



**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**

March 15, 2021, 6:00 pm

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

This meeting was hosted and chaired from the Essex Municipal Building. Due to the ongoing COVID-19 pandemic this meeting was not open to the public for in person attendance but was available electronically via livestream and also for viewing post-meeting on YouTube at [www.youtube.com/EssexOntario](http://www.youtube.com/EssexOntario)

Present: Mayor Larry Snively  
Deputy Mayor Richard Meloche  
Ward 1 Councillor Joe Garon  
Ward 1 Councillor Morley Bowman  
Ward 2 Councillor Kim Verbeek  
Ward 3 Councillor Steve Bjorkman  
Ward 4 Councillor Chris Vander Doelen  
Ward 4 Councillor Sherry Bondy

Also Present: 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  
Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk  
Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Cassandra Roy, Legislative Clerk, Legal and Legislative Services

**1. Call to Order**

Mayor Snively called the meeting to order at approximately 6:00 P.M.

**2. National Anthem**

**3. Closed Meeting Report**

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, provided a verbal report on the Closed Meeting held on March 5, 2021. He reported that Council met electronically in a Closed Session, as permitted to do so by Section 239 (2) (c), Section (2) (e) and Section 239 (2) (f) of the Municipal Act, S.O. 2001, C.25, as amended. He further reported as follows:

At the Closed Meeting Council received information with respect to matters relating to a potential land acquisition by the municipality, and a potential disposition of land by the Municipality.

Council also received legal advice subject to solicitor-client privilege in closed session concerning a litigation matter relating to By-Law enforcement.

At this meeting Council gave direction to Administration with respect to the By-Law enforcement matter, and also gave direction on the proposed purchase of land by the municipality.

Lastly, Council gave administration direction to disclose in public session this evening its intention to declare the property known as 96 County Road 50 West as being surplus to the needs of the municipality in accordance with the Surplus Property By-Law 855.

Further, Council gave direction to administration to disclose in open session that Council wishes administration to return to the April 6, 2021 Regular Council Meeting with a By-Law for Council's consideration which By-Law would approve the sale of 96 County Road 50 West by the way of direct sale on or before June 30, 2021 to the proponents who have submitted and offered to purchase the subject property.

**R21-03-086**

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

**That** Council declare the property known as 96 County Road 50 West as being surplus to the needs of the municipality and further that Administration be directed to provide the requisite public notice and then bring back to Council at the April 6, 2021 regular meeting a By-law authorizing the sale of the subject property by way of direct sale to the proponents James Flynn and Kim Lewis all in accordance with By-law 855 being a By-law to establish Policies and Procedures for the Sale and Disposition of Surplus land.

**Carried**

**4. Declarations of Conflict of Interest**

Councillor Bondy declared a conflict of interest pertaining to Item 7.1 and stated that the reason for the conflict was due to her being employed by Essex County Library.

**5. Adoption of Published Agenda**

**5.1 Regular Council Meeting Agenda for March 15, 2021**

**R21-03-087**

Moved By Councillor Garon

Seconded By Councillor Bjorkman

**That** the published agenda for the March 15, 2021 Regular Council Meeting be adopted as presented.

**Carried**

**6. Adoption of Minutes**

**6.1 Regular Council Meeting Minutes for March 1, 2021**

**R21-03-088**

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

**That** the minutes of the Regular Council Meeting held March 1, 2021 be adopted as circulated.

**Carried**

**6.2 Special Council Meeting Minutes for February 8, 2021**

RE: Essex Climate Adaptation Plan

**R21-03-089**

Moved By Councillor Garon

Seconded By Councillor Vander Doelen

**That** the minutes of the Special Council Meeting held February 8, 2021 be adopted as circulated.

**Carried**

**7. Public Presentations**

**7.1 Robin Greenall, CEO/Chief Librarian, Essex County Library**

RE: ECL Enhanced Community Access service at the McGregor Branch

Robin Greenall, CEO/Chief Librarian, Essex County Library explained the need for Enhanced Community Access at the McGregor Branch. Ms. Greenall discussed the service, the implementation plans, the anticipated concerns and the security features that this technology can provide to allow for self- service access to the Branch for patrons. She described this further by using information gathered from the pilot project at the Freelon Branch. Ms. Greenall said that at the Freelon branch there has seen an increase use of the library and no increase of theft or loss at this location.

Ms. Greenall elaborated on how McGregor would benefit from this program as this new technology would allow the library to be opened for 49 hours per week as opposed to 17 hours. She emphasized that this structure would provide flexible services for community members. She stated that the staff and community members would be trained to use tools and technology within the branch that supports patron services. Patrons will be informed of how to access the branch, not to invite or permit others that are not registered, to respect the space and how to check out resources.

