcel.

Board Member Dufour asked how much water from the Ferris Road adds to the ponding on Quintigliani's property.

Mr. Rood explained the elevations on Quintigliani's property and added that approximately 1/3 of the water from Ferris Road may add to the ponding since he does not see a specific drainage works in that area.

Board Member Dufour asked if a road ditch is placed on Ferris Road which leads to a catch basin, would that help to eliminate the problem.

Mr. Rood replied that if the west part of the subject property is connected to the drain by the road it would have helped with flooding at that area.

6.2.1. Other public presentations

Mr. Quintigliani:

Mr. Quintigliani asked for an explanation as to how the watershed area was determined and how drainage will work on the area not in the watershed.

Mr. Rood replied that the watershed area was determined as per the previous engineer's report. Mr. Rood added that there were no concerns previously regarding watershed area

and its review. Mr. Rood added that surface furrows leading east may connect that part of the property to the Szakacs Drain.

Mr. Quintigliani asked if a tile will be provided to connect that part of the property to the drain.

Mr. Rood explained that private tile will not be provided. Mr. Rood added that the drain will provide an outlet to which the tile can be connected.

Mrs. Welzel asked on which report Mr. Rood referenced regarding the watershed area.

Mr. Rood explained that he refers to the 1954 report since there were no other reports and improvements on that drain. Mr. Rood added that the Town of Essex has presented information about a private tiling which impacted the watershed area making it narrow on Tingen property.

There were no further questions regarding the delegation from Mr. and Mrs. Quintigliani.

The Chair then asked Mr. Rood to provide his response regarding the Appeal and reply to the questions presented with the Appeal.

Mr. Rood stated that the first statement received is that Mr. and Mrs. Quintigliani believe the watershed outlined on their property boundaries as shown on page 1 of the plan profile and detail topographic received, is too high. Mr. Rood replied that the watershed area is as outlined in 1954 report and field observation and it is an area that can be served by the drain, but it may require owners to do some private works to bring their flows into the drainage works.

The other statement was about the location of Mr. and Mrs. Quintigliani's property, that it sits high above the drain itself with a gradual downslope towards Ferris Road. Therefore, it is not draining the property they are being assessed for. Mr. Rood explained that the drain is deep enough to provide outlet for their property.

The final comment was that down at the end of Ferris Road, approximately 50 feet from where the road is to the demarcated watershed outline boundary on the topographic, is where major flooding occurs which is not being addressed in this report. From midway down the property east towards Ridge Road that part of the property does not flood and currently surface drains into our pond.

Mr. Rood replied that municipal drainage works provide that the flows can be conveyed to the sufficient outlet. Mr. Rood added that the scope was to repair the drain to the capacity it was designed for and the owners are responsible to bring their flows to the drain such as install a catch basin and then bring the flows through the private tile.

Mr. Quintigliani commented that the pond on their property helps to alleviate the flooding and commented that he still does not understand how the drain will help to eliminate the

flooding. Mr. Quintigliani added that he believes that the added expense to the drain is not needed since there is no flooding on the most of his property.

Mr. Rood commented that there is no flooding since the drain takes care of the drainage in the immediate area and it was discussed at the on-site meeting that there is tile which brings flows to the municipal drain. The area outside of the drainage area is not supposed to drain into the drain. There was no scope to provide for the branch drain and normally such report should not be prepared to serve one property. Mr. Rood added that he was not provided with instructions to investigate the west limit of the Quintigliani's property and to ensure it is drained into the Szakacs Drain.

The Chair clarified to Mr. Quintigliani that the municipal drain is located in the middle of their farm and it is their responsibility to bring the water to the drain to have an outlet.

Arlene Welzel:

Arlene Welzel, 1500 Ferris Road, asked if the contingency fee will be taken off the final cost of the project.

The Chair advised that the contingency fee is related to construction only.

Ms. Welzel asked when the final invoice for this report will be sent.

Lindsay Dean, Drainage Superintendent replied that the final cost will be calculated when the project is completed. Ms. Dean added that contingency was not spent and is not applicable. The final cost will include Mr. Rood's cost and any cost that the Town has incurred.