**R21-03-090**

Moved By Councillor Vander Doelen

Seconded By Councillor Garon

**That** the presentation by Robin Greenall, CEO/Chief Librarian, Essex on Enhanced Community Access service at the McGregor Branch be received.

**Carried**

**7.2 Tim Byrne, Shelley McMullen, Tania Jobin, Essex Region Conservation Authority**

RE: Draft Budget/Implications of recent changes to Conservation Authorities Act.

Ms. Jobin spoke of the recent changes to the Conversation Authorities Act (the "Act") and the resulting impacts on the 2021 budget. She stated that the changes to the Act were contained within Bill 229 and that these changes have significant implications for operations and program delivery.

Ms. Jobin further explained that the Act has categorized the conservation authority services into mandatory and non-mandatory services. These mandatory programs are currently confined to risks of natural hazards conservation and management of lands, and drinking water source protection. The changes to the Act will redirect funding from non-mandatory services to mandatory services primarily in watershed management and corporate services.

Ms. Jobin gave a verbal report of the 2021 Draft Budget from the Essex Region Conversation Authority ("ERCA") and provided a breakdown of the requested increase in municipal levy contribution an increase of approximately \$0.26 per person in the watershed area to \$10.75 per person. Of that increase approximately 72% is tied to and will have to be dedicated to the mandatory services which means that many of the key programs in our area such as tree planting, trail development John R. Park Homestead museum operations, and various environmental education programs will now be considered non-mandatory programs and will be underfunded due to the changes in the Act. As a result Ms. Jobin further stated that by 2022 ERCA anticipates that it will need to obtain funding agreements with participating municipalities where and when municipal support is needed to fund various non-mandatory service programs.

In closing Ms. Jobin noted that Conversation Authorities in general and the various local programs that ERCA offers continue to play a critical role in protecting our environment and natural heritage by mitigating hazards and supporting municipal partners by providing an environmental and risk assessment on development applications.

**R21-03-091**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** the presentation by Essex Region Conversation Authority as represented by Tim Byrne, Shelley McMullen, and Tania Jobin be received.

**Carried**

**7.3 Perry Basden, Heritage Colchester**

RE: Friends of Colchester Schoolhouse

Mr. Basden, President, Heritage Colchester provided Council with an update on Heritage Colchester stating they have now achieved not-for-profit status and are now incorporated in the Province of Ontario.

Mr. Basden stated that there are various stages of restoration that he intends to pursue and the first stage is working with the Architectural Conservancy of Ontario. He said he is also seeking to have the Bagot Street and Sullivan Street area declared as a heritage historical center for Colchester. Mr. Basden said he would like to continue to move forward towards the future goal of using the schoolhouse for public uses and a

tourist attraction. He stated that he has submitted his presentation and plan to the Town with the hopes that there can be future negotiations between Heritage Colchester and the Town in working towards an agreement with respect to restoration and future uses for the schoolhouse.

**R21-03-092**

Moved By Councillor Bondy

Seconded By Deputy Mayor Meloche

**That** the presentation and update regarding the Colchester Schoolhouse as presented by Perry Basden of Heritage Colchester be received and that Town administration meet with Heritage Colchester (with communications/updates to the Heritage Committee) to discuss proposals regarding future uses for the Colchester Schoolhouse.

**Carried**

**7.4 James Flynn and Kim Lewis**

RE: 96 County Road 50 West

James Flynn presented to Council their proposal for the development of a motor inn at 96 County Road 50 West. Mr. Flynn explained that after the proposal with Colchester Schoolhouse they wanted to demonstrate their ongoing commitment to the community. Mr. Flynn stated that site plans are currently being created but the plan is for a retro style motor inn with e-bike rentals and a food truck.

Mr. Flynn said this plan aligns with the Colchester Improvement Plan and Secondary Plan. He stated that the Inn would be on the corner of County Road 50 and Dunn which will open visually to the south and have little impact as possible to residents of the north. Mr. Flynn noted that it would be professionally managed by The Grove Hotel and the plan is to attract and promote tourism while supporting small businesses. He anticipated that this Inn would inject over 1.5 million dollars annually into the community.

**R21-03-093**

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

**That** the presentation regarding 96 County Road 50 West Street presented by James Flynn and Kim Lewis be received.

**Carried**

**8. Unfinished Business**

**9. Reports from Administration**

**9.1 Legal and Legislative Services-2021-01**

RE: Stray Cat Intake Agreement with Windsor Essex County Humane Society

**R21-03-094**

Moved By Councillor Bowman

Seconded By Councillor Bondy

**That** Legal and Legislative Services 2021-01 entitled Stray Cat Intake Agreement with Windsor-Essex County Humane Society prepared by Shelley Brown, Deputy Clerk, Legal and Legislative Services dated January 18, 2021 be received, and

**That** the agreement with Windsor-Essex County Humane Society for the intake of stray cats as approved in By-Law 1974, with the Town paying the Windsor-Essex County Humane Society amount of \$25.00 per stray cat, be extended for a one-year period, retroactive to January 1, 2021

**Carried**

## **9.2 Finance and Business Services-2021-01**

RE: 2020 Funding of Financial Commitments

### **R21-03-095**

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

**That** Finance and Business Services-2021-01 entitled 2020 Funding of Financial Commitments prepared by Jeffrey R. Morrison, Director, Corporate Services dated March 15, 2021 be received,

**That** Council approve the funding of the balance of the Town's commitment to the John R. Park Homestead Education Centre for a designated Tourist Information Centre named for the Town of Essex that falls outside of the Colchester Community Improvement Plan (CIP) through the utilization of GG-20-0002 Council Contingency in the amount of \$34,793, with the balance remaining funded from the Town's Land Acquisition Reserve, and

**That** Council approve the temporary borrowing from the Landfill Reserve, for the deficit portion of waived development charges for hard and soft services in the amount of \$397,216.26 to be funded and repaid in the 2022 Budget.

**Carried**

## **9.3 Economic Development-2021-02**

RE: Building Report and Development Overview February 2021

### **R21-03-096**

Moved By Councillor Garon

Seconded By Councillor Vander Doelen

**That** Economic Development-2021-02 entitled Building Report and Development Overview February 2021 prepared by Nelson Silveira, Economic Development Officer dated March 15, 2021 be received for information.

**Carried**

## **9.4 Development Services-2021-01**

RE: Electronic Building Permit and Inspection Software

**R21-03-097**

Moved By Deputy Mayor Meloche

Seconded By Councillor Verbeek

**That** Development Services Report-2021-01 entitled Electronic Building Permit and Inspection Software prepared by Lori Chadwick, Director, Development Services dated March 15, 2021 be received; and

**That** Council authorize Administration to procure and implement the electronic building permit and inspection software “Cloudpermit” through single source means according to Procurement By-Law 1043 Section 9.08 j) for a period of 5 years.

**Carried**

**9.5 Planning-2021-06**

RE: Notice of Intention to Designate (195 Bagot Street, Colchester Schoolhouse)

**R21-03-098**

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

**That** Planning-2021-06 entitled Notice of Intention to Designate (195 Bagot Street, Colchester Schoolhouse) prepared by Rita Jabbour, RPP, Manager, Planning Services dated March 15, 2021 be received,

**That** Council authorize the ‘Notice of Intention to Designate’ for the property municipally known as 195 Bagot Street (Colchester Schoolhouse), and

**That** the Notice be published in a newspaper having general circulation in the Municipality and the Notice be served on the Ontario Heritage Trust in accordance with subsection 29 (3) of the Ontario Heritage Act.

**Carried**

**9.6 Planning-2021-04**

RE: Natural Heritage Conservation Easement Agreement on 3rd Concession Road, Part Lot 17, CON 2, designated Part 1 on 12R-28527,

**R21-03-099**

Moved By Councillor Bjorkman

Seconded By Councillor Vander Doelen

**That** Planning-2021-04 entitled Natural Heritage Conservation Easement Agreement – Part Lot 17, CON 2, designated Part 1 on 12R-28527, prepared by Corinne Chiasson, Assistant Planner, dated March 15, 2021 be received, and

**That** Council adopt By-Law 1994 being a By-Law to enter into a Conservation Easement Agreement between the Owner of Part Lot 17, CON 2, designated Part 1 on 12R-28527 and The Corporation of the Town of Essex.

**Carried**

## **9.7 Planning-2021-03**

RE: Subdivision Agreement for Parkland Woods (1552843 Ontario Limited)

### **R21-03-100**

Moved By Councillor Bowman  
Seconded By Councillor Verbeek

**That** Planning Report-2021-03 entitled Subdivision Agreement for Parkland Woods (1552843 Ontario Limited) prepared by Rita Jabbour, RPP, Manager, Planning Services dated March 15, 2021 be received,

**That** Council adopt By-Law 1993 being a bylaw to enter into a Subdivision Agreement between the Corporation of the Town of Essex and 1552843 Ontario Limited for the lands comprising Part of Lot 12, Second Range of the Gore (former Colchester South), and

**That** the Subdivision Agreement be registered against the lands to which it applies by the Municipality as notice to prospective purchasers.

**Carried**

## **10. Reports from Youth Members**

## **11. County Council Update**

The Deputy Mayor reminded the public of the County's work on the County Road 15 Bridge and its associated closures.