Ms. Welzel asked when the project will stop incurring cost.

Ms. Dean replied that the once the project is complete there will no longer be any cost incurred. Ms. Dean added that after the Court of Revision meeting and the third reading of the by-law the project will be complete. After Mr. Rood's work on this project is finalized the Town will be able to calculate the final cost of the project.

The Chair advised the property owners to read responsibilities of the property owners and the responsibilities of a municipality which is located on the OMAFRA website to help them in understanding the procedures under the Drainage Act.

6.2.2. Court of Revision Decision

Moved by Board Member Martin

Seconded by Board Member Dufour

(COR21-12-004) That the assessments contained in the report for the Szakacs Drain Repair and Improvement, Geographic Township of Colchester South, Project

REI2016D004 as prepared by Gerard Rood, Professional Engineer dated October 20th, 2020
be confirmed as presented. **Carried**

Mr. Auger, the Clerk, stated that Section 54 (1) of The Drainage Act provides that the decision of the Court of Revision can be appealed to the Drainage Tribunal within twenty-one (21) days from the date of the Court of Revision. The final day for appeal is January 27, 2021. At the first Council meeting after this date the third reading to By-Law Number 1969 will be given to Shepley Drain and By-Law Number 1968 will be given to Szakacs Drain.

7. Adjournment

Moved by Board Member Dufour
Seconded by Board Member Martin

(COR21-12-005) That the meeting be adjourned at 5:44 pm. **Carried**

Chair

Recording Secretary

Date



Drainage Board Meeting

Minutes

January 6, 2021, 5:00 pm

Location: Electronic Virtual Meeting via Zoom Video Conferencing

13th Concession West Drain: New Bridge for Martin

Geographic Township of Colchester North, Project REI2020D027,

Town of Essex, County of Essex

The Clerk confirmed that all notices have been sent in accordance with The Drainage Act.

Present: Dan Boudreau

Kirk Carter

Percy Dufour

Luke Martin

Felix Weigt-Bienzle

Regrets: None

Also Present: Robert Auger, Clerk, Legal and Legislative Services

Norm Nussio, Manager, Operations and Drainage

Lindsay Dean, Drainage Superintendent

Tanya Tuzlova, Operations/Drainage Clerk

Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: None present

1. Call to Order

The Clerk called the meeting to order at 5:02 pm.

2. Declarations of Conflict of Interest

None declared.

3. Adoption of Published Agenda

3.1. Drainage Board Meeting Agenda

Moved by Board Member Dufour

Seconded by Board Member Boudreau

(DB21-01-001) That the published agenda for the January 6, 2021 Drainage Board Meeting be adopted as presented. Carried

4. Election of Committee Chair

The Clerk called for nominations for the election of Drainage Board Chair and Vice-Chair for 2021.

Drainage Board Chair:

Nomination of Mr. Boudreau by Board Member Carter

Seconded by Board Member Dufour

Mr. Boudreau accepted the nomination.

The Clerk called for any other nominations and none were received.

Accordingly Board Member Boudreau was acclaimed as the Chair of the Drainage Board for 2021 fiscal year.

4.2. Election of Vice-Chair

Nomination of Mr. Dufour by Board Member Boudreau

Seconded by Board Member Martin

Mr. Dufour accepted the nomination.

The Clerk called for any other nominations and none were received.

Accordingly Board Member Dufour was acclaimed as the Vice-Chair of the Drainage Board for 2021 fiscal year.

Mr. Boudreau took his position as Chair of the meeting.

5. Adoption of Minutes

5.1. Meeting to Consider Contract Price for Crystal Beach Drain held on December 9, 2020.

Moved by Board Member Dufour

Seconded by Board Member Martin

(DB21-01-002) That the minutes of the Drainage Board Meeting held on December 9, 2020, be adopted as circulated. Carried

6. List of Written Appeals

The Clerk informed that no written appeals were received by the Clerk's Office.

7. Public Presentations

7.1. Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated November 26th, 2020
regarding the 13th Concession West Drain: New Bridge for Martin, Geographic
Township of Colchester North, Project REI2020D027, Town of Essex, County of Essex

Mr. Rood advised that Mr. Martin contacted Lindsay Dean, Town of Essex
Drainage Superintendent and informed that he would prefer precast concrete
block end walls instead of sloped end design. Mr. Rood added that he advised
Mr. Martin that precast concrete block end walls will cost about \$6,000.00 more.

Therefore Mr. Rood advised the Drainage Board that the report should be
reconsidered to incorporate the precast concrete block end walls as requested
by Mr. Martin.

Board Member Carter asked if the report can proceed with the modification to
incorporate the updated design and cost.

The Chair advised that the reconsidered report should be presented to the
Council for adoption.

Mr. Rood added that the final report with correct design and cost should be
prepared and the reconsidered report should be considered at the Drainage
Board meeting and will become the part of the by-law to be further adopted by
the Council.

Board member Dufour asked if construction could start after the report is
reconsidered.

Mr. Rood advised that the process could be expedited if Mr. Martin signs a
waiver of appeal after the reconsidered report is adopted by the Council.

8. Consideration of Report Decision

Moved by Board Member Carter

Seconded by Board Member Weigt-Bienzie

(DB21-01-003) That the presentation by Gerard Rood be received and that the Report for the **13th Concession West Drain: New Bridge for Martin,** Geographic Township of Colchester North, Project REI2020D027 as prepared by Gerard Rood, Professional Engineer dated November 26th, 2020 be reconsidered to reflect the design changes requested by Mr. Martin. Carried

9. Adjournment

Moved by Board Member Carter

Seconded by Board Member Weigt-Bienzle

(DB21-01-004) That the meeting be adjourned at 5:11pm. Carried

Chair

Recording Secretary

Date

The Corporation of the Town of Essex

By-Law Number 1977

Being a by-law to confirm the proceedings of the December 21, 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 December 21, 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 December 21, 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 December 21, 2020.

Mayor

Clerk

Read a third time and finally adopted on January 18, 2020.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 1982

Being a by-law to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest

Whereas Section 317(1), (2) and (3) of The Municipal Act, 2001, S.O. 2001, c.25 and amendments thereto provides that the Council of a local municipality may, in 2021, before the adoption of the estimates for the year, pass a by-law to levy on the whole of the assessment for real property according to the last revised assessment roll, a sum not to exceed that which would be produced by applying fifty (50) percent of the previous year's property taxes for each property class;

And whereas failure to receive a tax notice does not exempt the property owner from penalty and interest charges.

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

1. An interim tax rate is hereby imposed and levied on real property according to the last revised assessment roll.
2. The said interim tax levy shall become due and payable in two (2) installments as follows:

Installment 1 - Fifty (50) percent of the interim levy shall become due and payable on February 26, 2021.

Installment 2 - Fifty (50) percent of the interim levy shall become due and payable on April 30, 2021.

Non-payment of the amount on the dates stated in accordance with this section shall constitute default.

3. In default of payment of the installment of taxes, a percentage charge of one and one-quarter percent (1-1/4%) shall be imposed as penalty for non-payment and shall be added to the tax installment or any part thereof remaining unpaid on the first day following the due date thereafter and an additional charge of one and one-quarter percent (1-1/4%) shall be imposed and added to any part remaining unpaid on the first of each calendar month in which default continues to and includes December in this year. Penalty is at a rate of fifteen percent (15%) per annum.

4. On all taxes of the interim tax levy in default on January 1, 2021, interest will be added at a rate of one and one-quarter percent (1-1/4%) per month for each month or fraction thereof in default. On all other taxes in default on January 1, 2021, interest shall be added at the rate of one and one-quarter percent (1-1/4%) per month or fraction thereof in default, and all by-laws and parts of the by-laws inconsistent with this policy are hereby rescinded.
5. Penalties and interest shall be added on all taxes of the interim tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid interim tax levy.
6. Taxes shall be payable to the Corporation of the Town of Essex.
7. The Treasurer is hereby authorized to accept part payment from time to time on account of any taxes due and to give a receipt for such part payment, provided that acceptance of any part payment shall not affect the collection of any percentage charge imposed under Section 3. and 4. in respect of nonpayment of taxes or any installment thereof.
8. That all by-laws inconsistent with this by-law are hereby amended to read in conformity with the provisions of this by-law.

Read a first, a second and a third time and finally passed on January 18, 2021.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 1983

Being a by-law to impose a local improvement charge and to provide for the issue of debentures in the amount of \$167,047.76 for shoreline assistance loans

Whereas the Council of the Corporation of the Town of Essex by way of By-Law 1908 authorized the Town of Essex Shoreline Assistance Loan Program (the “Program”) and the undertaking of flood and shoreline control/mitigation works on private property as Local improvements for the purpose of raising all or part of the cost of the works by imposing special charges on lots upon which all or some part of the local improvement is or will be located all pursuant to the provisions of Part III of Ontario Regulation 586/06 (the “Regulation”).

And whereas the Council of the Corporation of the Town of Essex by way of By-Law 1908 approved such works pursuant to the Program for the qualifying properties identified in Schedule “A” to this By-Law;

And whereas Section 36.14 of the Regulation provides that after the Treasurer of the Municipality has certified the local improvement roll the Municipality shall by by-law provide that the amount specially charged on each applicable lot set out in the Roll shall be sufficient to raise that lot’s share of the owners share of the cost by a number of equal annual payments and that a special charge shall be imposed in each year on each such lot equal to the amount of the payment payable in that year

And whereas the Treasurer of the municipality has certified the local improvement roll pursuant to the Regulation;

And whereas the property owners as set out in Schedule “A” have agreed to have their loan payment added to their annual tax bill over a ten-year period as detailed in Schedule “A” attached to this By-Law;

And whereas the Town has received funds from Infrastructure Ontario to provide such long-term borrowing in the amount of \$167,047.76;

And whereas the Council of the Corporation of the Town of Essex is, by Section 408 of the Municipal Act, 2001, c.25 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. That the provisions of Part III of Ontario Regulation 586/06 shall apply to the lots identified in Schedule “A” to this By-law in respect of the Works undertaken under By-law 1908 and annual special charges are hereby imposed on such lots in each year as described in Schedule “A” and certified by the Treasurer of the Municipality.
2. The special charges imposed pursuant to this By-law shall have priority lien status in accordance with section 1 of the municipal Act Municipal Act, 2001, c.25 and amendments thereto.
3. The amounts authorized to be borrowed in lawful money of Canada by this by-law is hereby consolidated into the sum of \$167,047.76 in lawful money of Canada and debentures shall be issued in the principal amount of \$167,047.76 and shall be payable as to both principal and interest in lawful money of Canada.
4. The debentures shall be dated the 18th day of January, 2021 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 31st, 2021, and in each of the years 2021 to 2030 inclusive, with final interest payable in 2030. The debentures maturing in the years 2021 to 2030, inclusive, shall bear interest as specified in Schedule “A”. Interest and principal shall be added to the tax accounts of the property owners as specified in Schedule “A”.
5. 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 “A”.
6. This by-law shall come into force and effect on January 18th, 2021.

Read a first, a second and a third time and finally passed this 18th day of January 2021.

Mayor

Clerk

The Corporation of the Town of Essex

Schedule "A" to By-Law Number 1983

Approved Shoreline Assistance Loans

Roll Number	By-Law Number	Total Amount to be Debentured	Annual Interest Rate	Annual Charge (2021- 2030)
660-000-05100-0000	1962	\$12,550.00	1.43%	\$1,351.34
670-000-32900-0000	1971	\$32,971.35	1.46%	\$3,555.68
660-000-07900-0000	1952	\$71,100.00	1.39%	\$7,640.23
670-000-33000-0000	1971	\$24,860.22	1.46%	\$2,680.96
670-000-32200-0000	1971	\$25,566.19	1.46%	\$2,757.10

The Corporation of the Town of Essex

By-Law Number 1984

Being a by-law to confirm the proceedings of the January 18, 2021, 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 January 18, 2021 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of 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 January 18, 2021 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 January 18, 2021.

Mayor

Clerk

Read a third time and finally adopted on February 1, 2021.

Mayor

Clerk