## **12. Correspondence**

### **12.1 Correspondence to be received**

#### **R21-03-101**

Moved By Councillor Bjorkman  
Seconded By Councillor Bowman

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

**Carried**

#### **12.1.1 Correspondence relating to COVID-19 Pandemic**

##### **12.1.1.1 Province of Ontario, Ministry of Municipal Affairs and Housing**

RE: 2021 Recovery Funding for Municipalities program

##### **12.1.1.2 Windsor-Essex County Health Unit**

RE: Elected Representatives Weekly report on COVID-19 Case Counts in Windsor and Essex County

#### **12.1.2 Niagara Region**

RE: Homelessness, Mental Health and Addiction in Niagara



- 12.1.3 Township of The Archipelago  
RE: Ontario Fire College - Planned Closure
- 12.1.4 Howick Township  
RE: Ontario Fire College
- 12.1.5 The Corporation of the Township of Brock  
RE: Ontario Fire College Closure
- 12.1.6 The Corporation of the Township of Brock  
RE: Cannabis Licencing and Enforcement
- 12.1.7 Town of Essex  
RE: New Youth Council Member

## **12.2 Correspondence to be considered for receipt and support**

- 12.2.1 Town of Essex  
RE: Urgent Need for Hospital Funding in Windsor-Essex

### **R21-03-102**

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

**That** Essex Council join the other local Essex County municipalities in affirming its support for this transformational project, noting that our municipalities continue to grow and that our residents require access to a state-of-the-art hospital servicing the entire region; and

**That** the letter of support be sent to Taras Natyshak, MPP, Premiere Doug Ford, Minister Elliott, City of Windsor and all local municipalities.

**Carried**

- 12.2.2 The Corporation of the City of Sarnia and Township of Lake of Bays  
RE: Colour Coded Capacity Limits and Capacity Limits for Restaurants in Stage 2 under the Reopening Ontario Act, 2020

### **R21-03-103**

Moved By Councillor Verbeek

Seconded By Councillor Bondy

**That** the correspondence from The Corporation of the City of Sarnia and the Township of Lake of Bays regarding the colour coded capacity limits and capacity limits for restaurants in stage 2 under the Reopening Ontario Act, 2020 be received and supported, and

**That** a letter of support be sent to the Province of Ontario, the Windsor-Essex Health Unit, the Canadian Union of Public Employees, the Ontario Medical Association, the Nurses Association, The Corporation of the City of Sarnia and the Township of Lake of Bays.

**Carried**

**13. Committee Meeting Minutes**

**R21-03-104**

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

**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.

**Carried**

**13.1 Arts, Culture and Tourism Minutes - January 20, 2021**

**13.2 Heritage Committee Minutes - January 28, 2021**

**13.3 Police Services Board - February 4, 2021**

**14. Financial**

**14.1 Section 284 - Statement of Remuneration and Expenses Paid 2020**

**R21-03-105**

Moved By Councillor Garon

Seconded By Councillor Verbeek

**That** the Section 284 Statement of Remuneration and Expenses Paid 2020 be received.

**Carried**

**15. New Business**

**16. Notices of Motion**

**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 1995**

Being a by-law to confirm the proceedings of the March 1, 2021, Regular Meeting of Council of the Corporation of the Town of Essex.

**R21-03-106**

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

**That** by-law to confirm the proceedings of the March 1, 2021, Regular Meeting of Council of The Corporation of the Town of Essex, be read a third time and finally passed March 15, 2021.

**Carried**

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

**18.2.1 By-Law 1998**

Being a by-law to appoint a Building Inspector for the Town of Essex

**R21-03-107**

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

**That** By-Law 1998 being a by-law to Appoint a Building Inspector for the Town of Essex be read a first, a second and a third time and finally passed March 15, 2021.

**Carried**

18.2.2 By-Law 1997

Being a by-law to authorize a Lease Extension Agreement between Suncor Energy Products Partnership and the Town of Essex for the lease by the Town of the land located at 64 King Street West, Harrow.

**R21-03-108**

Moved By Councillor Bondy

Seconded By Councillor Bowman

**That** By-Law 1997 being a by-law to authorize a Lease Extension Agreement between Suncor Energy Products and the Town of Essex for the lease by the Town of the Land located at 64 King Street West, Harrow and legally described as Part Lots 2 and 3, Plan 180 (Geographic Township of Colchester & Town of Harrow) as in R765254 Town of Essex, County of Essex be read a first, a second and a third time and finally passed on March 15, 2021.

**Carried**

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

Moved By

18.3.1 By-Law 1996

Being a by-law to confirm the proceedings of the March 15, 2021, Regular Meeting of the Council of The Corporation of the Town of Essex.

**R21-03-109**

Moved By Councillor Bjorkman

Seconded By Councillor Vander Doelen

**That** By-Law 1996 being a by-law to confirm the proceedings of the March 15, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a first and a second time and provisionally adopted on March 15, 2021.

**Carried**

19.    **Adjournment**

**R21-03-110**

Moved By Deputy Mayor Meloche

Seconded By Councillor Verbeek

**That** the meeting be adjourned at 8:50 P.M.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk