



Regular Council Meeting Agenda

June 21, 2021, 6:00 pm

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

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

This meeting will be hosted and chaired from the Town of Essex Municipal Building. Due to the ongoing COVID-19 pandemic this meeting is not currently open to the public for in person attendance. This meeting can only be viewed by the public electronically via livestream on YouTube at www.youtube.com/EssexOntario

Pages

1. Call to Order

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. National Anthem

4. Closed Meeting Report

5. Declarations of Conflict of Interest

6. Adoption of Published Agenda

6.1. Regular Council Meeting Agenda for June 21, 2021

Moved by _____

Seconded by _____

That the published agenda for the June 21, 2021 Regular Council Meeting be adopted as presented / amended.

7. Adoption of Minutes

7.1. Regular Council Meeting Minutes for June 7, 2021

1

Moved by _____

Seconded by _____

That the minutes of the Regular Council Meeting held June 7, 2021 be adopted as circulated.

8. Public Presentations

8.1. Senior of the Year 2021 - Ron "Tout" McDermott

15

At the May 31, 2021 Special Council Meeting, Council nominated Ron "Tout" McDermott for 2021 Senior of Year. The Ministry of Seniors and

Accessibility accordingly has awarded Ron "Tout" McDermott as 2021 Senior of the Year in the Town of Essex in recognition of his outstanding contributions to our community. The Mayor is to present this award on behalf of the Town.

8.2.

Mark Danelon, Chief Financial Officer, Director Stakeholders Relations, E.L.K. Energy Inc.

16

RE: 2020 Consolidated Financial Statements

Moved by _____

Seconded by _____

That the presentation of the 2020 Consolidated Financial Statements of E.L.K. Energy Inc., by Mark Danelon, Chief Financial Officer, Director Stakeholders Relations, E.L.K. Energy Inc. be received;

That Council supports the signing of the annual resolutions of E.L.K. Energy Inc. appointing the Directors and KPMG as auditor; and

That the Mayor be thereby authorized to sign the documents on behalf of The Corporation of the Town of Essex.

8.3.

Gordon Orr, Chief Executive Officer, Lynnette Bain, Vice President, Destination Development and Jason Toner, Director of Marketing and Communications, Tourism Windsor Essex Pelee Island

53

RE: Regional Tourism Video, Plans for 2021 and the 2021/2022 Official Visitor Guide

Moved by _____

Seconded by _____

That the presentation by Tourism Windsor Essex Pelee Island, be received.

8.4.

Kathy Beaudoin, Organizer, Essex Food Basket

87

RE: Moving Essex Food Basket to the Change Room at the Harrow Soccer Park

Moved by _____

Seconded by _____

That the delegation by Kathy Beaudoin, Organizer, Essex Food Basket, be received.

8.5.

Bernard Gorski, President, Colchester Ridge Estate Winery (CREW)

RE: Application for a Site-Specific Sign By-Law Amendment for Colchester Ridge Estate Winery (CREW)

Moved by _____

Seconded by _____

That the delegation by Bernard Gorski, President, Colchester Ridge Estate Winery (CREW) be received.

9.

Unfinished Business

10.

Reports from Administration

10.1.

Development Services-2021-02

92

RE: Colchester Ridge Estate Winery (CREW) Request for Site-Specific

Sign By-Law Amendment

Moved by _____

Seconded by _____

That Development Services Report-2021-02, entitled Colchester Ridge Estate Winery (CREW) Request for a Site-specific Sign By-Law Amendment be received; and

That By-Law 2039 being a by-law to amend By-Law 1350 to regulate the erection of signs in the Town of Essex for the property municipally known as 108 County Road 50 East be read a first, a second and a third time and finally passed on June 21, 2021.

10.1.1.	By-Law 2039	100
10.2.	CAO-2021-02	102
	RE: Corporate Strategic Plan: 2021 Progress Update	
	Moved by _____	
	Seconded by _____	
	That Report CAO-2021-02 entitled Corporate Strategic Plan: 2021 Progress Update prepared by Chris Nepszy, CAO dated June 7, 2021 be received for information.	
10.3.	Planning-2021-11	118
	RE: Site Specific Zoning Amendment (96 County Road 50 West, Colchester Centre, Ward 3)	
	Moved by _____	
	Seconded by _____	
	That Planning-2021-11 entitled Site Specific Zoning Amendment (96 County Road 50 West, Colchester Centre, Ward 3) prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 21, 2021 be received, and	
	That By-Law 2034 being a by-law to amend By-Law Number 1037 for the property located at 96 County Road 50 West, be read a first, a second and a third time and finally passed on June 21, 2021.	
10.3.1.	By-Law 2034	166
10.4.	Planning-2021-12	167
	RE: Zoning By-Law Amendment to Permit and Regulate Second Dwelling Units in the Town of Essex	
	Moved by _____	
	Seconded by _____	
	That Planning Report-2021-12 entitled Zoning Bylaw Amendment to Permit and Regulate Second Dwelling Units in the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 21, 2021 be received, and	
	That By-Law Number 2035 being a by-law to amend the Comprehensive Zoning By-Law for the Town of Essex to Permit and Regulate Second Dwelling Units, be read a first and a second time and provisionally adopted on June 21, 2021.	

10.4.1.	By-Law 2035	227
10.5.	Finance and Business Services-2021-07	230
	RE: Revised Fees and Charges By-Law and Schedules	
	Moved by _____	
	Seconded by _____	
	That Corporate Services Report 2021-07 entitled Revised Fees and Charges By-Law and Schedules be received;	
	That 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 be revised with an effective date of July 1, 2021; and	
	That By-Law 2040 being a by-law to establish miscellaneous fees and charges for the Town of Essex be read a first, a second, a third time and finally passed June 21, 2021 with an effective date of July 1, 2021.	
10.5.1.	By-Law 2040	235
10.6.	Infrastructure Services-2021-06	242
	RE: Ward 1 Water Supply West of Highway 3 – Cost Recovery	
	Moved by _____	
	Seconded by _____	
	That Infrastructure Services-2021-06 entitled, Ward 1 Water Supply West of Highway 3 – Cost Recovery prepared by Kevin Girard, Director of Infrastructure Services dated June 21, 2021 be received, and	
	That Council direct Administration to develop a by-law in accordance with Part 12 of the Municipal Act to impose a special charge on benefitting property owners to fully recover the costs of the watermain crossing Highway 3 at the 14 th Concession Road upon connection to municipal water supply as identified in Infrastructure Services Report-2021-06.	
10.7.	Recreation and Culture-2021-02	249
	RE: Results of Request for Quote – New Office at Essex Recreation Complex	
	Moved by _____	
	Seconded by _____	
	That Recreation and Culture Report-2021-002 entitled Results of Request for Quote – New Office at Essex Recreation Complex prepared by Doug Sweet, Director, Community Services/Deputy CAO dated June 21, 2021 be received,	
	That Council award the Request for Quote – New Office at Essex Recreation Complex to TCI Titan Contracting Incorporated in the total amount of \$31,798.78 including non-refundable Harmonized Sales Tax, and	
	That Council approve utilizing approved grant funding of \$31,798.78 from the Investing in Canada Infrastructure Program: COVID-19 Resiliency grant for project CS-21-0104 New Office at Essex Recreation Complex.	

RE: Building Report and Development Overview May 2021

Moved by _____

Seconded by _____

That Economic Development-2021-07 entitled Building Report and Development Overview May 2021 prepared by Nelson Silveira, Economic Development Officer dated June 21, 2021 be received for information.

11. Reports from Youth Members

12. County Council Update

13. Correspondence

13.1. Correspondence to be received

Moved by _____

Seconded by _____

That all of the correspondence listed in Agenda Item 13.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

13.1.1. Correspondence relating to COVID-19 Pandemic

13.1.1.1. Bereavement Authority of Ontario (BAO) 262

RE: New Registrar's Directive for Funeral and Cemetery Service Limits

13.1.1.2. Ontario Executive Council 265

RE: Reopening Ontario (A Flexible Response to Covid-19) Act, 2020

13.1.1.3. Ministry of Municipal Affairs and Housing 334

RE: Entering Step One of the Roadmap to Reopen

13.1.2. Township of Brock 337

RE: Durham Dead-End Road Kids

13.1.3. Township of Lake of Bays 353

RE: Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

13.1.4. Township of Lake of Bays 358

RE: Road Management Action on Invasive Phragmites

13.1.5. Town of Fort Erie 363

RE: Provincial Hospital Funding of Major Capital Equipment

13.1.6. Township of Rideau Lakes 365

RE: Funding for Abandoned Cemeteries

13.1.7.	City of St. Catherines RE: Lyme Disease Awareness Month	366
13.1.8.	The Corporation of the Township of Matachewan RE: Requesting the Province of Ontario to Reverse closure of Youth Justice Facilities in Northeastern Communities	368
13.1.9.	Municipality of Lakeshore RE: Support for Two Police Services Boards System and Submission to the Solicitor General	370
13.1.10.	Municipality of Lakeshore RE: Support for Suicide Prevention Hotline	372
13.1.11.	Township of Huron-Kinloss RE: Digital Suicide Hotline	374
13.1.12.	Township of Huron-Kinloss RE: Lottery Licence to Small Organizations	375
13.1.13.	Township of Havelock-Belmont-Methuen RE: Continuous Increases of Cost for Municipal Insurance	376
13.1.14.	Township of Havelock-Belmont-Methuen RE: Support of the Use of Automatic Speed Enforcement (Photo Radar)	379
13.1.15.	Township of Havelock-Belmont- Methuen RE: Drainage Matters and the Canadian National Railway	381
13.2.	Correspondence to be considered for receipt and support	
13.2.1.	Brian McGinty, Sales Representative, Buckingham Realty Ltd RE: Commercial Viewing Binoculars Moved by _____ Seconded by _____ That the correspondence from Brian McGinty, Sales Representative, Buckingham Realty Ltd., dated June 2, 2021 proposing that the Town of Essex install commercial viewing binoculars be (received/received and supported).	384
13.2.2.	Town of Fort Erie Re: Capital Gains Tax on Primary Residence Moved by _____ Seconded by _____ That the correspondence from Town of Fort Erie dated June 1, 2021, requesting Capital Gains Tax on Primary Residence be (received/received and supported); and If Council choses to support the Town of Fort Erie's resolution,	386

a letter of support be circulated to The Right Honourable Justin Trudeau, The Honourable Doug Ford, Premier of Ontario, All Members of Parliament, All Members of Provincial Parliament, The Regional Municipality of Niagara, and all Municipalities.

14. Committee Meeting Minutes

Moved by _____
Seconded by _____

That all the Committee Meeting minutes listed in Agenda Item 14, together with any recommendations to Council noted therein, be received, approved and adopted as circulated.

- 14.1. Arts, Culture and Tourism Committee Meeting Minutes - May 12, 2021388
- 14.2. Co-An Park Committee Meeting Minutes - May 12, 2021391

15. Financial

- 15.1. Operating Variance Report as at March 31, 2021397

Moved by _____
Seconded by _____
That the Operating Variance Report as at March 31, 2021 be received.

16. New Business

17. Notices of Motion

- 17.1. The following Notice of Motion was presented at the June 7, 2021 Regular Council Meeting and are being brought forward this evening for Council's consideration:

- 17.1.1. Councillor Bondy

Moved by Councillor Bondy
Seconded by _____
That per resolution of Council R20-09-339, that ‘Children at Play’ signs be installed within community areas such as parks, schools, and other institutions whose main purpose is to provide services to children, that a ‘Children at Play’ sign be installed on McAfee Street in Harrow at the entrance to the Harrow Fairgrounds and Arena.

- 17.2. The following Notice of Motion is being presented this evening and will be brought forward for Council's consideration at the July 5, 2021 Regular Council Meeting:

- 17.2.1. Councillor Bondy

Moved by Councillor Bondy
Seconded by _____
That Council have a discussion regarding barbeques at Town of Essex parks to determine what is and is not permitted.

18. Reports and Announcements from Council Members

19. By-Laws

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

19.1.1. By-Law 2027 406

Being a by-law to confirm the proceedings of the June 7, 2021, Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 2027 being a by-law to confirm the proceedings of the June 7, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a third time and finally adopted on June 21, 2021.

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

19.2.1. By-Law 2024 408

Being a by-law to amend By-Law 2010 being a by-law to establish tax rates and additional charges for Municipal, County and Education purposes for the year 2021

Moved by _____

Seconded by _____

That By-Law 2024 being a by-law to amend By-Law 2010 being a by-law to establish tax rates and additional charges for Municipal, County and Education purposes for the year 2021 be read a first, a second and a third time and finally passed on June 21, 2021.

19.2.2. By-Law 2036 412

Being a by-law to require downspout disconnection in designated areas for the purpose of regulating stormwater drainage

Moved by _____

Seconded by _____

That By-Law 2036 being a by-law to require downspout disconnection in designated areas (Community of McGregor) for the purpose of regulating stormwater drainage be read a first, a second and a third time and finally passed on June 21, 2021.

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

19.3.1. By-Law 2037 414

Being a by-law to confirm the proceedings of the June 21, 2021, Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 2037 being a by-law to confirm the proceedings of the June 21, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a first, a second time and provisionally adopted on June 21, 2021.

20. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

21. Future Meetings

21.1. Monday, July 5, 2021 - 5:00 - 6:00 PM Special Council Meeting

RE: Community Safety and Well-Being Project

Location: Electronic Meeting via Zoom

Livestream available at www.youtube.com/Essex/Ontario

21.2. Monday, July 5, 2021 - 6:00 - 9:00 PM Regular Council Meeting

Location: Electronic Meeting via Zoom

Livestream available at www.youtube.com/Essex/Ontario

21.3. Monday, July 19, 2021 - 6:00 - 9:00 PM Regular Council Meeting

Location: Electronic Meeting via Zoom

Livestream available at www.youtube.com/Essex/Ontario



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

June 7, 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

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 3 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
- Kate Giurissevich, Manager, Finance and Business Services/Deputy Treasurer
- Heather MacDonald, Assistant Manager, Finance
- Kevin Carter, Manager, Building Services/Chief Building Official
- Cassandra Roy, Legislative Clerk, Legal and Legislative Services
- Lindsay Dean, Drainage Superintendent
- Jay Affleck, Assistant Manager, Parks and Facilities
- Norm Nussio, Manager Operations and Drainage

1. Call to Order

Mayor Snively called the meeting to order at 6:00 PM.

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 May 18, 2021. He reported that Council met

electronically in Closed Session, on May 18, 2021 at 5:00 PM as permitted to do so by sections 239 (2) (b) of the Municipal Act.

At the Closed Meeting Council discussed personal matters about identifiable individuals including municipal or local board employees and provided direction with respect to a municipal employee.

4. Declarations of Conflict of Interest

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

5. Adoption of Published Agenda

5.1 Regular Council Meeting Agenda for June 7, 2021

R21-06-216

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

That the published agenda for the June 7, 2021 Regular Council Meeting be adopted as presented.

Carried

6. Adoption of Minutes

6.1 Regular Council Meeting Minutes for May 17, 2021

R21-06-217

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

That the minutes of the Regular Council Meeting held May 17, 2021 be adopted as circulated.

Carried

6.2 Special Council Meeting Minutes for March 9, 2021

R21-06-218

Moved By Councillor Verbeek

Seconded By Councillor Vander Doelen

That the minutes of the Special Council Meeting held March 9, 2021 be adopted as circulated.

Carried

6.3 Special Council Meeting Minutes for March 29, 2021

R21-06-219

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

That the minutes of the Special Council Meeting held March 29, 2021 be adopted as circulated.

Carried

6.4 Special Council Meeting Minutes for April 6, 2021

R21-06-220

Moved By Councillor Garon

Seconded By Councillor Bowman

That the minutes of the Special Council Meeting held April 6, 2021 be adopted as circulated.

Carried

6.5 Special Council Meeting Minutes for April 12, 2021

R21-06-221

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

That the minutes of the Special Council Meeting held April 12, 2021 be adopted as circulated.

Carried

7. Public Presentations

7.1 Lisa Wallace, Chair, Essex Accessibility Advisory Committee

RE: Awareness Presentation of Town of Essex Accessibility Committee Initiatives

Lisa Wallace, Chair, Essex Accessibility Advisory Committee noted that last week the Town of Essex participated in the National Accessibility Week. Ms. Wallace provided information on this year's theme of "Disability Inclusion 2021 Leaving No One Behind."

Ms. Wallace stated that when barriers are removed Canadians with disabilities can participate fully in society and workplaces which helps our community thrive and our society prosper so all Canadians benefit. The Essex Accessibility Advisory Committee is committed to securing grants and funding opportunities to promote inclusion and accessibility while raising awareness of disability issues and creating a culture of inclusion.

Ms. Wallace explained that affordable housing is a common term we use to describe a specific housing option but what is missing is accessible and supportive. Supportive housing is a blend of supports that enable people to live as independently as possible in their community. Affordable, accessible and supportive housing increases capacity and keeps people in our community. Ms. Wallace noted that living in the community is much safer and less expensive than living in a long-term care home. It places the value and importance of everyone being welcomed in the Town of Essex

R21-06-222

Moved By Councillor Bondy

Seconded By Councillor Verbeek

That the presentation by Lisa Wallace, Chair, Essex Accessibility Committee be received,

That we adopt a vision for planning and development that takes a new approach to the approval processes for affordable, accessible, and supportive housing. One that promotes a how might we attitude; and

That Administration include a link to the Engagement Survey for the Disability Inclusion Action Plan on the Town of Essex website.

Carried

7.2 Cynthia Swift, Lead Audit Engagement Partner, KPMG LLP

RE: 2020 Audited Financial Statements

Cynthia Swift, Lead Audit Engagement Partner, KPMG LLP provided a summary of the 2020 Audited Financial Statements for the Town of Essex and advised that the Town was in strong financial health.

Jeffrey Morrison, Director, Corporate Services/Treasurer, provided an introduction to the 2020 Audited Financial Statement. Mr. Morrison advised that the Finance Committee was given a detailed overview of the financial statements.

R21-06-223

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

That the presentation of the 2020 Audited Financial Statements for the Town of Essex by Cynthia Swift, Lead Audit Engagement Partner, KPMG LLP, be received; and

That the 2020 Audited Financial Statements for the Town of Essex, be adopted as presented.

Carried

7.3 Peter Thyrring, Headmaster, St. Peter's ACHS College School

RE: Former Harrow High School

Peter Thyrring, Headmaster, St. Peter's ACHS College School, described the accomplishments of St. Peter's ACHS College School. Mr. Thyrring stated that the school is in immediate need of a new location with their new school year expected to start in August 2021. Mr. Thyrring then asked for consideration and support for his school to become a tenant at the former Harrow High School property. Council advised that while they would welcome the opportunity for the St. Peters school to move to Essex, the Town does not currently own the Harrow High school property and even if it were to acquire the property in the near future there is no way it would be able to accommodate a tenant in that building on such short notice. Council then advised Mr. Thyrring that the **Town's Economic development Officer could contact him to advise of any** other short notice opportunities to lease in the Town of Essex.

R21-06-224

Moved By Councillor Bondy

Seconded By Deputy Mayor Meloche

That the presentation by Peter Thyrring, Headmaster, St. Peter's ACHS College School be received.

Carried

8. Unfinished Business

9. Reports from Administration

9.1 Finance and Business Services Report-2021-01

RE: Development Charges - Interest Rate By-Law

R21-06-225

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

That Finance and Business Services Report-2021-01 entitled Development Charges - Interest Rate By-Law prepared by Katelynn Giurissevich dated June 7, 2021 be received; and

That By-Law 2030 being a by-law to charge interest on outstanding **development charges equal to the Town's borrowing rate plus 2% fixed at the** date of building permit issuance or at the date of related planning application, compounded annually, be read a first, second, and third time and finally adopted on June 7, 2021.

Carried

9.2 Finance and Business Services-2021-06

RE: By-Law to Debenture 2021 Annual Drainage Maintenance Billings

Jeffrey Morrison, Director, Corporate Services/Treasurer, explained that Infrastructure Services and the Finance Department collaborated to allow residents flexibility when paying drain maintenance invoices. Residents can now request that drainage maintenance invoices be debentured over a period of 5 or 10 years at an interest rate prescribed by the Town.

R21-06-226

Moved By Councillor Garon

Seconded By Councillor Bowman

That Finance and Business Services-2021-06 entitled Annual Drainage Maintenance Billings Payment Terms prepared by Katelynn, Giurissevich, Manager, Finance and Business Services, dated June 7, 2021 be received; and

That By-Law 2031 being a By-Law to provide for the authorization to debenture certain Drainage Maintenance Billings at the Property Owners request, be read a first, second, and third time and finally adopted on June 7, 2021.

Carried

9.3 Drainage-2021-04

RE: Results of Request for Tender –Rush Drain & 14th Concession Drain Improvements

R21-06-227

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

That Drainage-2021-04 entitled Results of Request for Tender – Rush Drain and 14th Concession Drain Improvements prepared by Lindsay Dean dated June 7, 2021 be received; and

That Council award the Request for Tender – Rush Drain and 14th Concession Drain Improvements (RFT-ID-21-016) to Murray Mills Excavating & Trucking (Sarnia) Ltd. in the amount of \$661,345.36 including non-refundable Harmonized Sales Tax.

Carried

9.4 Drainage-2021-05

RE: Drainage Cost Recovery Update

R21-06-228

Moved By Councillor Bjorkman

Seconded By Councillor Garon

That Drainage-2021-05 entitled Drainage Cost Recovery Update prepared by Norman Nussio, Manager, Operations and Drainage, dated May 17, 2021 be received.

Carried

9.5 Drainage-2021-06

RE: Appointment of an Engineer under Section 78 & 76 to review crossings and updated cost sharing for the Elford Creek Drain

R21-06-229

Moved By Councillor Bjorkman

Seconded By Councillor Vander Doelen

That Drainage-2021-06 entitled Appointment of an Engineer under Section 78 & 76 to review crossings and updated cost sharing for the Elford Creek Drain prepared by Lindsay Dean, Drainage Superintendent dated June 7, 2021 be received;

That Council under Section 76(1) make an application to receive approval from the Tribunal to appoint Rood Engineering Incorporated under Section 76 of the Drainage Act for the Elford Creek Drain; and

That Council under Section 78 of the Drainage Act appoint Rood Engineering Incorporated to the Elford Creek Drain.

Carried

9.6 Drainage-2021-07

RE: Appointment of an Engineer under Section 78 of the Drainage Act to replace a culvert in the Hicks Drain

R21-06-230

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

That Drainage-2021-07 entitled Appointment of an Engineer under Section 78 of the Drainage Act to replace a culvert in the Hicks Drain prepared by Lindsay Dean, Drainage Superintendent dated June 7, 2021 be received; and

That Council appoint Rood Engineering Inc. under Section 78 of the Drainage Act to replace a culvert in the Hicks Drain.

Carried

9.7 Capital Works and Infrastructure-2021-08

RE: Victoria Avenue Improvements

R21-06-231

Moved By Councillor Bowman

Seconded By Councillor Garon

That Capital Works and Infrastructure-2021-08 entitled, Victoria Avenue Improvements prepared by Kevin Girard, Director, Infrastructure Services dated June 7, 2021 be received;

That Council authorize the additional expenditure for design and tendering services of the Victoria Avenue Improvements in the amount of \$134,628.48, including applicable taxes, to Stantec Consulting as part of Project No. GG-21-0001 for the Essex Centre Streetscape; and

That Council authorize the over expenditure of GG-21-0001 for the Essex Centre Streetscape in the amount of \$21,915.01, including applicable taxes, to be funded from the Asset Management Lifecycle Reserve.

Carried

9.8 Parks and Facilities-2021-07

RE: Harrow Splash Pad Engineering

R21-06-232

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

That Parks and Facilities-2021-07 entitled, Engineering of New Public Washrooms/Change Rooms at Harrow Splash Pad prepared by Jay Affleck, Assistant Manager of Parks and Facilities, dated June 7, 2021 be received; and

That Council appoint Architecttura Building Intelligence to provide engineering and design for the New Public Washroom/Change Rooms at Harrow Splash Pad project (CS-21-0043) in the amount of \$18,569.37.00 including non-refundable HST, in accordance with the completed request under Section 22 of the Town of Essex Procurement By-Law 1043.

Carried

9.9 Parks and Facilities-2021-08

RE: Results of Request for Proposal – Essex Tennis Courts

Doug Sweet, Director, Community Services/Deputy CAO, provided background information regarding the recommendations being brought forward and explained that the purpose for listing each one separately was to provide Council with the opportunity to review and approve all or some of the recommendations.

R21-06-233

Moved By Councillor Bondy

Seconded By Councillor Bjorkman

That Parks and Facilities report 2021-008 entitled Results of Request for Proposal – Essex Tennis Courts prepared by Doug Sweet, Director, Community Services/Deputy CAO dated June 7, 2021 be received;

That Council approve the additional funding of \$3,206.40 above the approved budget for the new Essex Tennis Courts (Project Code: CS-20-0042 - \$240,000) with funds coming from the Parks Contingency Reserve account;

That Council approve the additional funding of \$8,649.60 (including the non-refundable HST) for wind screens with the additional funding coming from the Parks Contingency Reserve account;

That Council approve the additional funding of \$40,704 (including the non-refundable HST) for court lighting with the additional funding coming from the Parks Contingency Reserve account; and

That Council award the Request for Proposal – Essex Tennis Courts to GreenLight General Contracting Inc. in the total amount of \$292,560 including non-refundable Harmonized Sales Tax which includes the options for windscreens and court lighting.

Carried

9.10 Legal and Legislative Services-2021-11

RE: Court of Revision for Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment

R21-06-234

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

That the following three (3) members of the Drainage Board: Janice Dougherty, Percy Dufour and Luke Martin be appointed to sit as members of the Court of Revision to be convened for the Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment, Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2020D031 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., **and dated April 28, 2021 (hereinafter the "Report")**, such Court of Revision to be scheduled for 5:00 pm on July 6, 2021, via electronic meeting; and

That By-Law 2023 being a by-law to provide for the Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment, be read a first and second time and be provisionally adopted on June 7, 2021.

Carried

9.11 Legal and Legislative Services-2021-12

RE: Land Acknowledgement Statement

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, provided a verbal report on the Land Acknowledgement Statement and noted Administrations efforts to consult with our local First Nations. He stated that the report is aimed to allow other local First Nations to continue to give feedback for the proposed six month trial period commencing with the June 21, 2021 meeting and at the end of the full consultation period, Council can adopt and continue to use the Land Acknowledgement Statement.

R21-06-235

Moved By Councillor Verbeek

Seconded By Councillor Bowman

That Legal and Legislative Services 2021-012 entitled “**Land Acknowledgement Statement**” prepared by Robert Auger, Town Solicitor/Clerk and Matthew Ducharme, Legal & Legislative Services (Summer Student Intern) and dated June 7, 2021 be received;

That the Land Acknowledgement Statement noted below be provisionally adopted for a six (6) month trial period so as to allow for an additional period of time for Indigenous community members to provide feedback on the proposed statement:

“We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.”;

Further, that the Land Acknowledgement Statement noted in this Report be read at the beginning of all Regular Council Meetings and at other such special events as may be determined from time to time by the Mayor; and

That the Land Acknowledgement Statement noted be further placed on the website of the Town of Essex.

Carried

9.12 Building and By-Law Enforcement-2021-01

RE: Fill and Grade Report

R21-06-236

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

That Building and By-Law Enforcement Report-2021-01 entitled Fill and Grade Report prepared by Mike Diemer dated June 07, 2021 be received; and

That Administration comes back with a report that includes a possible amendment to the by-law that states that Administration or Town Council will have a choice whether to proceed.

Carried

- 10. Reports from Youth Members
- 11. County Council Update
- 12. Correspondence
 - 12.1 Correspondence to be received

R21-06-237
Moved By Councillor Garon
Seconded By Councillor Verbeek

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.

Carried

- 12.1.1 Correspondence relating to COVID-19 Pandemic
 - 12.1.1.1 Township of McKellar
 - RE: Requesting Consideration of Tax Breaks on 2020 CERB payments
 - 12.1.1.2 Ministry of Municipal Affairs and Housing
 - RE: Three-Step Roadmap to Safely Reopen the Province of Ontario and Amendment to Orders under the Reopening Ontario (A Flexible Response to COVID-19) Act (ROA)
 - 12.1.1.3 Local 444 Unifor
 - RE: Roadmap to Reopen
 - 12.1.1.4 The Town of Cochrane
 - RE: Reopening of Greenwater Provincial Park
 - 12.1.1.5 The Corporation of The Town of Amherstburg
 - Re: COVID-19 Shutdown, Support for Small Businesses
- 12.1.2 Windsor/ Essex Provincial Offences (POA)
 - RE: Provincial Offences Annual Report 2020
- 12.1.3 Union Water Supply System
 - RE: Agenda for Wednesday, May 19, 2021
- 12.1.4 Union Water Supply System
 - RE: Minutes for Wednesday, April 21, 2021

12.1.5 Caldwell First Nation

RE: Lowering of our Flags

12.1.9 The Corporation of the Township of Terrace Bay

RE: Advocacy for Reform of the Municipal Freedom of Information and Protection to Privacy Act ("MFIPPA")

12.2 Correspondence to be considered for receipt and support

12.2.1 St .Paul's Anglican Church

RE: New Community Flag Request for Windsor-Essex Pride Festival 2021
- August 6 - August 8, 2021

R21-06-238

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

That the request for the Pride Flag to be flown in front of Town Hall during the week of August 6 - August 8, 2021 for Windsor- Essex Pride Festival 2021 be received and supported.

Carried

12.2.2 Trans Wellness Ontario

RE: New Community Flag Request for Transgender Day of Remembrance - November 19, 2021

R21-06-239

Moved By Councillor Bondy

Seconded By Councillor Verbeek

That the request for the Pride Flag to be flown in front of Town Hall on November 19, 2021 for Transgender Day of Remembrance be received and supported.

Carried

13. Committee Meeting Minutes

R21-06-240

Moved By Councillor Bowman

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 Police Service Board - April 1, 2021

13.2 Committee of Adjustment - April 20, 2021

13.3 Police Service Board - May 6, 2021

13.4 Essex Accessibility Advisory Committee - May 10, 2021

14. Financial

14.1 March 2021 Capital Variance Report

R21-06-241

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

That the Capital Variance Report as at March 31, 2021 be received.

Carried

14.2 April 2021 Bank Payments Report

R21-06-242

Moved By Councillor Garon

Seconded By Councillor Bjorkman

That the Bank Payment Report, including the April 2021 cheque register, cheque number 52806 to cheque number 52933 and electronic funds transfer (EFT) payment number EFT0042371 to EFT004586 inclusive in the amount of \$2,337,962.86; the Preauthorized Payments for the month of April in the amount of \$354,078.65; and Payroll for the month of April in the amount of \$429,828.78, be ratified as submitted.

Carried

15. New Business

16. Notices of Motion

16.1 The Following Notice of Motion is being presented this evening and will be brought forward for Council's consideration at the June 21, 2021 Regular Council Meeting:

16.1.1 Councillor Bondy

That per resolution of Council R20-09-339, that 'Children at Play' signs only be installed within community areas such as parks, schools, and other institutions whose main purpose is to provide services to children, **that a 'Children at Play' sign be installed on McAfee Street in Harrow at the entrance to the Harrow Fairgrounds and Arena.**

Moved By Councillor Bondy

That per resolution of Council R20-09-339, that 'Children at Play' signs be installed within community areas such as parks, schools, and other institutions whose main purpose is to provide services to children, **that a 'Children at Play' sign be installed on McAfee Street in Harrow at the entrance to the Harrow Fairgrounds and Arena.**

17. Reports and Announcements from Council Members

17.1 Deputy Mayor Meloche, Verbal Report

RE: Report of the Meeting held on Friday, May 7, 2021 with Senior Officials at Ontario Hydro One

18. By-Laws

18.1 By-Laws that require a third and final reading

18.1.1 By-Law 2000

Being a by-law to provide for the Barrette Drain: Repair and Improvements, Geographic Township of Colchester North, Project REO2020D009, Town of Essex, County of Essex

R21-06-243

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

That By-Law 2000 being a by-law to provide for the Barrette Drain: Repair and Improvements, Geographic Township of Colchester North, Project REO2020D009, Town of Essex, County of Essex be read a third time and finally passed on June 7, 2021.

Carried

18.1.2 By-Law 2020

Being a by-law to confirm the proceedings of the May 17, 2021, Regular Meeting of Council of the Town of Essex

R21-06-244

Moved By Councillor Garon

Seconded By Councillor Verbeek

That By-Law 2020 being a by-law to confirm the proceedings of the May 17, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a third time and finally adopted on June 7, 2021.

Carried

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

18.2.1 By-Law 2026

Being a by-law to appoint designated members of the Canadian Corps of Commissionaires Ottawa as Municipal By-Law Enforcement Officers for the Town of Essex

R21-06-245

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

That By-Law 2026 being a by-law to Appoint Municipal By-Law Enforcement Officers for the Town of Essex be read a first, a second and a third time and finally passed on June 7, 2021.

Carried

18.3 By-Laws that require a first and second reading

18.3.1 By-Law 2027

Being a by-law to confirm the proceedings of the June 7, 2021, Regular Meeting of Council of The Corporation of the Town of Essex.

R21-06-246
Moved By Councillor Bjorkman
Seconded By Councillor Garon

That By-Law 2027 being a by-law to confirm the proceedings of the June 7, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a first, a second time and provisionally adopted on June 7, 2021.

Carried

19. **Adjournment**

R21-06-247
Moved By Deputy Mayor Meloche
Seconded By Councillor Bjorkman

That the meeting be adjourned at 8:20 PM.

Carried

Mayor

Clerk



SENIOR OF THE YEAR AWARD 2021

PRIX DE LA PERSONNE ÂGÉE DE L'ANNÉE

Presented to / Décerné à

Ron "Tou" McDermott

by the Municipality of / par la municipalité de

The Town of Essex

In recognition of your outstanding contributions to your community after age 65.

En reconnaissance de la contribution exceptionnelle apportée à votre collectivité après 65 ans.

Raymond Cho

The Honourable Raymond Cho
Minister for Seniors and Accessibility

L'honorable Raymond Cho
Ministre des Services aux
aînés et de l'Accessibilité

Elizabeth Dowdeswell

Her Honour the Honourable Elizabeth Dowdeswell
Lieutenant Governor of Ontario

Son Honneur l'honorable Elizabeth Dowdeswell
Lieutenant-gouverneure de l'Ontario

Jany Dowdeswell

Head of Council

Président(e) du conseil



Consolidated Financial Statements of

E.L.K. ENERGY INC.

And Independent Auditors' Report thereon

Year ended December 31, 2020



KPMG LLP
618 Greenwood Centre
3200 Deziel Drive
Windsor ON N8W 5K8
Canada
Tel 519-251-3500
Fax 519-251-3530

INDEPENDENT AUDITORS' REPORT

To the Shareholder of E.L.K. Energy Inc.

Opinion

We have audited the consolidated financial statements of E.L.K. Energy Inc. (the Entity), which comprise:

- the consolidated statement of financial position as at December 31, 2020
- the consolidated statement of comprehensive income for the year then ended
- the consolidated statement of changes in equity for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2020, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards (IFRS).

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditors' Responsibilities for the Audit of the Financial Statements***" section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards (IFRS), and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Financial Reporting Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with International Financial Reporting Standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.
The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.



- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

A handwritten signature in black ink that reads 'KPMG LLP' with a long horizontal line underneath.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada
April 22, 2021

E.L.K. Energy Inc.

Consolidated Statement of Financial Position

December 31, 2020, with comparative information for 2019

	Notes	2020	2019
Assets			
Current assets			
Cash and cash equivalents	5	\$ 6,989,027	\$ 8,419,545
Accounts receivable	6	3,914,647	1,308,988
Due from related parties	21	51,848	55,556
Income taxes receivable		-	14,028
Unbilled revenue		3,441,309	5,144,364
Inventory	7	384,791	368,432
Prepaid expenses		90,708	160,729
Total current assets		14,872,330	15,471,642
Non-current assets			
Investments	8	83,543	87,395
Property, plant and equipment	9	11,352,105	10,231,649
Deferred tax assets	10	19,682	286,000
Total non-current assets		11,455,330	10,605,044
Total assets		26,327,660	26,076,686
Liabilities			
Current liabilities			
Accounts payable and accrued liabilities	12	\$ 4,748,007	\$ 4,539,842
Due to related parties	21	589,999	563,512
Customer deposits		2,055,830	1,882,945
Deferred revenue		995,656	794,124
Income taxes payable		44,878	-
Bank debt	13	2,600,000	3,100,000
Total current liabilities		11,034,370	10,880,423
Non-current liabilities			
Post-employment benefits	14	423,785	470,557
Total non-current liabilities		423,785	470,557
Total liabilities		11,458,155	11,350,980
Equity			
Share capital	15	2,000,100	2,000,100
Contributed surplus		4,402,375	4,402,375
Retained earnings		6,319,656	5,125,710
Accumulated other comprehensive income		196,657	168,442
Total equity		12,918,788	11,696,627
Total liabilities and equity		24,376,943	23,047,607
Regulatory balances	11	6,327,465	5,407,917
Commitments and contingencies	20		
Total liabilities, equity and regulatory balances		\$ 30,704,408	\$ 28,455,524

See accompanying notes to the consolidated financial statements.

On behalf of the Board:

Director

Director

E.L.K. Energy Inc.

Consolidated Statement of Comprehensive Income

Year ended December 31, 2020, with comparative information for 2019

	Notes	2020	2019
Revenue			
Sale of energy		\$ 36,926,113	\$ 30,762,009
Distribution revenue	23	3,763,721	3,679,820
Other	16	1,367,876	1,027,149
		42,057,710	35,468,978
Other expenses			
Cost of power purchased		40,148,609	30,796,651
Administration expenses		1,580,733	1,736,362
Distribution expenses	18	1,230,797	1,317,603
Depreciation and amortization		639,119	690,409
		43,599,258	34,541,025
(Loss) Income from operating activities		(1,541,548)	927,953
Net finance income	19	129,484	50,888
(Loss) Income before income taxes		(1,412,064)	978,841
Income tax expense	10	485,266	335,375
Net (loss) income for the year		(1,897,330)	643,466
Net movement in regulatory balances, net of tax	11	3,091,276	151,473
Net income for the year and net movement in regulatory balances		1,193,946	794,939
Other comprehensive income (loss)			
Items that will not be reclassified to profit or loss			
Remeasurement of post-employment benefits	14	38,285	(16,357)
Tax on remeasurement	10	(10,070)	5,500
Other comprehensive income (loss) for the year		28,215	(10,857)
Total comprehensive income for the year		\$ 1,222,161	\$ 784,082

See accompanying notes to the consolidated financial statements.

E.L.K. Energy Inc.

Consolidated Statement of Changes in Equity

Year ended December 31, 2020, with comparative information for 2019

		Share Capital	Contributed Surplus	Retained Earnings	Accumulated other comprehensive income	Total
Balance at January 1, 2019	\$	2,000,100	\$ 4,402,375	\$ 4,330,771	\$ 179,299	\$ 10,912,545
Net income and net movement in regulatory balances		-	-	794,939	-	794,939
Other comprehensive loss		-	-	-	(10,857)	(10,857)
Balance at December 31, 2019	\$	2,000,100	\$ 4,402,375	\$ 5,125,710	\$ 168,442	\$ 11,696,627
Balance at January 1, 2020	\$	2,000,100	\$ 4,402,375	\$ 5,125,710	\$ 168,442	\$ 11,696,627
Net income and net movement in regulatory balances		-	-	1,193,946	-	1,193,946
Other comprehensive income		-	-	-	28,215	28,215
Balance at December 31, 2020	\$	2,000,100	\$ 4,402,375	\$ 6,319,656	\$ 196,657	\$ 12,918,788

See accompanying notes to the consolidated financial statements.

E.L.K. Energy Inc.

Consolidated Statement of Cash Flows

Year ended December 31, 2020, with comparative information for 2019

	2020	2019
Operating activities		
Net income	\$ 1,193,946	\$ 794,939
Adjustments for:		
Depreciation and amortization	639,119	690,409
Amortization of deferred revenue	(328,061)	(303,439)
Post-employment benefits	8,487	3,182
Remeasurement of post-employment benefits	38,285	(16,357)
Unrealized loss (gain) on investments	3,852	(20,546)
Income tax expense	485,266	335,375
	2,040,894	1,483,563
Changes in non-cash operating working capital:		
Accounts receivable	(2,605,659)	147,295
Due to/from related parties	30,195	8,835
Unbilled revenue	1,703,055	(804,861)
Inventory	(16,359)	(44,370)
Prepaid expenses	70,021	(70,510)
Accounts payable and accrued liabilities	208,165	769,454
Customer deposits	172,885	464,658
	(437,697)	470,501
Regulatory balances	(1,078,362)	2,565,834
Income tax paid	(225,371)	(173,025)
Net cash from operating activities	299,464	4,346,873
Investing activities		
Purchase of property, plant and equipment, net	(1,759,575)	(1,104,785)
Contributions received from customers	529,593	701,508
Net cash used by investing activities	(1,229,982)	(403,277)
Financing activities		
Repayment of bank debt	(500,000)	(500,000)
Net cash used by financing activities	(500,000)	(500,000)
Change in cash and cash equivalents	(1,430,518)	3,443,596
Cash and cash equivalents, beginning of year	8,419,545	4,975,949
Cash and cash equivalents, end of year	\$ 6,989,027	\$ 8,419,545

See accompanying notes to the consolidated financial statements.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements
Year ended December 31, 2020

1. Reporting entity:

E.L.K. Energy Inc. (the "Corporation") is a rate regulated, municipally owned hydro distribution company incorporated under the laws of Ontario, Canada. The Corporation is located in the Town of Essex. The address of the Corporation's registered office is 172 Forest Avenue, Essex, Ontario.

The Corporation delivers electricity and related energy services to residential and commercial customers in Essex, Harrow, Belle River, Comber, Kingsville and Cottam. The Corporation is wholly owned by the Municipality of the Town of Essex ("the Town"). The Corporation also performs the billing function for the Town's Water Department.

These financial statements are presented on a consolidated basis and include the subsidiary E.L.K. Solutions Inc. Hereafter, for purposes of these notes, unless specifically referenced, any and all references to the "Corporation" refer to E.L.K Energy Inc. and its subsidiary. The financial statements are for the Corporation as at and for the year ended December 31, 2020.

2. Basis of preparation:

(a) Statement of compliance:

The Corporation's consolidated financial statements have been prepared in accordance with International Financial Reporting Standards ("IFRS").

(b) Approval of the consolidated financial statements:

The consolidated financial statements were approved by the Board of Directors on April 22, 2021.

(c) Basis of measurement:

These consolidated financial statements have been prepared on the historical cost basis, unless otherwise stated.

(d) Functional and presentation currency:

These consolidated financial statements are presented in Canadian dollars, which is the Corporation's functional currency. All financial information presented in Canadian dollars has been rounded to the nearest thousand.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

2. Basis of preparation (continued):

(e) Use of estimates and judgements:

(i) Assumptions and estimation uncertainty:

The preparation of consolidated financial statements in conformity with IFRS requires management to make judgments, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, income and expenses and disclosure of contingent assets and liabilities. Actual results may differ from those estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the year in which the estimates are revised and in any future years affected.

Information about assumptions and estimation uncertainties that have a significant risk of resulting in material adjustment is included in the following notes:

- (i) Note 3 (b) – measurement of unbilled revenue
- (ii) Note 9 – estimation of useful lives of its property, plant and equipment
- (iii) Note 11 – recognition and measurement of regulatory balances
- (iv) Note 14 – measurement of defined benefit obligations: key actuarial assumptions
- (v) Note 20 – recognition and measurement of provisions and contingencies

(f) Rate regulation:

The Corporation is regulated by the Ontario Energy Board (“OEB”), under the authority granted by the *Ontario Energy Board Act, 1998*. Among other things, the OEB has the power and responsibility to approve or set rates for the transmission and distribution of electricity, providing continued rate protection for electricity consumers in Ontario, and ensuring that transmission and distribution companies fulfill obligations to connect and service customers. The OEB may also prescribe license requirements and conditions of service to local distribution companies (“LDCs”), such as the Corporation, which may include, and among other things, record keeping, regulatory accounting principles, separation of accounts for distinct businesses, and filing and process requirements for rate setting purposes.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

2. Basis of preparation (continued):

(f) Rate regulation (continued):

(i) Rate Setting:

The electricity distribution rates and other regulated charges of the Corporation are determined by the OEB. This regulated rate-setting provides LDCs with the opportunity to recover the revenue requirement associated with owning and operating the LDC. The revenue requirement represents the forecasted prudent costs, including the cost of capital that will be reasonably necessary for the LDC to invest in the electricity grid, and serve customers in its licenced service area.

(ii) Rate Applications:

As set out in the OEB's Report of the Board: Renewed Regulatory Framework for Electricity Distributors: A Performance-Based Approach, dated October 18, 2012, the OEB performs its rate-setting function using a combination of incentive rate-setting and cost of service rate-setting. Both rate-setting techniques are based on applications made by LDC's to the OEB. Provided an LDC meets OEB-specified performance parameters, the LDC can select from one of three rate-setting streams: 4th Generation Incentive Rate-setting, Custom Incentive Rate-setting, or Annual Incentive Rate-setting Index. Each of these streams entails different rate-setting schedules and substantive filing requirements. For all streams, the revenue requirement is established through a cost of service rate-setting application. The selection of stream determines the number of years that cost of service rate-setting application pertains to, and the number of years thereafter that the LDC is expected to file incentive rate-setting applications.

Cost of service rate-setting applications recalculate the revenue requirement through a comprehensive review of an LDC's forecasted prudently incurred costs. Incentive rate-setting applications mechanistically adjust the revenue requirement using an OEB-prescribed formula. That formula was established on November 21, 2013, in the OEB's Report of the Board on Rate Setting Parameters and Benchmarking under the Renewed Regulatory Framework for Ontario's Electricity Distributors.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

2. Basis of preparation (continued):

(f) Rate regulation (continued):

(ii) Rate Applications (continued):

For the distribution revenue included in sale of energy, the Corporation files a “Cost of Service” (“COS”) rate application with the OEB every five years where rates are determined through a review of the forecasted annual amount of operating and capital expenditures, debt and shareholder’s equity required to support the Corporation’s business. The Corporation estimates electricity usage and the costs to service each customer class to determine the appropriate rates to be charged to each customer class. The COS application is reviewed by the OEB and interveners and rates are approved based upon this review, including any revisions resulting from that review.

In the intervening years an Incentive Rate Mechanism application (“IRM”) is filed. An IRM application results in a formulaic adjustment to distribution rates that were set under the last COS application. The previous year’s rates are adjusted for the annual change in the Gross Domestic Product Implicit Price Inflator for Final Domestic Demand (“GDP IPI-FDD”) net of a productivity factor and a “stretch factor” determined by the relative efficiency of an electricity distributor.

The Corporation last filed a COS application in 2016 for rates effective November 1, 2017. The GDP IPI-FDD for 2020 is 2.00%, the Corporation’s productivity factor is 0.00% and the stretch factor is 0.60%, resulting in a net adjustment of 1.40% to the previous year’s rates.

(iii) Electricity rates:

The OEB sets electricity prices for low-volume consumers twice each year based on an estimate of how much it will cost to supply the province with electricity for the next year. In 2017, the OEB set new lower Regulated Price Plan (RPP) prices established under the *Ontario Fair Hydro Act, 2017*.

On May 9, 2019, the Government of Ontario enacted Bill 87, the *Fixing the Hydro Mess Act, 2019*. The legislation amended the *Ontario Rebate for Electricity Consumers Act, 2016* and the *Ontario Fair Hydro Plan Act, 2017*. Effective November 1, 2019, the OEB set electricity prices under the RPP based on the estimated cost to supply the province with electricity. The Ministry of Energy, Northern Development and Mines set the amount of the rebate under the *Ontario Rebate for Electricity Consumers Act, 2016* such that the monthly bill for a typical customer increased by the rate of inflation.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

2. Basis of preparation (continued):

(f) Rate regulation (continued):

(iii) Electricity rates (continued):

In 2020, the OEB also adjusted the Regulated Price Plan (RPP) prices March and June in response to the Government issued Emergency Orders under the *Emergency Management and Civil Protection Act* to assist Ontarians who were forced to stay home due to the COVID-19 pandemic.

All remaining consumers pay the market price for electricity. The Corporation is billed for the cost of the electricity that its customers use and passes this cost on to the customer at cost without a mark-up.

3. Significant accounting policies:

The accounting policies set out below have been applied consistently in all years presented in these consolidated financial statements.

(a) Financial instruments:

All consolidated financial assets and liabilities of the Corporation are classified into one of the following categories: amortized cost, fair value through other comprehensive income, or fair value through profit or loss.

The Corporation has classified its financial instruments as follows:

Cash and cash equivalents	Amortized cost
Accounts receivable	Amortized cost
Due from related parties	Amortized cost
Investment	Fair value through profit or loss
Accounts payable and accruals	Amortized cost
Due to related parties	Amortized cost
Long-term borrowings	Amortized cost

The Corporation does not enter into derivative instruments.

Hedge accounting has not been used in the preparation of these consolidated financial statements.

Cash equivalents include short-term investments with maturities of three months or less when purchased

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(b) Revenue recognition:

The performance obligations for the sale and distribution of electricity are recognized over time using an output method to measure the satisfaction of the performance obligation. The value of the electricity services transferred to the customer is determined on the basis of cyclical meter readings plus estimated customer usage since the last meter reading date to the end of the year and represents the amount that the Corporation has the right to bill. Revenue includes the cost of electricity supplied, distribution, and any other regulatory charges. The related cost of power is recorded on the basis of power used.

For customer billings related to electricity generated by third parties and the related costs of providing electricity service, such as transmission services and other services provided by third parties, the Corporation has determined that it is acting as a principal for these electricity charges and, therefore, has presented electricity revenue on a gross basis.

Revenue for the Corporation is recognized when the Corporation satisfies the performance obligations within the contract(s) for conditions of service, which is when the distribution and delivery of electricity is achieved or specific services are performed.

Revenue includes an estimate of unbilled revenue. Unbilled revenue represents an estimate of electricity consumed by customers since the date of each customer's last meter reading. Actual electricity usage could differ from those estimates.

Revenue is measured at the fair value of the consideration received or receivable, net of any taxes which may be applicable.

Other income for work orders is recorded on a net basis as the Corporation is acting as an agent for this revenue stream. All other amounts in other income are recorded on a gross basis and are recognized when services are rendered.

Certain customers and developers are required to contribute towards the capital cost of construction of distribution assets in order to provide ongoing service. Cash contributions are recorded as deferred revenue. When an asset other than cash is received as a capital contribution, the asset is initially recognized at its fair value, with a corresponding amount recognized as deferred revenue. The deferred revenue, which represents the Corporation's obligation to continue to provide the customers access to the supply of electricity, is amortized to income on a straight-line basis over the useful life of the related asset.

Government grants and the related performance incentive payments under CDM programs are recognized as revenue in the year when there is reasonable assurance that the program conditions have been satisfied and the payment will be received.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(c) Materials and supplies:

Materials and supplies, the majority of which is consumed by the Corporation in the provision of its services, is valued at the lower of cost and net realizable value, with cost being determined on a first-in, first-out cost basis, and includes expenditures incurred in acquiring the materials and supplies and other costs incurred in bringing them to their existing location and condition.

(d) Property, plant and equipment:

Items of property, plant and equipment ("PP&E") used in rate-regulated activities and acquired prior to January 1, 2014 are measured at deemed cost established on the transition date, less accumulated depreciation. All other items of PP&E are measured at cost, or, where the item is contributed by customers, its fair value, less accumulated depreciation.

Cost includes expenditures that are directly attributable to the acquisition of the asset. The cost of self-constructed assets includes contracted services, materials and transportation costs, direct labour, overhead costs, borrowing costs and any other costs directly attributable to bringing the asset to a working condition for its intended use.

Borrowing costs on qualifying assets are capitalized as part of the cost of the asset based upon the weighted average cost of debt incurred on the Corporation's borrowings. Qualifying assets are considered to be those that take in excess of nine months to construct.

When parts of an item of PP&E have different useful lives, they are accounted for as separate items (major components) of PP&E.

When items of PP&E are retired or otherwise disposed of, a gain or loss on disposal is determined by comparing the proceeds from disposal, if any, with the carrying amount of the item and is included in profit or loss.

Major spare parts and standby equipment are recognized as items of PP&E.

The cost of replacing a part of an item of PP&E is recognized in the net book value of the item if it is probable that the future economic benefits embodied within the part will flow to the Corporation and its cost can be measured reliably. In this event, the replaced part of PP&E is written off, and the related gain or loss is included in profit or loss. The costs of the day-to-day servicing of PP&E are recognized in profit or loss as incurred.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(d) Property, plant and equipment (continued):

The need to estimate the decommissioning costs at the end of the useful lives of certain assets is reviewed periodically. The Corporation has concluded it does not have any legal or constructive obligation to remove PP&E.

Depreciation is calculated to write off the cost of items of PP&E using the straight-line method over their estimated useful lives, and is generally recognized in profit or loss. Depreciation methods, useful lives, and residual values are reviewed at each reporting date and adjusted prospectively if appropriate. Land is not depreciated. Construction-in-progress assets are not depreciated until the project is complete and the asset is available for use.

The estimated useful lives are as follows:

	Years
Buildings	50
Distribution and metering equipment	10 - 60
Other assets	5 - 15

(e) Impairment:

(i) Financial assets measured at amortized cost:

A financial asset is assessed at each reporting date to determine whether there is any objective evidence that it is impaired. A financial asset is considered to be impaired if objective evidence indicates that one or more events have had a negative effect on the estimated future cash flows of that asset.

An impairment loss is calculated as the difference between an asset's carrying amount and the present value of the estimated future cash flows discounted at the original effective interest rate. Interest on the impaired assets continues to be recognized through the unwinding of the discount. Losses are recognized in profit or loss. An impairment loss is reversed through profit or loss if the reversal can be related objectively to an event occurring after the impairment loss was recognized.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(e) Impairment (continued):

(ii) Non-financial assets:

The carrying amounts of the Corporation's non-financial assets, other than materials and supplies and deferred tax assets, are reviewed at each reporting date to determine whether there is any indication of impairment. If any such indication exists, then the asset's recoverable amount is estimated.

For the purpose of impairment testing, assets are grouped together into the smallest group of assets that generates cash inflows from continuing use that are largely independent of the cash inflows of other assets or groups of assets (the "cash-generating unit" or "CGU"). The recoverable amount of an asset or CGU is the greater of its value in use and its fair value less costs to sell. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset.

An impairment loss is recognized if the carrying amount of an asset or its CGU exceeds its estimated recoverable amount. Impairment losses are recognized in profit or loss.

For other assets, an impairment loss is reversed only to the extent that the asset's carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortization, if no impairment loss had been recognized.

(f) Customer deposits:

Customer deposits represent cash deposits from electricity distribution customers and retailers to guarantee the payment of energy bills. Interest is paid on customer deposits.

Deposits are refundable to customers who demonstrate an acceptable level of credit risk as determined by the Corporation in accordance with policies set out by the OEB or upon termination of their electricity distribution service.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(g) Provisions:

A provision is recognized if, as a result of a past event, the Corporation has a present legal or constructive obligation that can be estimated reliably, and it is probable that an outflow of economic benefits will be required to settle the obligation. Provisions are determined by discounting the expected future cash flows at a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability.

(h) Regulatory balances:

Regulatory deferral account debit balances represent costs incurred in excess of amounts billed to the customer at OEB approved rates. Regulatory deferral account credit balances represent amounts billed to the customer at OEB approved rates in excess of costs incurred by the Corporation.

Regulatory deferral account debit balances are recognized if it is probable that future billings in an amount at least equal to the deferred cost will result from inclusion of that cost in allowable costs for rate-making purposes. The offsetting amount is recognized in net movement in regulatory balances in profit or loss or OCI. When the customer is billed at rates approved by the OEB for the recovery of the deferred costs, the customer billings are recognized in revenue. The regulatory debit balance is reduced by the amount of these customer billings with the offset to net movement in regulatory balances in profit or loss or OCI.

The probability of recovery of the regulatory deferral account debit balances is assessed annually based upon the likelihood that the OEB will approve the change in rates to recover the balance. The assessment of likelihood of recovery is based upon previous decisions made by the OEB for similar circumstances, policies or guidelines issued by the OEB, etc. Any resulting impairment loss is recognized in profit or loss in the year incurred.

When the Corporation is required to refund amounts to ratepayers in the future, the Corporation recognizes a regulatory deferral account credit balance. The offsetting amount is recognized in net movement in regulatory balances in profit or loss or OCI. The amounts returned to the customers are recognized as a reduction of revenue. The credit balance is reduced by the amount of these customer repayments with the offset to net movement in regulatory balances in profit or loss or OCI.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(i) Post-employment benefits:

(i) Pension plan:

The Corporation provides a pension plan for all of its full-time employees through Ontario Municipal Employees Retirement System ("OMERS"). OMERS is a multi-employer pension plan which operates as the Ontario Municipal Employees Retirement Fund ("the Fund"), and provides pensions for employees of Ontario municipalities, local boards and public utilities. The Fund is a contributory defined benefit pension plan, which is financed by equal contributions from participating employers and employees, and by the investment earnings of the Fund. To the extent that the Fund finds itself in an under-funded position, additional contribution rates may be assessed to participating employers and members.

OMERS is a defined benefit plan. However, as OMERS does not segregate its pension asset and liability information by individual employers, there is insufficient information available to enable the Corporation to directly account for the plan. Consequently, the plan has been accounted for as a defined contribution plan. The Corporation is not responsible for any other contractual obligations other than the contributions. Obligations for contributions to defined contribution pension plans are recognized as an employee benefit expense in profit or loss when they are due.

(ii) Post-employment benefits, other than pension:

The Corporation provides its retired employees with life insurance and medical benefits.

The obligations for these post-employment benefit plans are actuarially determined by applying the projected unit credit method and reflect management's best estimate of certain underlying assumptions. Remeasurements of the net defined benefit obligations, including actuarial gains and losses and the return on plan assets (excluding interest), are recognized immediately in other comprehensive income. When the benefits of a plan are improved, the portion of the increased benefit relating to past service by employees is recognized immediately in profit or loss.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(j) Finance income and finance costs:

Finance income is recognized as it accrues in profit or loss, using the effective interest method. Finance income comprises interest earned on cash and cash equivalents and dividend income.

Finance costs comprise interest expense on borrowings, unwinding of the discount on provisions, net interest expense on post-employment benefits and impairment losses on financial assets. Finance costs are recognized in profit or loss unless they are capitalized as part of the cost of qualifying assets.

(k) Income taxes:

The income tax expense comprises current and deferred tax. Income tax expense is recognized in profit or loss except to the extent that it relates to items recognized directly in equity, in which case, it is recognized in equity.

The Corporation is currently exempt from taxes under the Income Tax Act (Canada) and the Ontario Corporations Tax Act (collectively the "Tax Acts"). Under the *Electricity Act*, 1998, the Corporation makes payments in lieu of corporate taxes to the Ontario Electricity Financial Corporation ("OEFC"). These payments are calculated in accordance with the rules for computing taxable income and taxable capital and other relevant amounts contained in the Tax Acts as modified by the *Electricity Act*, 1998, and related regulations. Prior to October 1, 2001, the Corporation was not subject to income or capital taxes. Payments in lieu of taxes are referred to as income taxes.

Current tax comprises the expected tax payable or receivable on the taxable income or loss for the year, using tax rates enacted or substantively enacted at the reporting date, and any adjustment to tax payable in respect of previous years.

Deferred tax is recognized in respect of temporary differences between the tax basis of assets and liabilities and their carrying amounts for accounting purposes. Deferred tax assets are recognized for unused tax losses, unused tax credits and deductible temporary differences to the extent that it is probable that future taxable profits will be available against which they can be used. Deferred tax is measured at the tax rates that are expected to be applied to temporary differences when they reverse, using tax rates enacted or substantively enacted, at the reporting date.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

3. Significant accounting policies (continued):

(l) Investments:

The Corporation has designated its investment in the common shares of Sun Life Financial as fair value through profit and loss and these instruments are recorded at market value as determined by quoted market prices. Realized and unrealized gains and losses as a result of disposition of shares and changes in fair value are recorded in the consolidated statement of comprehensive income as an unrealized gain or loss on investments in net finance income.

The investment in Gosfield North Communications is measured at cost.

4. Standards issued but not yet adopted:

The following standards, which are not yet effective for the year ended December 31, 2020, have not been applied in preparing these financial statements.

i) Property, Plant and Equipment – Proceeds before Intended Use (Amendments to IAS 16):

On May 14, 2020, the IASB issued *Property, Plant and Equipment – Proceeds before Intended Use (Amendments to IAS 16)*.

The amendments are effective for annual periods beginning on or after January 1, 2022. Early adoption is permitted.

The amendments provide guidance on the accounting for sale proceeds and the related production costs for items a company produces and sells in the process of making an item of property, plant and equipment (PPE) available for its intended use. Specifically, proceeds from selling items before the related item of PPE is available for use should be recognised in profit or loss, together with the costs of producing those items.

ii) Onerous Contracts – Cost of Fulfilling a Contract (Amendments to IAS 37):

On May 14, 2020, the IASB issued *Onerous Contracts – Cost of Fulfilling a Contract (Amendments to IAS 37)*.

The amendments are effective for annual periods beginning on or after January 1, 2022 and apply to contracts existing at the date when the amendments are first applied. Early adoption is permitted.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

4. Standards issued but not yet adopted (continued):

ii) Onerous Contracts – Cost of Fulfilling a Contract (Amendments to IAS 37) (continued):

IAS 37 does not specify which costs are included as a cost of fulfilling a contract when determining whether a contract is onerous. The IASB's amendments address this issue by clarifying that the 'costs of fulfilling a contract' comprise both:

- the incremental costs – e.g. direct labour and materials; and
- an allocation of other direct costs – e.g. an allocation of the depreciation charge for an item of PPE used in fulfilling the contract.

iii) Classification of Liabilities as Current or Non-Current (Amendments to IAS 1):

On January 23, 2020, the IASB issued amendments to IAS 1 *Presentation of Financial Statements*, to clarify the classification of liabilities as current or non-current. On July 15, 2020, the IASB issued an amendment to defer the effective date by one year.

The amendments are effective for annual periods beginning on or after January 1, 2023. Early adoption is permitted.

For the purposes of non-current classification, the amendments removed the requirement for a right to defer settlement or roll over of a liability for at least twelve months to be unconditional. Instead, such a right must have substance and exist at the end of the reporting period.

The Corporation has assessed the potential impacts on its financial statements, and determined that the future pronouncements will not have a material impact on the Corporation.

5. Cash and cash equivalents:

	2020	2019
Bank balances - unrestricted	\$ 5,595,435	\$ 7,108,004
Bank balance - restricted	1,393,592	1,311,541
Cash and cash equivalents in the statements of cash flows	\$ 6,989,027	\$ 8,419,545

Restricted cash relates to contractor security deposits.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

6. Accounts receivable:

	2020	2019
Trade receivables	\$ 3,859,524	\$ 1,611,750
Other trade receivables	683,139	349,608
Allowance for doubtful accounts	(628,016)	(652,370)
	<u>\$ 3,914,647</u>	<u>\$ 1,308,988</u>

7. Inventory:

Inventory consists of parts and supplies acquired for capital, internal construction, maintenance or recoverable work.

The amount of inventory consumed by the Corporation during 2020 was \$383,987 (2019 - \$257,703).

Amounts written down due to obsolescence in 2020 was \$nil (2019 - \$1,922).

8. Investments:

	2020	2019
Investment in Gosfield North Communications, at cost	\$ 1	\$ 1
Investment in the common shares of Sun Life Financial, at market	83,542	87,394
	<u>\$ 83,543</u>	<u>\$ 87,395</u>

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

9. Property, plant and equipment:

	Land and buildings	Distribution equipment	Other fixed assets	Total
<i>Cost or deemed cost</i>				
Balance at January 1, 2020	\$ 159,260	\$ 12,891,237	\$ 876,311	\$13,926,808
Additions	22,278	1,217,612	519,685	1,759,575
Balance at December 31, 2020	\$ 181,538	\$ 14,108,849	\$ 1,395,996	\$ 15,686,383
Balance at January 1, 2019	\$ 152,782	\$ 11,970,798	\$ 698,443	\$ 12,822,023
Additions	6,478	920,439	177,868	1,104,785
Balance at December 31, 2019	\$ 159,260	\$ 12,891,237	\$ 876,311	\$ 13,926,808
<i>Accumulated depreciation</i>				
Balance at January 1, 2020	\$ 34,754	\$ 3,160,422	\$ 499,983	\$ 3,695,159
Depreciation	12,016	525,713	101,390	639,119
Balance at December 31, 2020	\$ 46,770	\$ 3,686,135	\$ 601,373	\$ 4,334,278
Balance at January 1, 2019	\$ 23,025	\$ 2,559,000	\$ 422,725	\$ 3,004,750
Depreciation	11,729	601,422	77,258	690,409
Balance at December 31, 2019	\$ 34,754	\$ 3,160,422	\$ 499,983	\$ 3,695,159
<i>Carrying amounts</i>				
At December 31, 2020	\$ 134,768	\$ 10,422,714	\$ 794,623	\$ 11,352,105
At December 31, 2019	124,506	9,730,815	376,328	10,231,649

10. Income tax expense:

Current tax expense:

	2020	2019
Current year	\$ 485,266	\$ 335,375
	\$ 485,266	\$ 335,375

Significant components of the Corporation's deferred tax balances

	2020	2019
Deferred tax assets (liabilities):		
Property, plant and equipment	\$ (398,176)	\$ (193,000)
Cumulative eligible capital	53,764	73,000
Post-employment benefits	112,303	157,000
Deferred revenue	263,849	265,000
Other	(12,058)	(16,000)
	\$ 19,682	\$ 286,000

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

11. Regulatory balances:

Reconciliation of the carrying amount for each class of regulatory balances

Regulatory deferral account debit balances	January 1, 2020	Additions	Recovery/ reversal	December 31, 2020
Group 1 deferred accounts	\$ 717,490	\$ 4,105,747	\$ (2,021,961)	\$ 2,801,276
Regulatory settlement account	221,767	-	(45,273)	176,494
Regulatory transition to IFRS	21,601	17,986	-	39,587
Regulatory settlement account	1,417,980	634,329	(1,125,690)	926,619
Income tax	-	432,772	-	432,772
	\$ 2,378,838	\$ 5,190,834	\$ (3,192,924)	\$ 4,376,748

Regulatory deferral account debit balances	January 1, 2019	Additions	Recovery/ reversal	December 31, 2019
Group 1 deferred accounts	\$ 1,203,168	\$ 4,077,964	\$ (4,563,642)	\$ 717,490
Regulatory settlement account	221,798	47	(78)	221,767
Regulatory transition to IFRS	21,601	-	-	21,601
Regulatory settlement account	3,090,484	276,556	(1,949,060)	1,417,980
	\$ 4,537,051	\$ 4,354,567	\$ (6,512,780)	\$ 2,378,838

Regulatory deferral account credit balances	January 1, 2020	Additions	Recovery/ reversal	December 31, 2020
Group 1 deferred accounts	\$ 5,201,222	\$36,132,736	\$ (35,967,720)	\$ 5,366,238
Regulatory transition to IFRS	(17,986)	17,986	-	-
Other regulatory account	161,888	44,759	(57,113)	149,534
Income tax	62,793	280,456	-	343,249
Regulatory settlement account	-	530,251	(61,807)	468,444
	\$ 5,407,917	\$37,006,188	\$ (36,086,640)	\$ 6,327,465

Regulatory deferral account credit balances	January 1, 2019	Additions	Recovery/ reversal	December 31, 2019
Group 1 deferred accounts	\$ 4,655,014	\$29,028,295	\$ (28,482,087)	\$ 5,201,222
Regulatory transition to IFRS	(17,986)	-	-	(17,986)
Other regulatory account	156,975	15,859	(10,946)	161,888
Income tax	206,293	-	(143,500)	62,793
	\$ 5,000,296	\$29,044,154	\$ (28,636,533)	\$ 5,407,917

The regulatory balances are recovered or settled through rates approved by the OEB which are determined using estimates of future consumption of electricity by its customers. Future consumption is impacted by various factors including the economy and weather. The Corporation has received approval from the OEB to establish its regulatory balances.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

11. Regulatory balances (continued):

Settlement of the Group 1 deferral accounts is done on an annual basis through application to the OEB. An application was made to the OEB to dispose \$247,594 of the Group 1 deferral accounts and approval was obtained. The account balance was moved to the regulatory settlement account. The OEB requires the Corporation to estimate its income taxes when it files a COS application to set its rates. As a result, the Corporation has recognized a regulatory deferral account for the amount of deferred taxes that will ultimately be recovered from/paid back to its customers. This balance will fluctuate as the Corporation's deferred tax balance fluctuates.

Regulatory balances attract interest at OEB prescribed rates, which are based on Bankers' Acceptances three-month rate plus a spread of 25 basis points. In 2020, the rate was 2.18% in the first and second quarter, 0.57% in the third and fourth quarter (In 2019, the rate was 2.45% in the first quarter, 2.18% in the second through fourth quarters).

12. Accounts payable and accrued liabilities:

	2020	2019
Trade payables	\$ 3,019,085	\$ 3,708,392
Accrued expenses	1,728,922	831,450
	<u>\$ 4,748,007</u>	<u>\$ 4,539,842</u>

13. Bank debt:

(a) Bank debt consists of:

	2020	2019
One year term loan with interest rate of 1.36% (2019 – 2.48%) repayable in full on or before maturity of July 2021, secured by a general security agreement	\$ 2,600,000	\$ 3,100,000

(b) Reconciliation of movements of liabilities to cash flows arising from financing activities:

	2020	2019
Bank debt, balance at January 1	\$ 3,100,000	\$ 3,600,000
Repayment of borrowings	500,000	500,000
Balance, December 31	<u>\$ 2,600,000</u>	<u>\$ 3,100,000</u>

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

14. Post-employment benefits:

(a) OMERS pension plan:

The Corporation provides a pension plan for its employees through OMERS. The plan is a multi-employer, contributory defined pension plan with equal contributions by the employer and its employees. In 2020, the Corporation made employer contributions of \$171,986 to OMERS (2019 - \$173,858). The Corporation estimates that a contribution of \$180,000 to OMERS will be made during the next fiscal year.

As at December 31, 2020, OMERS had over 525,000 members, of whom 14 are current employees of the Corporation. The most recently available OMERS annual report is for the year ended December 31, 2020, which reported that the plan was 97% funded (2019 - 97%).

(b) Post-employment benefits other than pension:

The Corporation pays certain medical and life insurance benefits on behalf of some of its retired employees. The Corporation recognizes these post-employment benefits in the year in which employees' services were rendered. The Corporation is recovering its post-employment benefits in rates based on the expense and measurements recognized for post-employment benefit plans.

Reconciliation of the obligation	2020	2019
Defined benefit obligation, beginning of year	\$ 470,557	\$ 457,382
Included in profit or loss		
Current service cost	7,730	7,140
Interest cost	13,783	15,678
	21,513	22,818
Included in OCI		
Actuarial (gain) loss arising from:		
changes in demographic and		
financial assumptions	(38,285)	16,357
	(38,285)	16,357
Benefit payments	(30,000)	(26,000)
Defined benefit obligation, end of year	\$ 423,785	\$ 470,557

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

14. Post-employment benefits (continued):

(b) Post-employment benefits other than pension (continued):

Actuarial assumptions	2020	2019
General inflation	2.25%	2.25%
Discount (interest) rate	2.00%	3.00%
Medical Costs	6.50%	6.50%
Dental Costs	4.00%	4.00%

A 1% increase in the assumed medical trend rate would result in the defined benefit obligation increasing by \$27,000. A 1% decrease in the assumed medical trend rate would result in the defined benefits obligation decreasing by \$32,000.

15. Share capital:

	2020	2019
Authorized:		
Unlimited number of common shares		
Issued:		
30,000 common shares	\$ 2,000,100	\$ 2,000,100

16. Other revenue:

	2020	2019
Rendering of services	\$ 767,828	\$ 311,518
Contributions received from customers	529,593	701,508
Government grants & incentives under CDM programs	4,092	(51,782)
Rental income	66,363	65,905
	\$ 1,367,876	\$ 1,027,149

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

17. Employee salaries and benefits:

	2020	2019
Salaries, wages and benefits	\$ 1,625,317	\$ 1,710,164
CPP and EI remittances	66,948	66,118
Contributions to OMERS	171,986	173,858
Post-employment benefit plans	21,513	22,818
	<u>\$ 1,885,764</u>	<u>\$ 1,972,958</u>

18. Distribution expenses:

	2020	2019
Labour	\$ 226,347	\$ 255,265
Materials, supplies, maintenance	935,728	965,600
Other	68,722	96,738
	<u>\$ 1,230,797</u>	<u>\$ 1,317,603</u>

19. Finance income and costs:

	2020	2019
Finance income		
Late payment charges	\$ 86,403	\$ 93,143
Unrealized gain on investments	-	20,546
Interest income on bank deposits	158,764	122,938
	<u>245,167</u>	<u>236,627</u>
Finance cost		
Interest expense on bank debt	54,642	99,776
Unrealized loss on investments	3,852	-
Other	57,189	85,963
	<u>115,683</u>	<u>185,739</u>
Net finance income recognized in profit or loss	<u>\$ 129,484</u>	<u>\$ 50,888</u>

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

20. Commitments and contingencies:

General:

From time to time, the Corporation is involved in various litigation matters arising in the ordinary course of its business. The Corporation has no reason to believe that the disposition of any such current matter could reasonably be expected to have a materially adverse impact on the Corporation's financial position, results of operations or its ability to carry on any of its business activities.

General Liability Insurance:

The Corporation is a member of the Municipal Electric Association Reciprocal Insurance Exchange (MEARIE). MEARIE is a pooling of public liability insurance risks of many of the LDCs in Ontario. All members of the pool are subjected to assessment for losses experienced by the pool for the years in which they were members, on a pro-rata basis based on the total of their respective service revenues. As at December 31, 2020, no assessments have been made.

21. Related party transactions:

(a) Parent and ultimate controlling party:

The sole shareholder of the Corporation is the Municipality of the Town of Essex. The Town produces consolidated financial statements that are available for public use.

(b) Outstanding balances due from (due to) related parties:

	2020	2019
Due from parent company	\$ 51,848	\$ 55,556
Parent company, included in accounts payable	\$ (589,999)	\$ (563,512)

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

21. Related party transactions (continued):

(c) Transactions with parent:

During the year the Corporation paid provision of services fees to its parent in the amount of \$589,999 (2019 - \$563,512).

The Corporation delivers electricity to the Town throughout the year for the electricity needs of the Town and its related organizations. Electricity delivery charges are at prices and under terms approved by the OEB. The Corporation also provides additional services to the Town, including streetlight maintenance services, sentinel lights and water and waste water billing and customer care services.

(d) Transactions with entity with significant influence:

In the ordinary course of business, the Corporation delivers electricity to the Town. Electricity is billed to the Town at prices and under terms approved by the OEB, if applicable.

(e) Key management personnel:

The key management personnel of the Corporation have been defined as members of its board of directors and executive management team members. The compensation paid or payable is as follows:

	2020	2019
Directors' fees	\$ 26,233	\$ 22,831
Salaries and other short-term benefits	415,739	395,994
Post-employment benefits	5,088	5,409
	<u>\$ 447,060</u>	<u>\$ 424,234</u>

22. Financial instruments and risk management:

Fair value disclosure:

The carrying values of cash and cash equivalents, accounts receivable, unbilled revenue, due from/to related parties and accounts payable and accrued liabilities approximate fair value because of the short maturity of these instruments. The carrying value of the customer deposits and bank loan approximates fair value because the amounts are payable on demand.

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

22. Financial instruments and risk management (continued):

Financial risks:

The Corporation understands the risks inherent in its business and defines them broadly as anything that could impact its ability to achieve its strategic objectives. The Corporation's exposure to a variety of risks such as credit risk, interest rate risk, and liquidity risk, as well as related mitigation strategies are discussed below.

(a) Credit risk:

Financial assets carry credit risk that a counterparty will fail to discharge an obligation which could result in a financial loss. Financial assets held by the Corporation, such as accounts receivable, expose it to credit risk. The Corporation earns its revenue from a broad base of customers located in the Town of Essex, Lakeshore and Kingsville. No single customer accounts for a balance in excess of 1% of total accounts receivable.

The carrying amount of accounts receivable is reduced through the use of an allowance for impairment and the amount of the related impairment loss is recognized in profit or loss. Subsequent recoveries of receivables previously provisioned are credited to profit or loss. The balance of the allowance for impairment at December 31, 2020 is \$628,016 (2019 - \$652,370). An impairment reversal of \$24,354 (2019 - \$17,614) was recognized during the year.

The Corporation's credit risk associated with accounts receivable is primarily related to payments from distribution customers. As a result of the COVID-19 pandemic, certain of the Corporation's customers have experienced loss of employment, business shut-downs and other disruptions. The extension of the OEB's winter disconnection ban negatively impacted the Corporation's ability to exercise the full extent of its collection tools to manage the credit risk. To support residential and small business customers struggling to pay their energy bills, the Government of Ontario provided funding for the COVID-19 Energy Assistance Program ("CEAP"). The Corporation was allocated a portion of this funding and actively participated in the program. As at December 31, 2020, approximately \$1,055,390 (2019 - \$945,708) is considered 60 days past due. The Corporation has over 12,300 customers, the majority of whom are residential. Credit risk is managed through collection of security deposits from customers in accordance with directions provided by the OEB. As at December 31, 2020, the Corporation holds security deposits in the amount of \$2,055,830 (2019 - \$1,882,945).

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

22. Financial instruments and risk management (continued):

(b) Market risk:

Market risks primarily refer to the risk of loss resulting from changes in commodity prices, foreign exchange rates, and interest rates. The Corporation currently does not have any material commodity or foreign exchange risk. The Corporation is exposed to fluctuations in interest rates as the regulated rate of return for the Corporation's distribution business is derived using a complex formulaic approach which is in part based on the forecast for long-term Government of Canada bond yields. This rate of return is approved by the OEB as part of the approval of distribution rates.

A 1% increase in the interest rate at December 31, 2020 would have increased interest expense on the long-term debt by \$26,000 (2019 - \$31,000), assuming all other variables remain constant. A 1% decrease in the interest rate would have an equal but opposite effect.

(c) Liquidity risk:

The Corporation monitors its liquidity risk to ensure access to sufficient funds to meet operational and investing requirements. The Corporation's objective is to ensure that sufficient liquidity is on hand to meet obligations as they fall due while minimizing interest exposure. The Corporation has access to a \$3.6 million credit facility and monitors cash balances daily to ensure that a sufficient level of liquidity is on hand to meet financial commitments as they become due.

The majority of accounts payable, as reported on the statement of financial position, are due within 30 – 60 days.

(d) Capital disclosures:

The main objectives of the Corporation, when managing capital, are to ensure ongoing access to funding to maintain and improve the electricity distribution system, compliance with covenants related to its credit facilities, prudent management of its capital structure with regard for recoveries of financing charges permitted by the OEB on its regulated electricity distribution business, and to deliver the appropriate financial returns.

The Corporation's definition of capital includes shareholder's equity. As at December 31, 2020, shareholder's equity amounts to \$12,918,788 (2019 - \$11,696,627).

E.L.K. ENERGY INC.

Notes to Consolidated Financial Statements (continued)
Year ended December 31, 2020

23. Distribution revenue:

The Corporation generates revenue primarily from the sale and distribution of electricity to its customers. Other revenue consists of services provided to related parties and other income. Additional information is provided in Note 16 with the components of other income.

In the following table, distribution revenue is disaggregated by type of customer:

	2020	2019
Residential	\$ 2,623,003	\$ 2,380,088
Commercial	446,274	415,807
Large users	578,766	768,110
Other	115,678	115,815
Total distribution revenue	\$ 3,763,721	\$ 3,679,820

24. Effects of COVID-19:

On March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic. The impact of the outbreak on the financial results of the Corporation will depend on future developments, including the duration and spread of the outbreak and related advisories and restrictions. This has resulted in the Canadian and Provincial governments enacting emergency measures to combat the spread of the virus. The federal government of Canada has implemented various government programs to respond to the negative economic impacts of COVID-19. The continued development and impact of COVID-19 on the Corporation and the overall economy are highly uncertain and cannot be determined at this time. Management is actively monitoring the situation.

ACKNOWLEDGEMENT AND WAIVER

TO: E.L.K. SOLUTIONS INC.
(the “Corporation”)

The undersigned shareholders of the Corporation acknowledge receipt of a copy of the financial statements of the Corporation for the financial year ended December 31, 2020 including the report of the auditor thereon, if any, for such period and any further information respecting the financial position of the Corporation and the results of its operations required by the articles, the by-laws or any unanimous shareholder agreement for such period. The undersigned waive the applicable time period within which the Corporation is required by the *Business Corporations Act* (Ontario) to send such financial statements and related material.

DATED as of the ____ day of _____, 2021.

E.L.K. ENERGY INC.

Per: _____

Name: Ron McDermott
Title: Chair of the Board

**THE CORPORATION OF THE TOWN OF
ESSEX**

Per: _____

Name: Larry Snively
Title: Mayor

**RESOLUTIONS OF THE SOLE SHAREHOLDER
OF
E.L.K. ENERGY INC.
(the "Corporation")**

RECITAL:

- A. The Corporation wishes to attend to the annual matters of the Corporation.

NOW THEREFORE BE IT RESOLVED THAT:

Appointment of Auditor

1. KPMG LLP is appointed the auditor of the Corporation until the next annual meeting of shareholders or until a successor is appointed, at a remuneration to be fixed at the sole discretion of the directors.

Election of Directors

2. The following individuals, who have consented to act as directors of the Corporation, are elected as directors of the Corporation for a term expiring upon the next annual election of directors or when successors have been elected or appointed:

Ron McDermott
Tracey Bailey
Morley Bowman
Joe Garon
Richard Meloche
Lydia Miljan
Larry Snively
Peter Timmins
Chris Vander Doelen

The undersigned, being the sole shareholder of the Corporation signs the foregoing resolutions in accordance with the provisions of the *Business Corporations Act* (Ontario).

DATED as of the ____ day of _____, 2021.

**THE CORPORATION OF THE TOWN
OF ESSEX**

Per: _____

Name: Larry Snively

Title: Mayor

ACKNOWLEDGEMENT AND WAIVER

TO: E.L.K. ENERGY INC.
(the “Corporation”)

The undersigned shareholder of the Corporation acknowledges receipt of a copy of the financial statements of the Corporation for the financial year ended December 31, 2020 including the report of the auditor thereon, if any, for such period and any further information respecting the financial position of the Corporation and the results of its operations required by the articles, the by-laws or any unanimous shareholder agreement for such period. The undersigned waives the applicable time period within which the Corporation is required by the *Business Corporations Act* (Ontario) to send such financial statements and related material.

DATED as of the ____ day of _____, 2021.

**THE CORPORATION OF THE TOWN
OF ESSEX**

Per: _____

Name: Larry Snively

Title: 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 *

Gordon Orr

Date of Request *

6/21/2021

Are you representing a group? *

☒ Yes

☐ No

Name of Group (if applicable)

Tourism Windsor Essex Pelee Island

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

Our new Regional Tourism Video, discuss plans for 2021 and to unveil our new 2021/2022 Official Visitor Guide

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.

2020

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.

Audio Visual Requirements – Screen share PowerPoint Presentation*

* PowerPoint to be circulated to Clerk one week prior to presentation

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

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Phone Numbers

Home

Use format 519-
776-7336

Work

[REDACTED]
[REDACTED]

Cell

Use format 519-
776-7336

Email Address

fkrautner@tourismwindsorsex.com

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

Gordon Orr- CEO
Lynnette Bain- Vice President, Destination Development
Jason Toner- Director of Marketing and Communications

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

April 19, 2021

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

Attention: Robert Auger, Manager of Legislative Services/ Clerk

Re: Request to Appear Before Essex Town Council

Please let this letter serve as Tourism Windsor Essex Pelee Island's official request to appear before Essex Town Council to present our **new Regional Tourism Video, discuss plans for 2021 and to unveil our new 2021/2022 Official Visitor Guide.**

Details:

- Monday June 21 at 6:00 PM
 - Presenters:
 - Gordon Orr – CEO
 - Lynnette Bain – Vice President, Destination Development
 - Jason Toner – Director of Marketing and Communications
 - Presentation Length - 10 minutes, and available for questions
 - Audio Visual Requirements – Screen share PowerPoint Presentation*
- * PowerPoint to be circulated to Town/City Clerk one week prior to presentation

We thank you for consideration of this request and thank you for the opportunity to be heard.

Sincerely,



Gordon Orr
Chief Executive Officer

WHERE CAN
WE
TAKE YOU?

Town of Essex Council
Monday June 21st, 2021



[visitwindsoressex.com](https://www.visitwindsoressex.com)

Our Mission

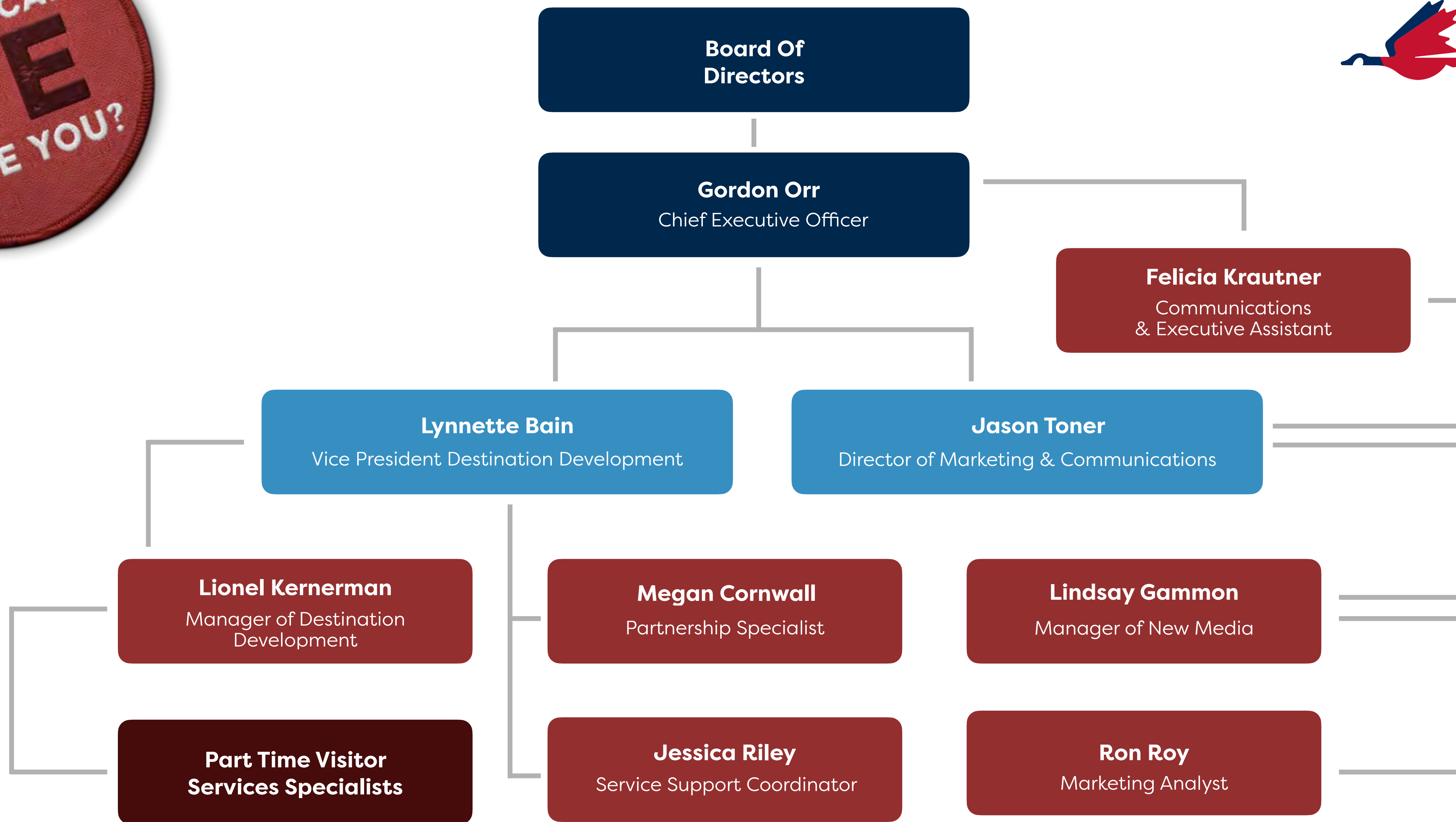
We are the leading tourism industry collaborative committed to enhancing the economy and quality of life through:

- Supporting industry development and individual operators
- Actively facilitating partner engagement
- Effectively marketing our destination





Destination Marketing Accreditation Program



Board Of Directors

Executive

- Mayor Nelson Santos – Chair
- Danielle Breault Stuebing – ERCA, Vice-Chair
- Gordon Orr – Secretary/Treasurer*

Directors

- Mayor Drew Dilkens – City of Windsor
- Warden Gary McNamara – County of Essex
- Mayor Ray Durocher – Township of Pelee
- Councillor Jeewen Gill – City of Windsor
- Deputy Mayor Crystal Meloche – Town of LaSalle
- Councillor Jo-Anne Gignac – City of Windsor
- Natalie Lepine – Director, Resort & Hotel Sales, Caesars Windsor
- Tom O’Brien – Partner, Cooper’s Hawk Vineyards
- Chris Savard – General Manager, Devonshire Mall

*non-voting member



2020 Year in Review





COVID-19 Hub



TAKE-OUT & DELIVERY *Guide*

#TakeOutTuesday



WINERY DELIVERY *Guide*

#WineOrderWednesday



BREWERY DELIVERY *Guide*

#FillUpFriday



PATIO DINING *Guide*



#YQGStandsStrong

Gallery of Windsor - Fort Malden National Historic Site - Windsor
Windsor Symphony Orchestra - Amherstburg River Lights - Colasan
opical Garden - John R. Park - Point Pelee National Park
Tip - Downtown Windsor Farmers Market - Cindy's 'Live With Tish'-
olfhead Disillery - Walkers Anchor Coffee House - Oxl
Estate Winery - The Twist's Gastropub - Downtown
Windsor Farmers Market - S Gastropub - Birdie's Perch
Armando's - Rock Bottom Sweet Reveng Bake Shop -
n Kettle Bed & Breakfast - Hama - Cindy's - Michael Difax
Reclaim Artistry- Urban Art Me - Devonshire Mall - Kingsville
- Timeless Treasures - Iron Kettle Bed & Breakfast - oTENTiks at
Point Pelee National Park - Caesars Windsor - Windsor Waterfront



6th Annual Best of Windsor Essex Awards





2021 Destination Development & Marketing Plan



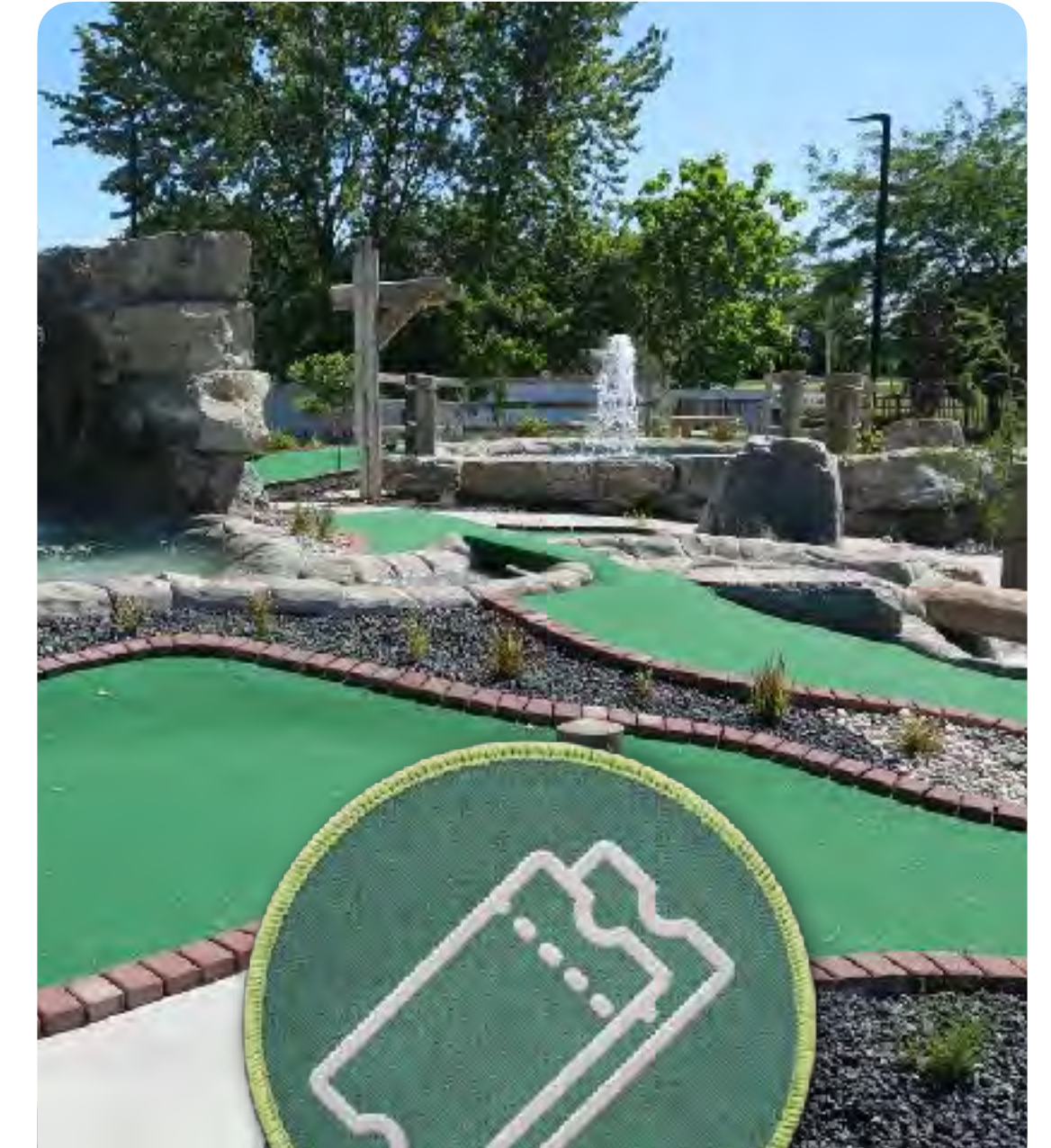
Food & Drink



Arts & Culture



Outdoor Adventure



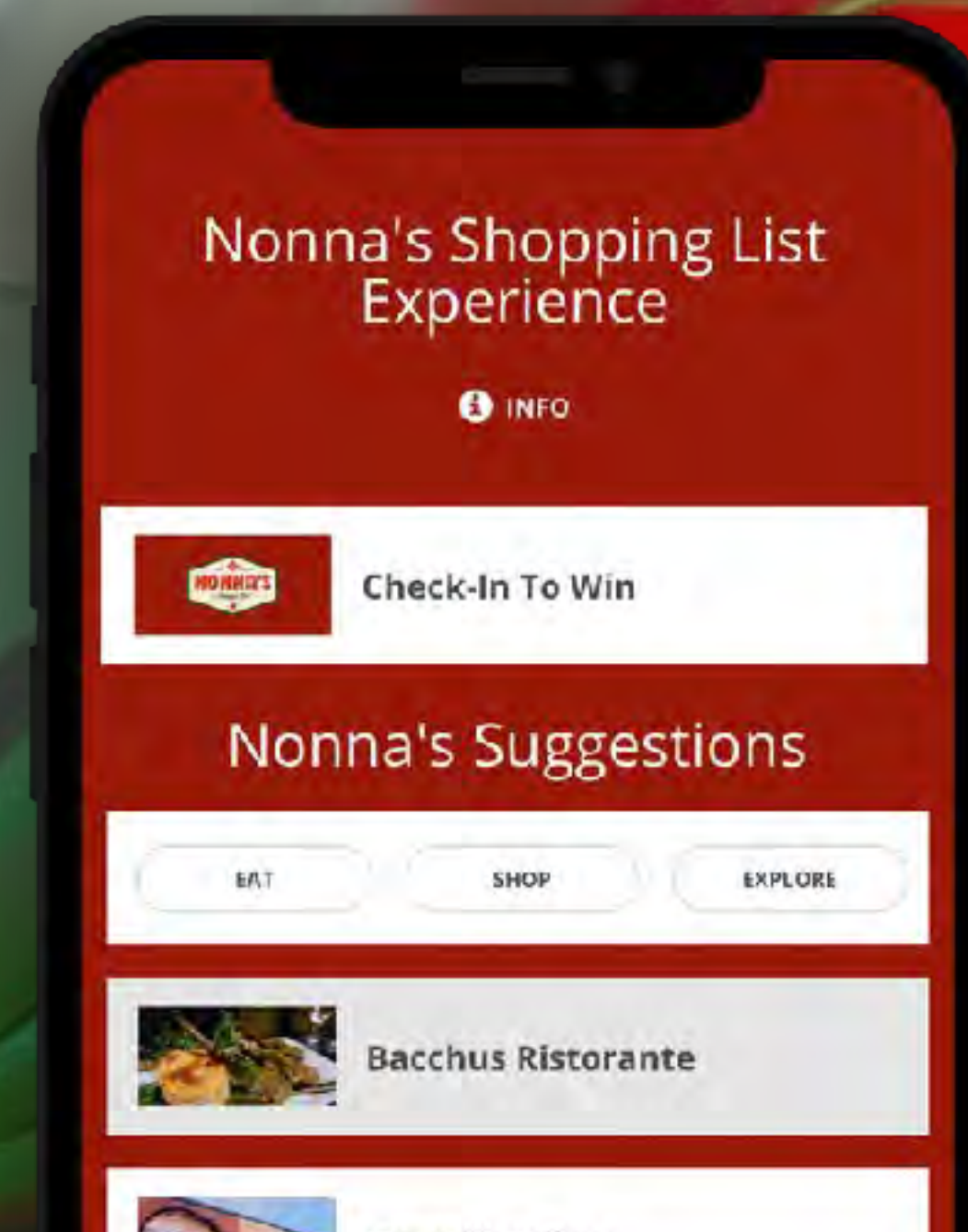
Entertainment

Areas of Focus



Tourism Windsor Essex Programs







**Safe
travels**

by

WORLD
TRAVEL &
TOURISM
COUNCIL

**124 Certified Locations in W.E.
21 Certified Locations in Essex**





2021 Fishing & Birding Guides



Summer Of The Staycation





Windsor Essex Road Trip

2021 - 2022 Official Visitor Guide

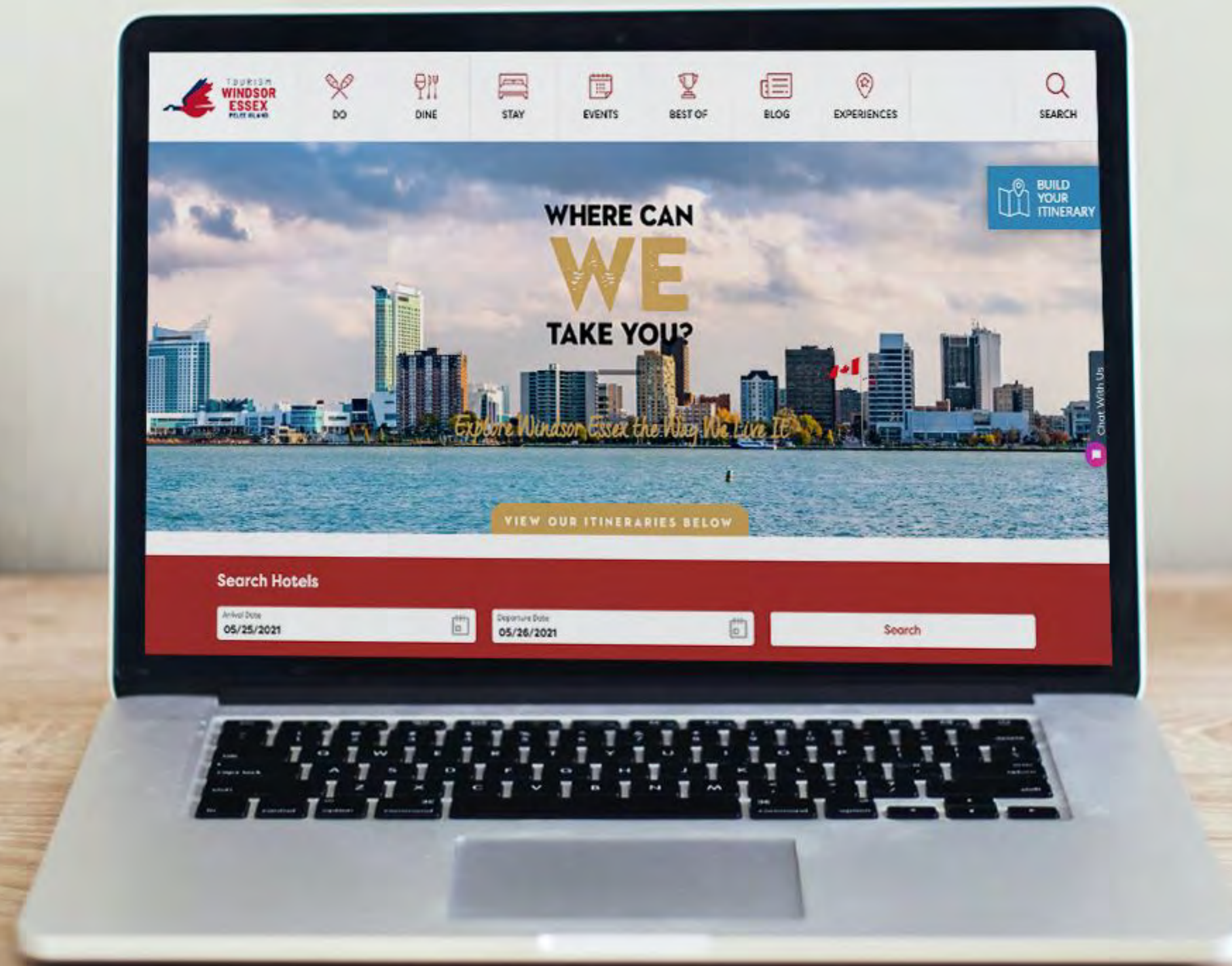


Windsor Road Trip Rewards
Hotel Incentive Campaign

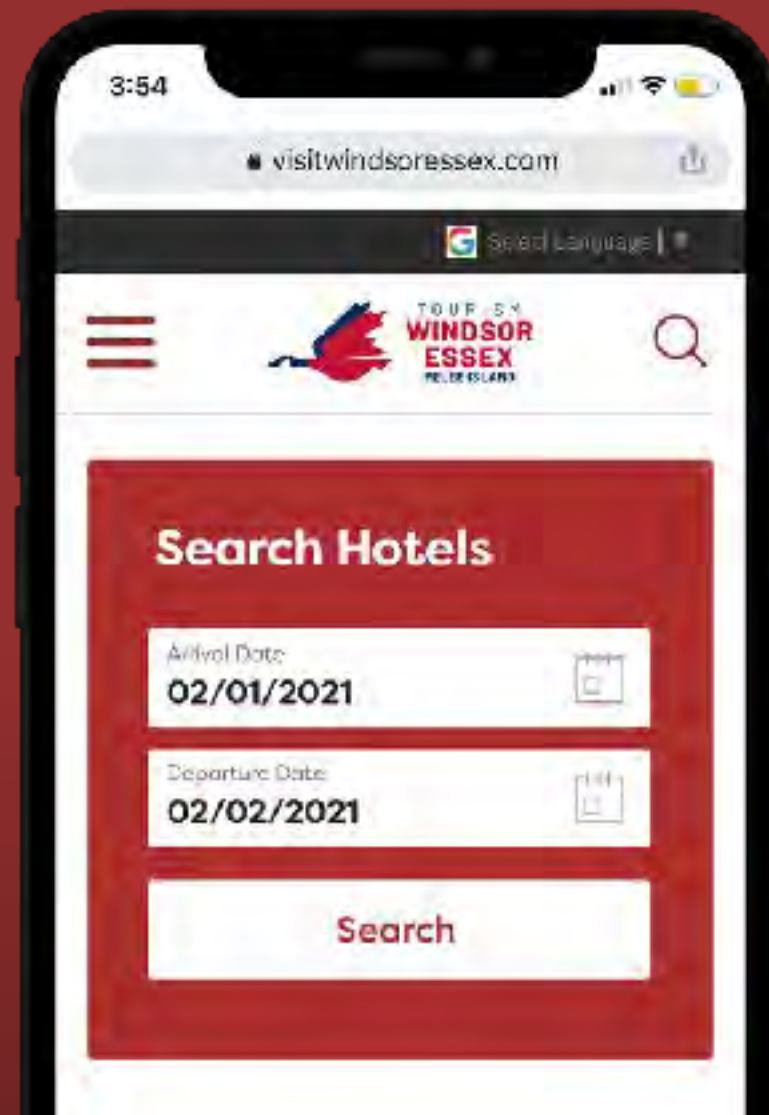




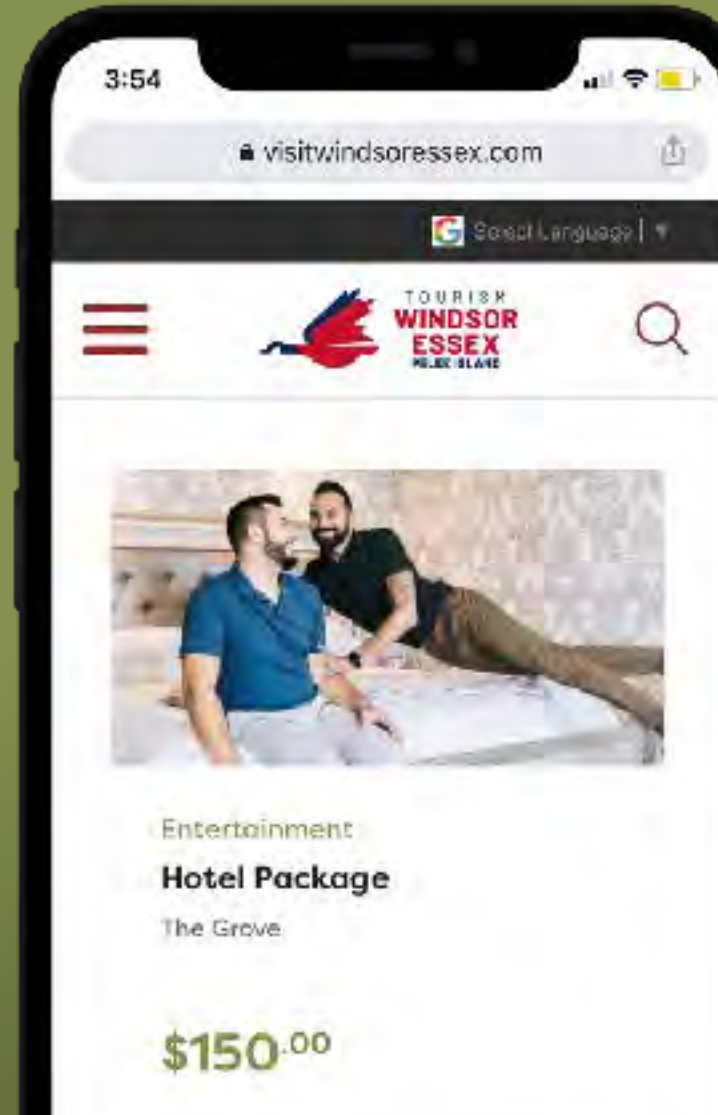
Support
Local Campaigns



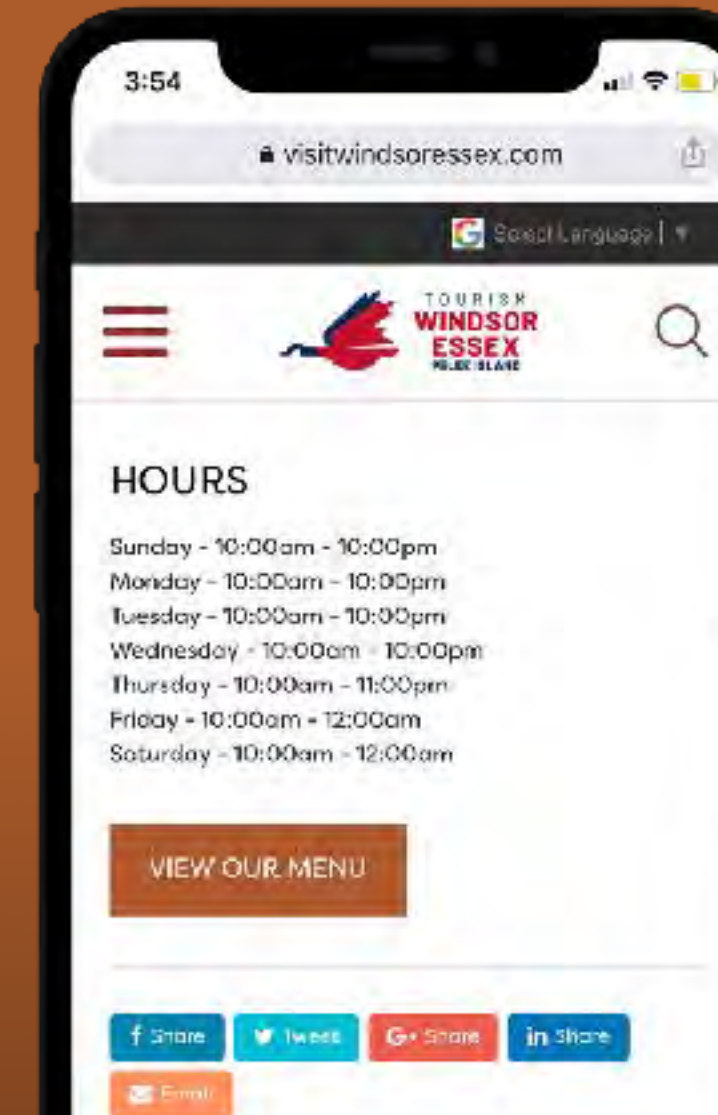
visitwindsoressex.com



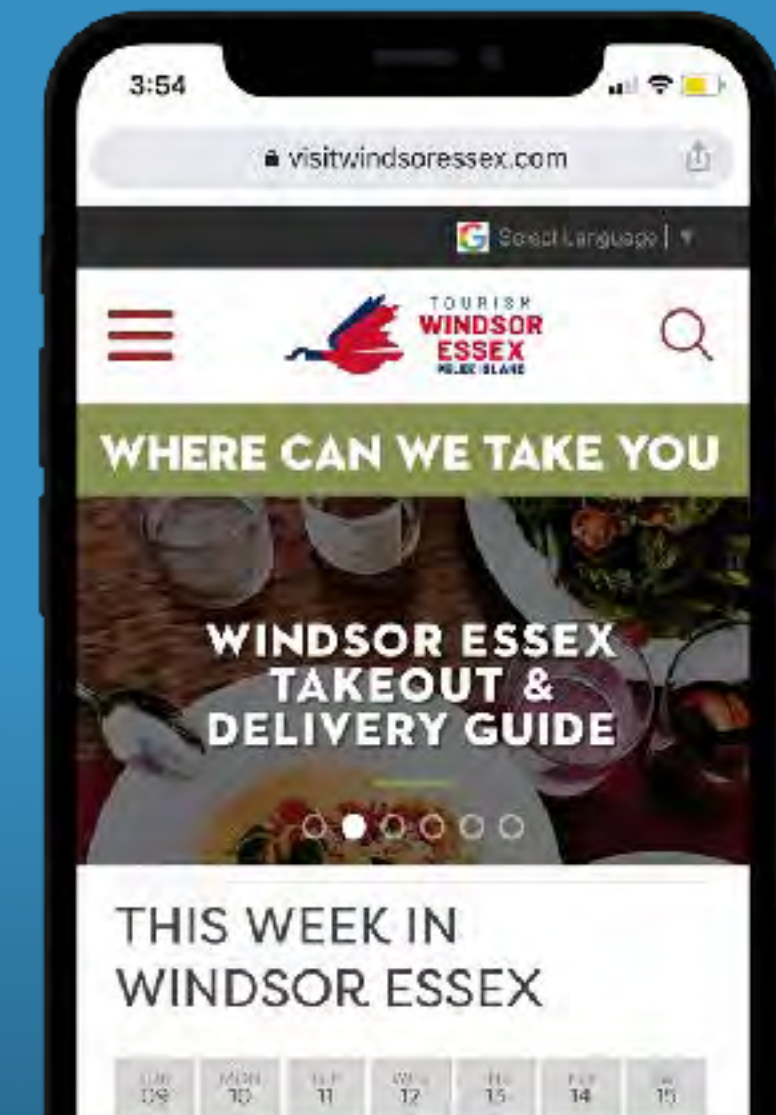
Check In Canada
Integration



Package
Integration



Menus on
Website



Feature Area for
New Content

visitwindsor-essex.com



Our Team





Windsor
Amherstburg
Essex
Lakeshore
LaSalle
Leamington
Kingsville
Pelee Island
Tecumseh



Delegation Request Form

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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 *

Kathy Beaudoin

Date of Request *

6/21/2021



Are you representing a group? *

☒ Yes

☐ No

Name of Group (if applicable)

Essex Food Basket

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

Essex Food Basket would like to move to the a change room in the soccer park to accommodate the ACHS Private School. I would like to ask permission to move there.

Moving is time sensitive for the ACHS.

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 only talked to Councillor Sherry Bondy

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.

2020

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) *

Lions Hall in Harrow

Your Phone Numbers

Home**Work**

Use format 519-
776-7336

Cell

Use format 519-
776-7336

Email Address

sbondy@essex.ca

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

Kathy Beaudoin

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



Report to Council

Department: Development Services
Division: Planning
Date: June 21, 2021
Prepared by: Jeff Watson, Planner
Report Number: Development Services-2021-02
Subject: Colchester Ridge Estate Winery (CREW) Request for Site-Specific Sign By-law Amendment
Number of Pages: 6 plus attachments

Recommendation(s)

That Development Services Report 2021-02, **entitled** "Colchester Ridge Estate Winery (CREW) Request for a Site-specific Sign By-law Amendment" be received; and

That Council approve By-law 2039, Being a Bylaw to Amend Bylaw 1350 Regulating the Erection of Signs in the Town of Essex for the Property Municipally known as 108 County Road 50 East, to permit the erection of a ground sign for 108 County Road 50 East, in accordance with the sign dimensions plan attached as Schedule "1" to the By-law.

Purpose

An application by Mr. Bernie Gorski of the Colchester Ridge Estate Winery (CREW) (108 County Road 50 West) has been submitted for the erection of a ground sign that exceeds the maximum permitted sign height and sign face area. Any site specific amendments to the Town's Sign By-law, Bylaw1350, **require Council's approval by by-law.**

Background and Discussion

An request for a site specific amendment to Bylaw 1350, being a bylaw regulating the erection of signs in the Town of Essex, has been submitted to the Town of Essex by Mr. Bernard Gorski of the Colchester Ridge Estate Winery (CREW), for the property located at 108 County Road 50 East. Attached is a copy of the request for amendment. A map of the subject site is located below in Figure 1.

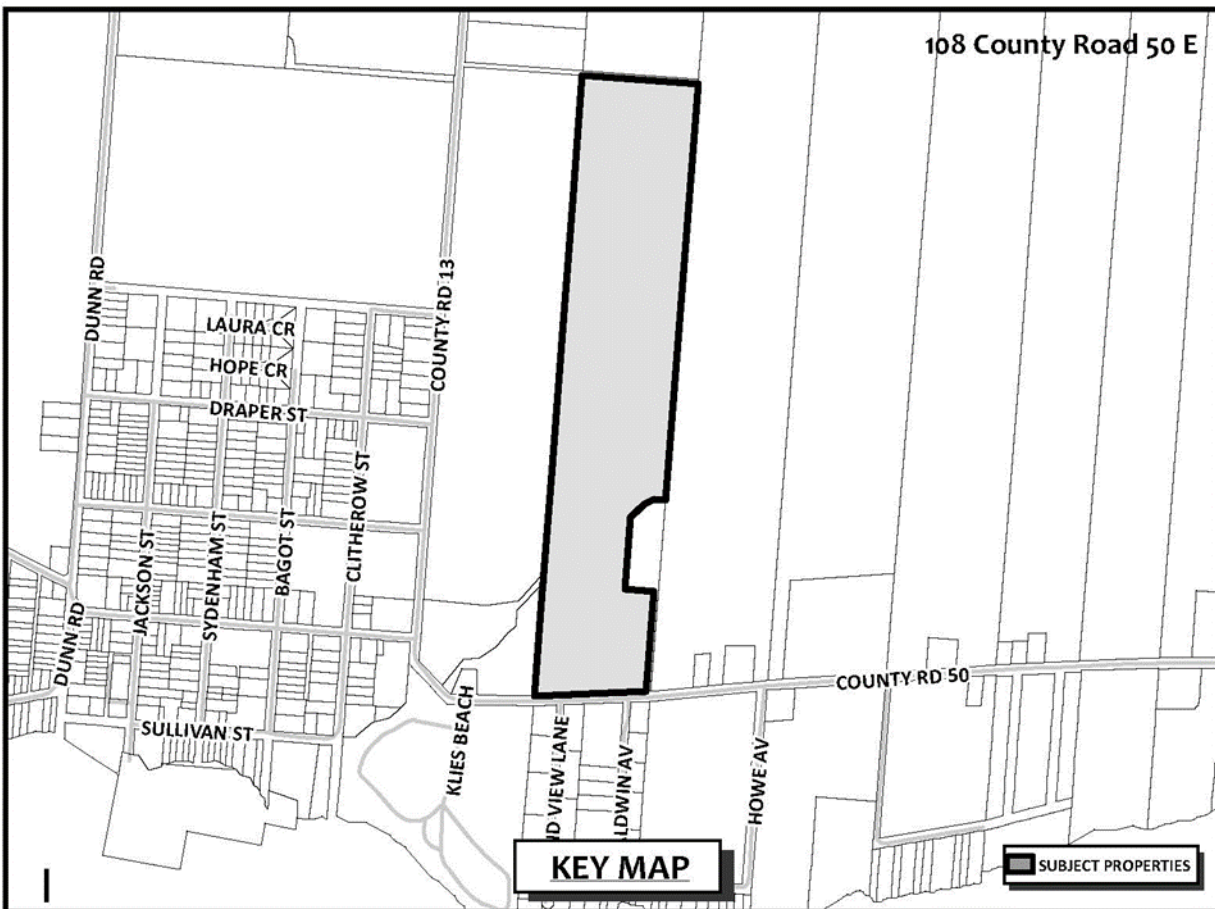


Figure 1 – Location Map

The proposed sign is shown conceptually below in **Figure 2**. This is a conceptual plan, showing the proposed components and information, however, it is not to scale.



Figure 2 – Concept Plan

Actual dimensions and the proper configuration is shown in **Figure 3** below and is incorporated into the site specific by-law.

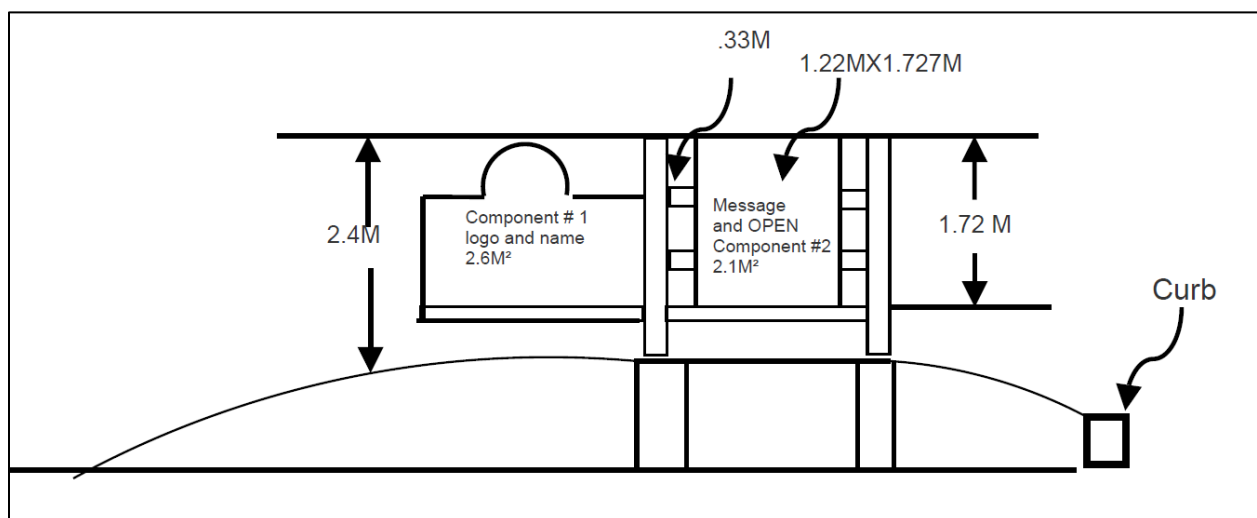


Figure 3 – Dimensioned Plan

COMMENTS

For lands zoned Agricultural A1.1, Sign By-law 1350 permits the erection of a free-standing ground sign, subject to the following regulations. The proposed CREW sign exceeds two of the maximum permitted limits. Additionally, the sign includes a small portion that will be internally **lit to indicate that the business is “Open”**. A lighted sign, which is defined as a sign that is either lit internally or externally to enhance its visibility, is not explicitly permitted nor prohibited under Bylaw 1350 and is therefore a proposed amendment that requires approval.

Regulation	Requirement	Proposed Amendments
Maximum height	2m (6.5 ft)	2.4m (7.7 ft)
Maximum sign face area (one side)	4m ² (43 sq ft)	5m ² (54 sq ft)
No regulation exists in Bylaw 1350 permitting a lighted sign in any zoning district.	No requirement.	Lighted sign requested.

It will be noted that the proposed sign does not include an electronic media sign (EMS) component, unlike the current sign. That will be removed and replaced by a static sign, as shown, showing advertising and business information. The dimensions of this static sign are similar to that of the EMS sign it replaces. The entire sign will be lit by floodlights, while the **“Open” portion will be internally lit. Both sign components, the new advertising and information component and the existing business identification component, will be mounted on the same existing structure, as shown on the sign dimensions plan.**

The increase in height and sign face area (the actual area of the sign on which words and images can be displayed, exclusive of the frame, decorative and structural components) is relatively minor. The height increase is necessitated by the CREW logo placed in the curved extension at the top of the sign, which is considered to be a complementary element, and the desire to match its height with the new sign component (like the previous EMS). The increase in sign face area is the result of size matching the EMS replacement sign section with the existing business identification sign.

Overall the sign conforms with the intent of By-law 1350 with regard to its design and is appropriate for a winery located in an agricultural area that is evolving into an agri-tourism destination. Development Services is currently looking at amendments to the sign by-law to complement other initiatives associated with the enhancement of agri-tourism business and service opportunities in the Town, particularly along County Road 50.

The County of Essex does not have a sign bylaw but rather utilizes a Best Management Practice Manual as a guide. These instructions are to be used in conjunction with all municipal bylaws. Since a County of Essex sign permit was issued to CREW in 2020, and since the sign is not being relocated closer to County Road 50, the County of Essex has determined that the existing permit is still valid.

Financial Impact

There are minimal financial impacts associated with costs to undertake normal administrative operations for reviewing the request to amend the Sign Bylaw, Bylaw 1350, and preparing this report. Costs are recouped through the application fee for Sign Bylaw Amendments, which is currently \$500.

Consultations

Rita Jabbour, Manager of Planning Services

Kevin Carter, Chief Building Official & Manager of By-law Enforcement

Kristoffer Balallo, Engineering Technologist, County of Essex

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:	CREW Sign By-law Amendment June 2021 - Development Services-2021-02.docx
Attachments:	<ul style="list-style-type: none">- Bylaw 2039.docx- (Applicant Request) By-Law ammendment request Town of Essex.pdf
Final Approval Date:	Jun 15, 2021

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

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

Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:42 PM

T: 519.738.9800
F: 519.978.1904

Colchester Ridge Estate Winery

108 County Road 50 E
P.O. Box 609 Harrow, Ontario
N0R 1G0

www.colchesterridge.com

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

June 11, 2021

To Whom it May Concern:

Colchester Ridge Estate Winery is intending to get a permit to construct a sign on its property. This sign will display CREW's logo and name and a welcome message. There will be a back lit section that will display the word "OPEN" with the dimensions of the light assembly being 6" high and 34" wide.

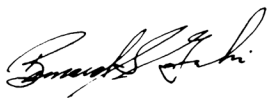
The purpose of this sign is identifying my business and to attract customers to come in a visit us at the winery. The "OPEN" word will be lit when we are open for business, and it will be turned off when we close for business at the end of each day. I also would like to have external light to luminate the body of the sign when we are open for business, and it will be turned off when we close for business at the end of each day.

The maximum specified height in the By-Law is 2 meters above ground and our design is 20% taller at 2.4 meters above ground. The face area permitted in the sign By-Law is 2 square meters and our design is 25% larger at 2.7 square meters.

Our sign design exceeds the allowed dimension as specified in the sign by law. We are requesting a site-specific amendment to the Sign By-Law so we can use our sign.

In Advance, we appreciate your consideration on this matter.

Sincerely Yours



Bernard Gorski



The Corporation of the Town of Essex
By-law Number 2039
Being a By-law to Amend By-law 1350
A Bylaw Regulating the Erection of Signs in the Town of Essex
For the Property Municipally known as 108 County Road 50 East

Whereas Subsection 11(4) of the Municipal Act, R.S.O. 2001 authorizes Council to prohibit or regulate signs, other advertising devices and the posting of notices and whereas Council deems it expedient to exercise such powers;

Whereas amendments to By-law 1350, the Town of Essex general sign by-law, are considered from time to time to better reflect the needs of organizations and business enterprises;

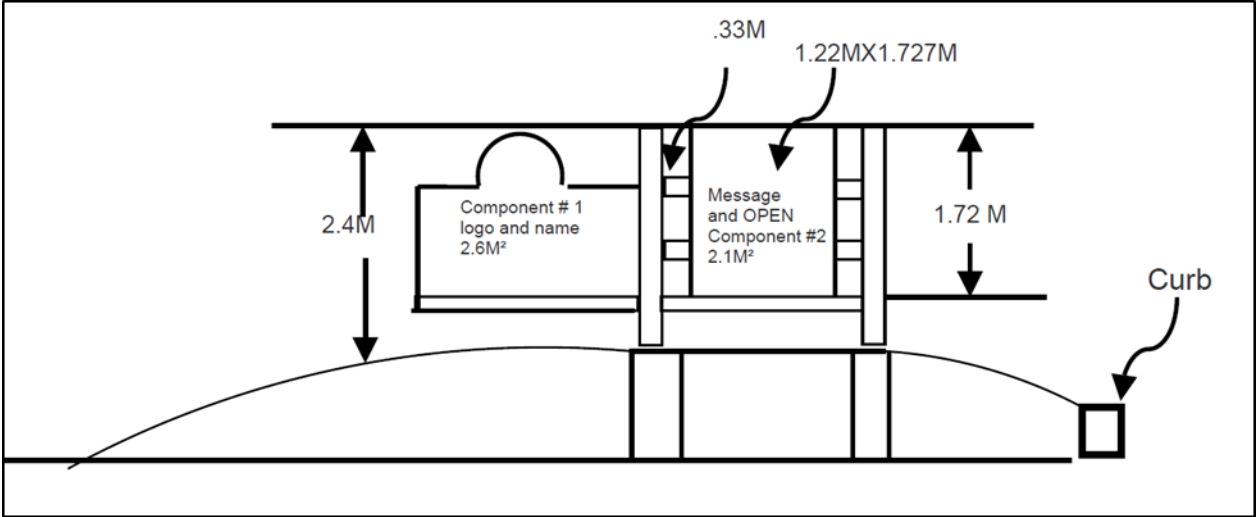
Now Therefore the Council of the Corporation of the Town of Essex enacts as follows:

- 1) Notwithstanding the provisions of subsection 9.1, of Section 9, Other Signs Permitted in Agricultural Districts, specifically regarding the maximum permitted sign height and sign face area and allowance for a lighted sign, for the lands identified as municipal address 108 County Road 50 East, comprising the Colchester Ridge Estate Winery, one ground sign erected in accordance with the dimensional plan set out in Schedule "1" to this by-law shall be permitted.
- 2) That Schedule "1" be declared to be part of this by-law.
- 3) This by-law shall take effect on the day of its final passing by Council.

Read a first, second and third time and finally passed on June 21, 2021.

Mayor

Clerk





Report to Council

Department: Office of the CAO
Division: Office of the CAO
Date: June 7, 2021
Prepared by: Chris Nepszy, P. Eng., PE, CAO
Report Number: CAO-2021-02
Subject: Corporate Strategic Plan: 2021 Progress Update
Number of Pages: 16

Recommendation(s)

That Report CAO-2021-02 entitled Corporate Strategic Plan: 2021 Progress Update prepared by Chris Nepszy, CAO dated June 7, 2021 be received for information.

Purpose

A Council-directed Corporate Strategic Plan is an essential tool which establishes overall direction and priorities, aligns organizational efforts, and supports future decision-making. The purpose of this report is to provide a progress update to Council on the status of initiatives identified in the 2019-2022 Corporate Strategic Plan.

Background and Discussion

The development of the 2019 – 2022 Corporate Strategic Plan included extensive preparation, engagement, and outreach.

Council established six key values for the Town's 2019-2022 Corporate Strategic Plan as follows: 1) Progressive and Sustainable Infrastructure, 2) Healthy Community and Quality of Life, 3) Financial and Economic Stewardship, 4) Vibrant Growth and Development, 5) Citizen and Customer Experience and 6) Organizational Effectiveness and Resiliency.

Each priority area listed was broken down into recommended goals and actions based on the cumulative feedback from all who were engaged during the consultation process and can be viewed at www.essex.ca/StrategicPlan.

Progress reports are prepared to update Council and the community on the progress being made towards the Strategic Plan. This reporting process facilitates an important dialogue between Council and administration on projects and issues of importance to the organization and community. This progress report is not meant to be a complete description of the works completed by Administration during the past year. Staff are also engaged in delivering core services and participating in other significant Town initiatives.

The following was noted in the 2020 Fall Progress Report and continues to remain true:

"...facing a global pandemic has made this year unprecedented and challenging for many in our community. Even with the required shift in focus, we maintained and delivered on our commitment to provide essential municipal services to citizens, stakeholders, and business owners. Staff members from across our organization have stepped up and found innovative ways to continue to not only provide critical programs and services, but to achieve progress on many of the initiatives identified in the Corporate Strategic Plan."

Updates on each objective and initiative are attached to this report. As can be seen, all the priorities are not mutually exclusive. Although initiatives are grouped under the most relevant of the six (6) key values, many support the achievement of goals of multiple areas. This overlap helps to convey the cooperation, interdepartmental coordination, and the engagement of external partners needed to achieve our strategic goals.

As of May 2021, of the 64 Strategic Objectives identified in the Strategic Plan, 58 have been completed or ongoing and 6 have yet to be started. It is apparent that the overwhelming majority of objectives are on the track to completion and demonstrates **the Town's** commitment to accountability, sustainability, and willingness to take responsibility for our actions. This shared commitment is at the centre of the relationship between Council, staff and the community and enables us to work together to make the vision outlined in the plan a reality.

This term of Council is the first time we are reporting out on the progress of the Corporate Strategic Plan. This report is part of that dialogue on initiatives and their importance as well as the potential need to re-assess priorities to determine if we continue with all actions, or implement a pivot strategy. Particularly in these dynamic times, flexibility and willingness to **adapt is crucial for the plan's success.**

Finally, it continues to be critical that the leaders of the municipality, both elected and administrative, understand the priorities when considering the policies and future direction **of the municipality. The elements of a strategic document identify the Town's priorities, which** in turn provide the framework for the future allocation of funds, development of work plans, reports and dedication of resources.

Financial Impact

Administration will continue to identify financial impacts associated with the recommended actions, much of which has been included in the 2021 budget. Remaining work plan actions **will be incorporated into future budgets for Council's consideration.**

Consultations

Doug Sweet, Deputy CAO

Alex Denonville, Manager, Communications

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.

Where You BELONG

Spring 2021 Strategic Plan Progress Report

essex



PROGRESSIVE | HEALTHY | STEWARDSHIP | VIBRANT | RESILIENCY | EXPERIENCE

Progressive and Sustainable Infrastructure

Manage, invest, and plan for sustainable municipal infrastructure which meets the current and future needs of the municipality and its citizens.



	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Ensure financial stability of current and new infrastructure	Incorporate the Asset Management Plan into budget and forecasting process	<div><div></div><div></div></div>	Infrastructure Services & Corporate Services	Completed and Ongoing	Expanded asset management and lifecycle reserve sections incorporated into annual budgets to assist with understanding capital funding models. New formulas introduced for replacements/upgrades. Work is ongoing to improve condition assessments and introduce updated asset management plan.
	Review reserve financing for annual infrastructure replacement	<div><div></div><div></div></div>	Corporate Services	Completed and Ongoing	Review of reserve financing has become an integral part of capital budget process to identify funding sources for projects. Asset management budget meetings and corporate education efforts are also ongoing.
Invest in new infrastructure to meet the needs of all residents	Develop a sustainable priority plan for roads	<div><div></div></div>	Infrastructure Services	Ongoing	Road condition assessments are completed every five years along with ongoing efforts to create reliable data through traffic counts. Traffic counts, road patrols and maintenance, and forecast planning are also ongoing.
	Implement a rural drainage and sewage strategy	<div><div></div></div>	Infrastructure Services	Ongoing	Resident requests and complaints are centralized to improve monitoring and identification of issues. Ward 3/4 Sanitary Sewer and Ward 4 Storm Sewer modeling studies are nearing completion. A drainage maintenance financial forecast is in progress.
	Review funding models and long-term planning to meet sustainability objectives for roads, bridges, and other assets	<div><div></div></div>	Infrastructure Services & Corporate Services	Ongoing	Engineering design and capital projects are synchronized to inform the development of a funding model and boost return on investment. Condition assessments for roads and bridges will help schedule maintenance, capital investments, and improve financial forecasting. Currently evaluating need for assessment on underground infrastructure.
Identify and work with stakeholders and partners to meet infrastructure goals	Expand access to broadband Internet service	<div><div></div><div></div></div>	Development Services & Infrastructure Services	Completed and Ongoing	Launched community Internet testing platform, with data to be incorporated into meetings with local ISPs. Ongoing work with third parties to install infrastructure in Town right-of-way. Reviewing permit process for encroachments due to linear installation. Completed legal review of access agreements and by-laws.
	Improve the road assumption process	<div><div></div></div>	Infrastructure Services	To Be Started	Council noted minimal direction on matter at Infrastructure Roundtable. Consideration and analysis needed on potential impacts to finance, operations, levels of service, asset management, and burden on capital budget.
	Develop formal partnerships to help achieve infrastructure goals	<div><div></div><div></div></div>	Infrastructure Services & Development Services	Completed and Ongoing	Continuing dialogue with MTO on Highway 3 project which has resulted in drainage works, road realignments, trails, and watermain extension. Working closely with County of Essex, CWATS, ERCA on active infrastructure, cycling promotions, and multi-use trails.

Legend

To Be Started

Ongoing

Completed



Progressive and Sustainable Infrastructure

Manage, invest, and plan for sustainable municipal infrastructure which meets the current and future needs of the municipality and its citizens.

	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Mitigate the impact of climate change and reduce environmental footprint	Invest in new technology and process improvements for operations and new construction projects	<div><div></div><div></div></div>	Corporate Services	Completed and Ongoing	Significant investments in IT infrastructure to enhance flexibility throughout pandemic. Purchased new playground maintenance and building permit software while continuing to promote web-based solutions for citizens (EssexAlerts & EssexWorks). All departments working closely with GIS to improve mapping and operational planning. Continuing review and evaluation of new technology in preparation for 2022 Budget.
	Identify energy efficiencies in Town facilities	<div><div></div></div>	Community Services	Ongoing	Conducted an energy review of water/wastewater treatment facilities and continuing to review new technology with OCWA. Working towards Energy Conservation Demand Plan and energy efficient retrofits at all Town facilities. Participated in Regional Energy Task Force with ERCA and County. Implementing Climate Change Adaptation Plan. Ongoing review of new processes and equipment for infrastructure planning and budget.
	Continue to invest in flood mitigation and work with partners to reduce the impact of shoreline flooding	<div><div></div></div>	Infrastructure Services	Ongoing	Completing shoreline study for public land and completing drainage work in high risk flood areas. Launched the Shoreline Loan Assistance program. Continuing sandbag program and monitoring of lake levels. Participating in regional discussions with partners and stakeholders. Enhanced review process of stormwater management plans for new developments. Adopted 2018 Regional Stormwater Guidelines. Implementing Climate Change Adaptation Plan.
	Complete a storm water and sanitary master plan for urban centres	<div><div></div></div>	Infrastructure Services	Ongoing	Completing hydraulic assessment and modelling studies of Wards 3 and 4. Environmental Assessment for Southwest Ward 1 almost complete with detailed design of Phase 1 ongoing. Currently investigating the completion of a Master Plan to assess the needs of the Town as a whole.

Legend

To Be Started

Ongoing

Completed



PROGRESSIVE

Healthy Community and Quality of Life

Create a safe, friendly, and inclusive community which encourages healthy, active living for people of all ages and abilities.

100%

Completed or Ongoing

	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Provide every resident with access to parks, recreation, and cultural opportunities and improve quality of life through affordable, inclusive and accessible programming and recreational facilities	Continue to offer a wide range of programming in all four urban centres and continue to promote current sport facilities to reach optimal usage and limit downtime	<div></div>	Community Services	Ongoing	Continued promotions of programs and facilities. New part-time program staff position to increase and enhance programming in all four centres. Expanded virtual programming throughout COVID-19 to keep residents active.
	Explore the potential for Town-facilitated sports leagues	<div></div>	Community Services	Ongoing	Exploring options to have Town-administered leagues to fill facility down time, with potential to implement in 2022.
	Maintain High Five accreditation, which sets out principles and goals for youth programming, throughout 2021	<div><div></div><div></div></div>	Community Services	Completed and Ongoing	Maintained High Five accreditation in 2021. Recreation and Culture division continues to adhere to standards for programs and best practices for additional staff training (eg. anti-bullying).
Expand our active transportation network, including multi-use paths and trails	Optimize active infrastructure investment by continuing to work with CWATS to connect the entire municipality	<div></div>	Infrastructure Services & Development Services	Ongoing	Continuing coordination between departments to plan locations and timelines. Ongoing partnership with CWATS, including installation of bike repair stations and hosting of cycling events and programs. Partnered with ERCA and County on Greenway crossing in Harrow.
	Evaluate active transportation gaps in urban centres to develop a plan to provide trails to connect neighbourhoods	<div></div>	Development Services & Community Services	Ongoing	Potential role in community engagement to assess gaps. Continued coordination with Development and Infrastructure teams on plans to connect neighbourhoods with new trails in residential developments. New Development Standards Manual to include AT considerations.
	Implement the Parks, Recreation and Culture Master Plan recommendation to hard surface all trails in urban centres	<div><div></div><div></div></div>	Community Services	Completed and Ongoing	Majority of current trails are now hard surfaced. Funding currently identified in budget and four year forecast to expand hard surfaced trails.

Legend

To Be Started

Ongoing

Completed



HEALTHY

Healthy Community and Quality of Life

Create a safe, friendly, and inclusive community which encourages healthy, active living for people of all ages and abilities.

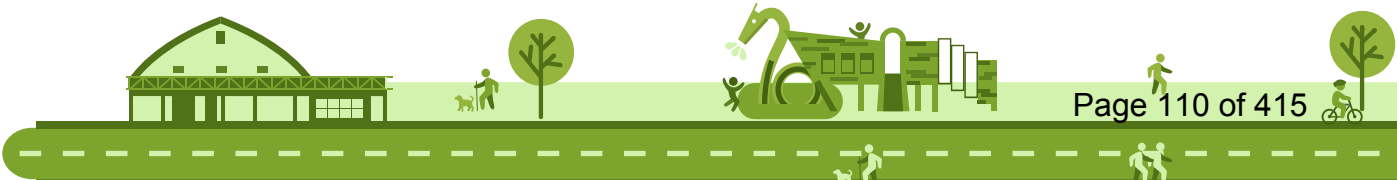
	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Conduct a review of recreation facilities	Identify potential for refurbishment of aging facilities	<div></div>	Community Services	Ongoing	2015 Parks, Recreation and Culture Master Plan identified gaps in facilities. Continuing to seek grant funding for facility refurbishments.
	Develop business plans for capital and operating costs on potential new recreation facilities to show annual impact on Town budgets	<div></div>	Community Services	Ongoing	Creating business plans for any new capital facility to show annual operating costs and true cost impact.
	Continue to develop Heritage Park to become a destination within Essex Centre	<div><div></div><div></div></div>	Community Services	Completed and Ongoing	Adding amenities annually in line with the Essex Streetscape plan. New BIA Pavilion constructed with future capital plans for power, washrooms, and amphitheater. Improvements will also be undertaken during Essex Streetscape project.
	Implement Master Plan recommendation on sport field shortage in Essex Centre by creating a strategy to develop the Essex Centre Sport fields	<div></div>	Community Services	Ongoing	Continuing to seek grant funding for sports fields. Plans completed with options to phase in development, if required. Meeting and communications ongoing with all current user groups on phase-in approach and fundraising requirements.
	Make sustainable choices to minimize our environmental footprint	<div></div>	Community Services	Ongoing	Continuing to seek energy saving equipment to minimize carbon footprint. Implementation of Climate Change Adaptation Plan is ongoing in consultation with internal staff and external stakeholders.

Legend

To Be Started

Ongoing

Completed



Financial and Economic Stewardship

Provide fiscal stewardship and value for tax dollars to ensure the long-term financial health of the municipality.

100%

Completed or Ongoing

	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Maintain financial sustainability and manage the Town's financial reserves	Manage appropriate levels of debt	<div><div></div><div></div></div>	Corporate Services	Completed & Ongoing	Reviewing debt annually and as part of the five year financial plan and four year forecast. Additional planning is required for debt that is not related directly to the municipality (eg. drainage).
	Investigate new revenue sources to maintain affordability and competitiveness while attracting investment	<div><div></div></div>	Office of the CAO & Development Services	Ongoing	Recently completed fee study. Continued efforts to look at new programming or facility use to generate revenue. Ongoing annual reviews of user fees for Parks, Facilities, & Fire Services.
	Explore opportunities to diversify the municipality's economy	<div><div></div><div></div></div>	Office of the CAO	Completed and Ongoing	Ongoing promotion of Town as tourism destination as well as business attraction, business retention and business expansion initiatives. Launched large development financing strategy in 2021.
	Formalize a Reserve Management Plan	<div><div></div></div>	Corporate Services	Ongoing	Reserves are reviewed annually as part of budget and forecast process. Working towards a separate reserve management plan in 2021.
Invest in sustainable infrastructure and assets	Update the Asset Management Plan at least every five years to maintain relevance and reliability for future financial planning of all Town assets	<div><div></div></div>	Corporate Services & Infrastructure Services	Ongoing	Infrastructure and Corporate Services continuing to cooperate on plan updates. Staff attended joint workshop on AMPs for roads. More condition assessments needed for underground infrastructure and other asset gaps.
Increase long-term financial planning processes	Expand the current five-year financial plan to ten years for capital and include the plan in the forecast portion of the annual budget	<div><div></div></div>	Corporate Services	Ongoing	Expanding budget timelines and ongoing interdepartmental cooperation to plan further in advance. Corporate Services assisting other departments to aid long-term planning.
Ensure the Town is a destination of choice to newcomers and investors	Promote the new development charge regime to external investors	<div><div></div><div></div></div>	Development Services	Completed & Ongoing	Continued promotion of DCs in tandem with other incentives (eg. CIPs). Recently completed Development Charges study including external consultation and notification. New by-law posted to website, media release, and shared with developers.
	Ensure services are efficient and tax increases are affordable	<div><div></div><div></div></div>	Corporate Services	Completed & Ongoing	Zero per cent tax increase in 2021. Continuing review of levels of service to ensure efficiency and alignment with strategic priorities.

Legend

To Be Started

Ongoing

Completed



STEWARDSHIP

Vibrant Growth and Development

Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.



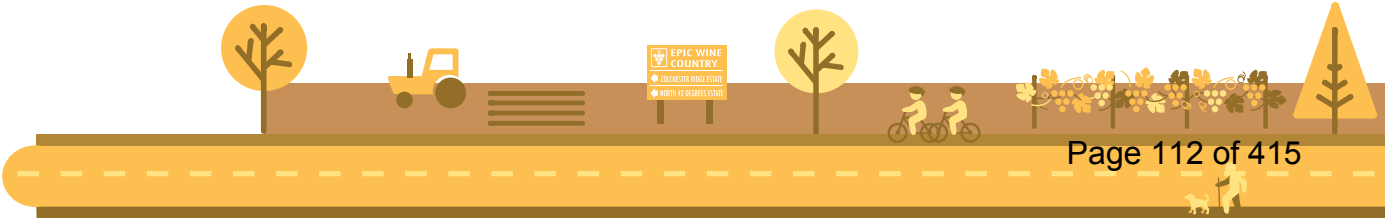
	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Provide for diverse, development-ready opportunities	Review affordable housing strategies and strengthen existing policies	<div></div>	Development Services	Ongoing	Updating of Zoning By-law to permit detached Secondary Dwelling Units in Residential and Agricultural Zoning Districts. Completed evaluation of infill residential opportunities. Updating Official Plan to incorporate stronger policies to provide for a greater range of affordable housing options.
	Develop an industrial and commercial development plan for the Highway 3 Corridor	<div></div>	Development Services & Infrastructure Services	Ongoing	Engagement and discussions ongoing with Invest WindsorEssex and local developers. Ongoing coordination with Infrastructure Services for long-term servicing plans. Amendments to area to be considered during Official Plan review.
	Review policies to create development-ready areas	<div></div>	Development Services	Ongoing	Updating Colchester South Secondary Plan Area and Colchester rezoning. Review and update of Official Plan to commence in 2021.
	Develop partnerships with utilities to provide serviceable lands	<div><div></div><div></div></div>	Infrastructure Services	Completed and Ongoing	Continuing to work with utilities to strengthen existing partnerships. Successfully engaged MTO in Highway 3 project to mitigate utility impacts and to ensure Town's infrastructure needs are met.
	Emphasize the agricultural economy	<div><div></div><div></div></div>	Development Services	Completed and Ongoing	Successfully developed the Agritourism Development Strategy in early 2021, with implementation ongoing
Support small businesses, while investing in revitalization and beautification	Review and build upon the Community Improvement Plans (CIP)	<div><div></div><div></div></div>	Development Services	Completed and Ongoing	Fully reviewed CIPs in 2019 and implemented changes to expand funding eligibility for alternative types of accommodations. Continued promotion of CIP to local business owners and developers prior to expiry in Harrow and Essex in 2021. Continued focus will be on County Road 50 for on-farm diversified uses and agri-tourism developments.
	Develop a small business retention and attraction program	<div><div></div><div></div></div>	Development Services	Completed and Ongoing	Developed and implemented the "Join Us in Essex" campaign with continued promotions to market Essex as an attractive place to open a business. Development of a new and updated small business retention and attraction program is planned for 2022.
	Implement aesthetic and streetscaping improvement plans for urban centres	<div></div>	Infrastructure Services	Ongoing	Harrow Streetscape construction ongoing. Essex Centre Streetscape construction to start in 2022.

Legend

To Be Started

Ongoing

Completed



VIBRANT

Vibrant Growth and Development

Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.

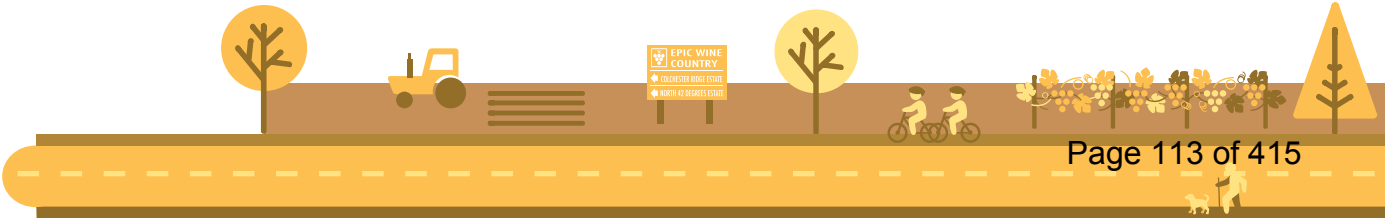
	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Promote the Town as a premier tourism destination	Develop a comprehensive tourism strategy	<div><div></div><div></div></div>	Development Services & Office of the CAO	To Be Started and Ongoing	Budget funding to be considered in 2022 for comprehensive tourism strategy. Roll out of 2021 tourism promotions has begun, including new video and print advertisements.
	Develop agri- and eco-tourism offerings	<div><div></div><div></div></div>	Development Services	Ongoing	Partnered with ERCA to build the Town of Essex Tourism Hub at the John R. Park Homestead. Continued cooperation with partners and stakeholders (eg. Explore the Shore, EPIC, TWEPI, and SWOTC. Ongoing implementation of agri-tourism strategy.
Improve connectivity between neighbourhoods	Continue to work with partners to enhance regional transit	<div><div></div><div></div></div>	Community Services	Completed and Ongoing	Worked with Leamington and Windsor Transit to establish transit stop on the Leamington to Windsor transit line. Ongoing discussions with local partners on expansion of regional transit.
	Develop and implement a wayfinding signage strategy	<div><div></div><div></div></div>	Development Services, Community Services, and Infrastructure Services	Completed and Ongoing	Implemented rural wayfinding signs in Colchester, and McGregor. Harrow and Essex Centre signage to be included in streetscape projects. New park signage also installed throughout municipality.
	Review Town-owned properties and develop a surplus property plan	<div><div></div><div></div></div>	Office of the CAO	Ongoing	Collection of data on all Town-owned property is currently ongoing. Filtering information to consider classification and legal implications. Alley closing policy drafted. Declaration of surplus property by-law under review.

Legend

To Be Started

Ongoing

Completed



Citizen and Customer Experience

Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.



	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Improve the flow of information and delivery of services to citizens and customers	Improve service delivery with customer service kiosks hosted at Town facilities		Community Services	Ongoing	Business case for customer service kiosk to be provided to Council in Q3 2021. Promotion of new kiosk(s) to be conducted in conjunction with Communications.
	Review brick and mortar facilities and their capacity to provide high quality customer experience		Community Services	Ongoing	Completed review of Town Hall and Gesto Offices and identified options to consolidate services into one facility with subsequent business plan for using funds on facilities or renovations. Federal/provincial grant funding received for customer service improvements at Town Hall and Essex Recreation Complex.
	Utilize digital and web-based technology to improved access to information and increase citizen knowledge of Town programs and services		Office of the CAO	Ongoing	Expanded use of virtual tools for recreation and culture programming as well as information campaigns. Launched online virtual tours for Heritage Week, with potential to expand to other facilities. Continued use of video content to supplement digital and print promotions (eg. short-term rental process). Currently implementing electronic building permit and inspection platform.
	Create a single repository for online services (e-Service Hub)		Office of the CAO & Community Services	Completed and Ongoing	Online Services hub has been established during pandemic at essex.ca/Online Services. Continued consideration of user experience and addition of new online services.
	Implement a Best Practices manual for gathering public feedback		Office of the CAO	In Progress	Ongoing work to standardize digital forms to capture relevant information and ensure positive user experience. Formalization of standards needed to ensure corporate-wide adherence to standards.

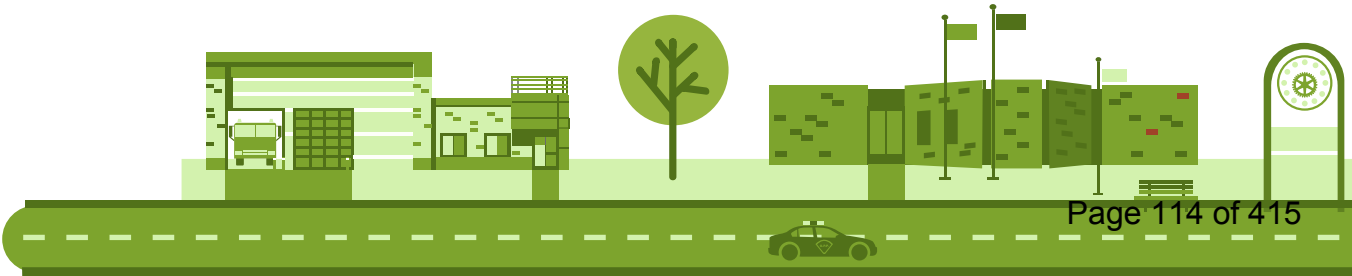
EXPERIENCE

Legend

To Be Started

Ongoing

Completed



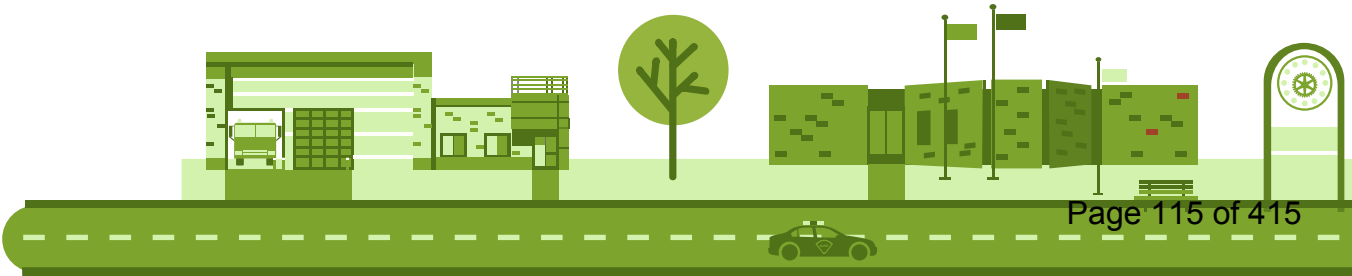
Citizen and Customer Experience

Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.

	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Develop a comprehensive customer and citizen service policy	Incorporate citizen and customer feedback to improve service policies and procedures	<div><div></div><div></div></div>	Office of the CAO and Community Services	Completed and Ongoing	Implemented EssexWorks platform to accept citizen submissions and update when items are addressed. Data on response times and issues provided to Council quarterly and incorporated/ analyzed for operational planning.
	Review Customer Relationship Management software to provide central way to effectively address issues	<div><div></div></div>	N/A	To Be Started	Software costs to be considered in 2022 budget process.
Mitigate the impact of geographic distance on civic participation	Develop policy/procedure for hosting public meetings in accessible locations for all citizens	<div><div></div><div></div></div>	N/A	In Progress and To Be Started	Pandemic limited ability to host in-person community meetings. Prior to pandemic, initial research had been conducted on policy options for meeting location protocols and procedures. Item to be rolled into other standardization of public feedback procedures and processes.
	Provide a variety of mechanisms for citizens to give feedback on Council agenda items	<div><div></div></div>	Office of the CAO	In Progress	Ongoing support of all departments to implement new and streamlined feedback options for citizens. Includes roll out of multimedia content and implementation of survey standards.

Legend

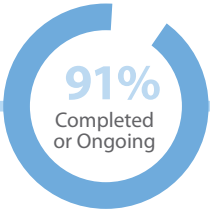
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 Ongoing
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Citizen and Customer Experience

Organizational Effectiveness and Resiliency

Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the fact of unanticipated changes or disruptions.



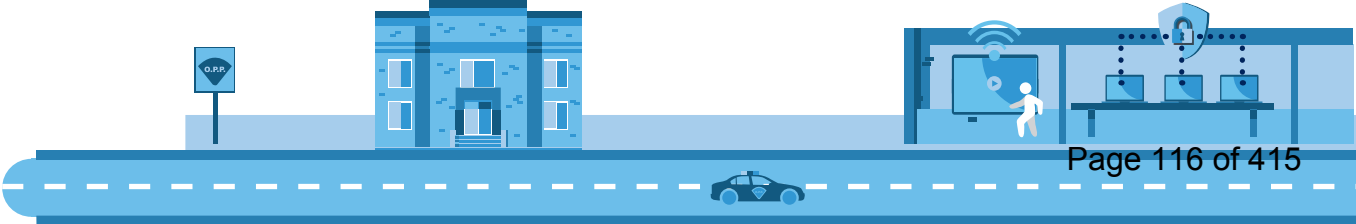
	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Increase organizational capacity by developing staff	Create a formal staffing plan to include succession planning and cross-training		Corporate Services	Ongoing	Continuing to promote internal training for staff who wish to be promoted in the organization. Considering attrition as an opportunity to cross train in divisions and departments.
	Implement a Performance Management System which provides concrete goals for staff to develop in their positions		Corporate Services	Completed and Ongoing	Performance Management System rolled out in 2020. Currently finalizing 2021-22 phase to identify individual strategic goals and professional development opportunities.
	Review and formalize staff training and education policies		Office of the CAO & Corporate Services	To Be Started	Review and formalization of staff training and education policy has been included in Human Resource division's 2021-22 work plan.
	Maintain annual staff performance evaluations to identify areas of improvement		Corporate Services	Completed and Ongoing	Prior performance evaluation regime has been incorporated into Performance Management System.
	Assess the potential for flexible work arrangements to enhance access to services for citizens and improve work conditions for staff		Corporate Services & Office of the CAO	Ongoing	Work from home implemented where possible during pandemic while ensuring limited impact on citizen service. Considering potential for extending work from home and flexible work arrangements for post-pandemic operations.

Legend

To Be Started

Ongoing

Completed



OWNERS
RESILIENT

Organizational Effectiveness and Resiliency

Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the fact of unanticipated changes or disruptions.

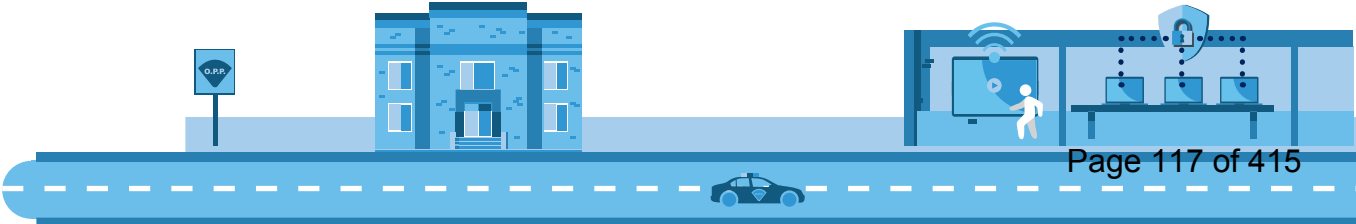
	Goals	Status	Corporate Lead	Anticipated Timeline	Details
Enhance internal and external access to corporate records and documents	Development of a Records Management Plan and update policies, procedures, and staffing resources related to corporate recordkeeping	<div></div>	Office of the CAO	Ongoing	New Records Retention By-law has been drafted. Records Management Manual in development. Clerks Division currently attending a County-wide Records Management collaboration group. Ongoing research into feasibility and budget impacts of records management system.
	Expand the use of Laserfiche to convert physical records to digital formats	<div></div>	Office of the CAO	Ongoing	Best practices policy has been drafted, based on continuing consultation with County-wide Records Management collaboration group.
	Implement a corporate paper reduction plan	<div></div>	Office of the CAO & Development Services	Ongoing	Corporate paper reduction identified in Climate Change Adaptation Plan. Implementation ongoing.
Explore efficiencies in service delivery by working with partners and stakeholders	Initiate a service review with Essex County and neighbouring municipalities	<div></div>	Office of the CAO	Complete	Service and organizational review completed and presented to Council in 2020 as part of municipal modernization grant funding.
	Explore other opportunities to reduce service duplication and inefficiencies	<div></div>	Office of the CAO	Completed and Ongoing	Working with County and partners on regional projects (eg. compost, road rationalization, garbage collection). Working with region and Union Water Supply System on governance. Working with Amherstburg on infrastructure (water and sewage) partnership opportunities.
	Review the current policing strategy	<div></div>	Office of the CAO	Ongoing	Completed Community Policing Survey in 2020. Continuing to communicate with local OPP administration and the Police Services Board to identify opportunities to improve local policing. Awaiting provincial decision regarding separation of boards.

Legend

To Be Started

Ongoing

Completed



ORGANIZATIONAL
EFFECTIVENESS
AND
RESILIENCY



Report to Council

Department: Development Services
Division: Planning
Date: June 21, 2021
Prepared by: Rita Jabbour, RPP, Manager, Planning Services
Report Number: PLANNING2021-11
Subject: Site Specific Zoning Amendment (96 County Road 50 West, Colchester Centre, Ward 3)
Number of Pages: 8 including attachments

Recommendation(s)

That Planning report PLANNING2021-11 entitled Site Specific Zoning Amendment (96 County Road 50 West, Colchester Centre, Ward 3) prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 21, 2021 be received, and

That Bylaw 2034, being a Bylaw to Amend Bylaw Number 1037 for the property located at 96 County Road 50 West, be adopted.

Purpose

To recommend adoption of a site specific zoning amendment for the lands located at 96 County Road 50 West in the Hamlet of Colchester Centre, Ward 3. The zoning amendment is required to permit a Motel development at the subject lands. The Motel will be subject to site specific building regulations described in Bylaw 2034. Although not part of this report, the proposed development will also be subject to Site Plan Control approval prior to purchase and sale of the subject site and prior to any construction.

Background and Discussion

An application for a site specific zoning amendment to the Comprehensive Zoning Bylaw, Bylaw 1037 was received at the Town of Essex for the lands located on the eastern corner of Dunn Road and County Road 50 West, just North of Colchester Park, in the Hamlet of Colchester Centre (Ward 3). A location map is provided below:



The subject lands measure +3749 square metres in total land area. They are designated “Main Street Area ” on Schedule “A” of the Colchester Hamlet and Lakeshore Area Secondary Plan and are zoned Residential District 3.1 (R3.1) for High Density residential uses such as a multiple dwelling, semi-detached dwelling or townhome dwelling, on Map 17 of Bylaw 1037.

The subject lands are currently vacant. The lands are owned by the Municipality and are currently utilized as overflow parking accommodation for those visiting the Hamlet, specifically, the beach and harbour. The subject lands abut County and Municipal multi-use trail systems that encourage active transportation such as walking and cycling. The subject lands are also located **at a corner identified as a “Proposed Gateway”** under the Colchester Secondary Plan. A proposed gateway is an area intended to provide identity focal points through appropriate plantings, signage, lighting and building forms for those entering the Hamlet and main street area.

Neighbouring land uses in proximity to the subject lands include low density residential development (single detached dwellings) and Colchester Park, beach and harbour. Commercial uses such as restaurants, a cottage compound and a bicycle rental establishment are also located along County Road 50 and Jackson Street, in proximity to the subject lands. The lands are not located within an area regulated by the Essex Region Conservation Authority (ERCA) or within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS, 2020).

The Proposal

The Applicants are requesting a site specific zoning amendment to Bylaw 1037 for the Subject Lands to permit the following:

- A two-storey Motel development

The proposed development will also be subject to the following site-specific building regulations:

- A minimum front yard depth of 15 metres (50 feet)
- A minimum rear yard depth of 3 metres (10 feet)
- A minimum exterior side yard width of 8 metres (26 feet)
- A minimum interior side yard width of 3 metres (10 feet)

- A maximum building height of 10 metres (32 feet)

The development will also include an accompanying parking area for Motel patrons and a 58 square metre café with outdoor patio area.

A **Motel** is defined under Bylaw 1037 as a building or part thereof, used primarily for the sleeping accommodations of the travelling public, in which

- a) A minimum of five (5) guest rooms or suites of rooms are provided for sleeping accommodation;
- b) All guest rooms or suites of rooms are accessible from the exterior of the building and may also be accessible for the interior of the building;
- c) No guest rooms or suites of rooms has self-contained cooking facilities;

In combination with a Motel, Bylaw 1037 also permits a restaurant; meeting room and newsstand. A Motel may also include one (1) personal service shop such as a beauty salon or dry cleaning operation, and one (1) dwelling unit.

Proposal Conformity with Colchester Secondary Plan

Any Bylaw passed under Section 34 of the *Planning Act* such as Bylaw 1037, may be amended to allow for uses that are not permitted in the respective zoning district so long as the new use is permitted under the Official Plan for the area in which the subject property is designated.

The Hamlet of Colchester Centre is the Town's premier settlement area along the Lake Erie shoreline. Identified as a "secondary settlement area" in the Official Plans for the County and Town of Essex, the Colchester Centre functions as a service centre for the surrounding lakeshore residential district and agricultural areas.

The Colchester Secondary Plan establishes a cohesive vision and planning framework for the Hamlet to ensure balanced and sustained growth, recognizing the unique attributes of the area's natural features and surrounding agricultural community. The Secondary Plan forms an

Appendix to the Town of Essex Official Plan and is intended to be read and interpreted within the context of the Official Plan.

The Secondary Plan creates a discernable Main Street Area within Colchester, centred along Murdock and extending south along Jackson Street to strengthen connections to the Waterfront area which includes the harbour marina, park and beach area. **The Main Street Area is the central commercial core that will provide opportunities for commercial and entertainment uses which cater to residents and tourists alike.**

Roofed accommodations such as motels, hotels and small inns in accordance with the policies of Section 4.1 (Tourism and Recreation), are permitted uses within the Main Street Area. Section 4.1 supports commercial businesses which cater to tourism activities and encourages the provision, maintenance and improvement of roofed accommodations in appropriate locations in Colchester Centre in accordance with the policies of the Secondary Plan. Large-scaled roofed accommodations such as motels, will be directed to the Main Street Area with the Colchester Centre where the services, facilities and infrastructure exist to accommodate the use.

June 7, 2021 Statutory Public Meeting

A statutory public meeting was held on Monday June 7, 2021 through virtual means to hear public comments on the application prior to Council rendering a decision on the application on June 21. In order to further encourage public input into the planning process, Council also heard representation from the public concerning the site plan and design of the proposed Motel.

A copy of the public presentation is attached to this report. Written comments and a petition in opposition of the proposed Motel were received in advance of the meeting from members of the public. Delegations other than the applicants presented oral comments at the public meeting.

The concerns of the public is summarized in the following table:

Main Concerns
Traffic Increases and Concerns
Lack of public parking
Loss of Green Space
Loss of Residential Opportunity
Strain on Municipal Infrastructure
Loss of Lake Views
Noise Generation
Architectural Style

In response, administration noted the following:

- Studies respecting traffic, landscaping and servicing were submitted and are in various stages of review. The County of Essex has reviewed the traffic study and are in agreement with the conclusions with the exception of the removal of the existing guardrail. The landscape plan has been reviewed by staff and is satisfactory. No Site Plan Control approval or Building permit will be issued until the studies are deemed satisfactory
- Six (6) additional municipal parking areas in the vicinity of the Park and Harbour are available for use by the general public.
- The lands are not designated for residential development in the Secondary Plan and therefore, an amendment to permit a commercial use will have no impact on the residential land inventory required for the 20 year Planning horizon.

- The Secondary Plan only states that municipal owned land and public rights of way abutting the lakeshore should be maintained in order to protect important views and accommodate potential opportunities for lakeshore access
- The Building design generally complies with the Main Street Guidelines respecting building orientation, height and enhancement of the gateway, but not architectural style. The Guidelines suggest architectural styles within the Main Street Area that reflect old English Tudor themes such as low profile roofs with features such as gables and dormers and the use of materials characteristic of the area, including clapboard siding, stone and old brick and wood and wooden windows.

Proposed Bylaw

Bylaw 2034 adds the following uses and regulations to the Subject Property:

For the lands identified municipally as 96 County Road 50 West, a Motel subject to the following building regulations, shall be an additional permitted use:

- A minimum front yard depth of 15 metres
- A minimum rear yard depth of 3 metres
- A minimum exterior side yard width of 8 metres
- A minimum interior side yard width of 3 metres
- A maximum building height of 10 metres

Financial Impact

Notwithstanding an appeal, there is minimal financial impact associated with costs to undertake normal administrative operations for notifying the applicant and interested parties of the decision, and revising planning documents to reflect the amendments. Costs recouped through the application fee are at sixty-percent (60%) cost recovery.

Consultations

Notice of the applications for zoning bylaw amendment were circulated to all persons and public bodies required to be notified under subsection 5(9) of Ontario Regulation 545/06, including staff members from each Town of Essex department.

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ **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:	Site Specific Zoning Amendment (96 County Road 50 West) .docx
Attachments:	- 96 County Road 50 West.pdf - Bylaw 2034.docx
Final Approval Date:	Jun 15, 2021

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



Lori Chadwick, Director, Development Services - Jun 10, 2021 - 1:26 PM



Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:45 PM



Public Meeting

**Regarding a Site Specific Zoning Amendment
for the Vacant Lands located at 96 County Road 50 West**

**Applicant: D.C McCloskey Engineering Limited for
The Grove Motor Inn**

June 7, 2021



Purpose of Meeting:

At this statutory public meeting, Council hears representations from the public in regard to the merits and concerns related to the application for a

Site-specific Zoning Amendment.

To encourage public input into the planning process, Council will also hear representation from the public concerning the proposed development's

Site Plan and Design.

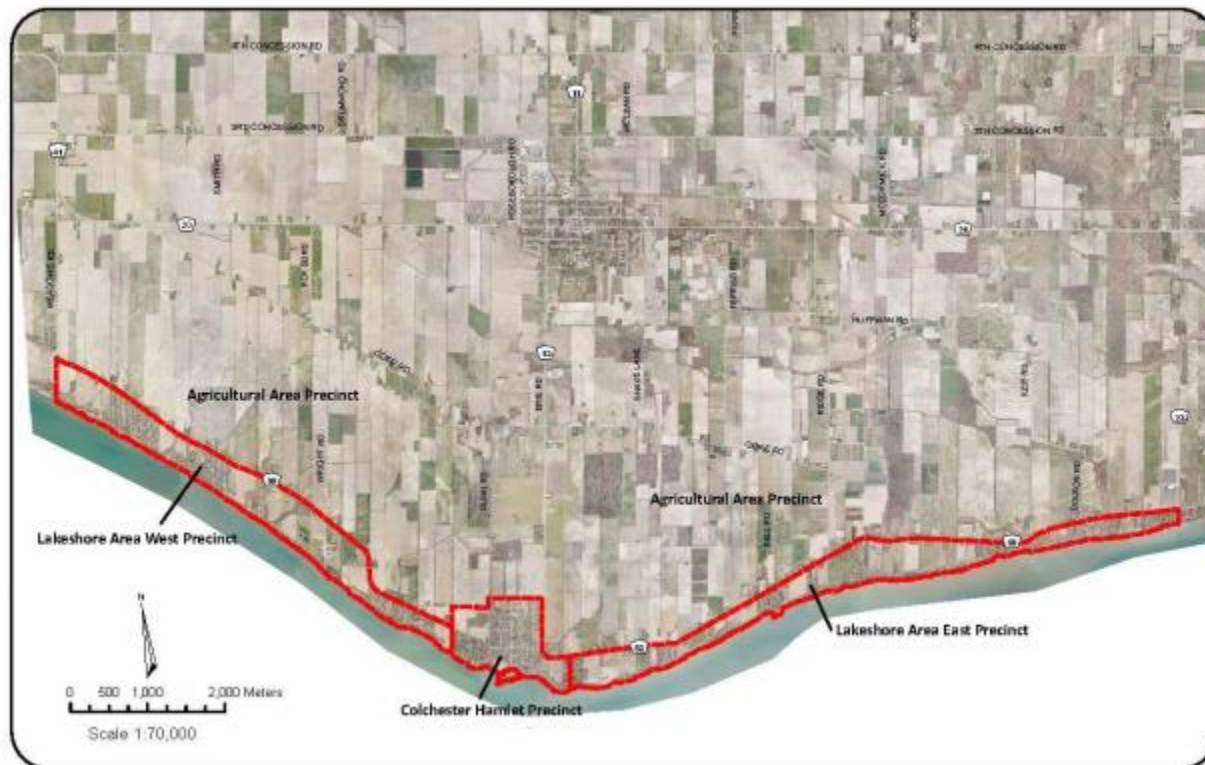
Council does not make a decision at this time.



The Hamlet of Colchester Centre

- The Town's *secondary settlement area* along the lakeshore
- Functions as a service centre for the surrounding lakeshore residential district and agricultural areas
- The **Colchester Secondary Plan** establishes a cohesive vision and planning framework for the area to ensure balanced and sustainable future growth

The Hamlet of Colchester Centre



Subject Lands



Location:

+3749 square metres (40,360 square feet) on the eastern corner of County Road 50 and Dunn Road in the Colchester Centre (Ward 3)

Colchester Secondary Plan

Designation:

Main Street Area

Existing zoning: Residential District 3.1 (R3.1), High Density Residential

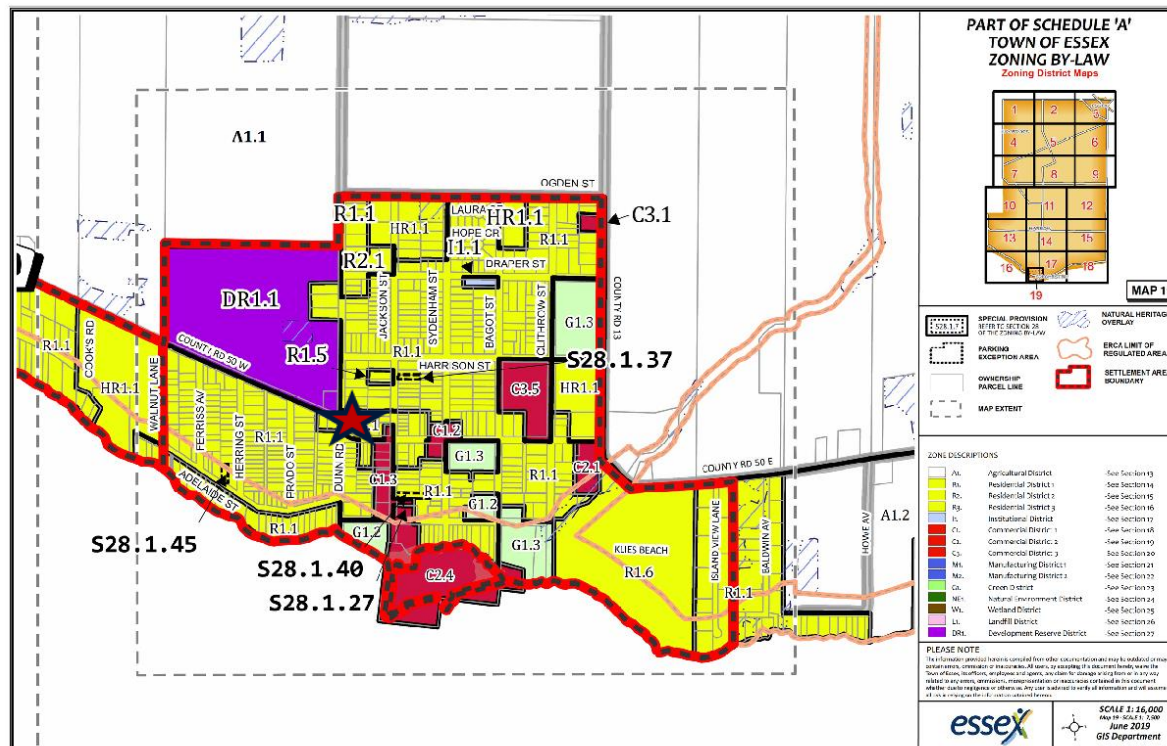
 Subject lands

Property Profile

- Vacant municipal-owned land currently used for overflow parking
- Access to municipal water, sanitary and stormwater sewers along County Road 50 and Dunn Road
- Indicated as a “Proposed Gateway” under the Colchester Secondary Plan
- Adjacent to Multi-use trails and the County-wide Active Transportation System (CWATS)

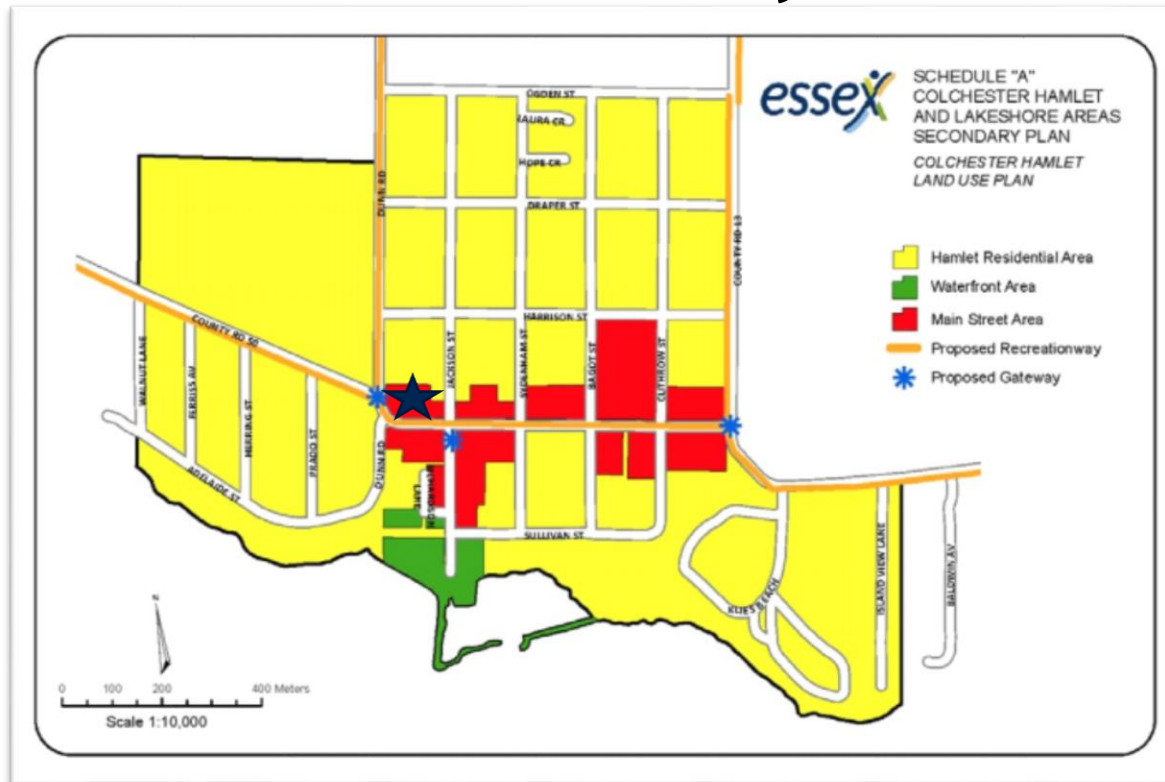


Neighbourhood Profile (Zoning)



★ Subject lands

Colchester Secondary Plan



★ Subject lands



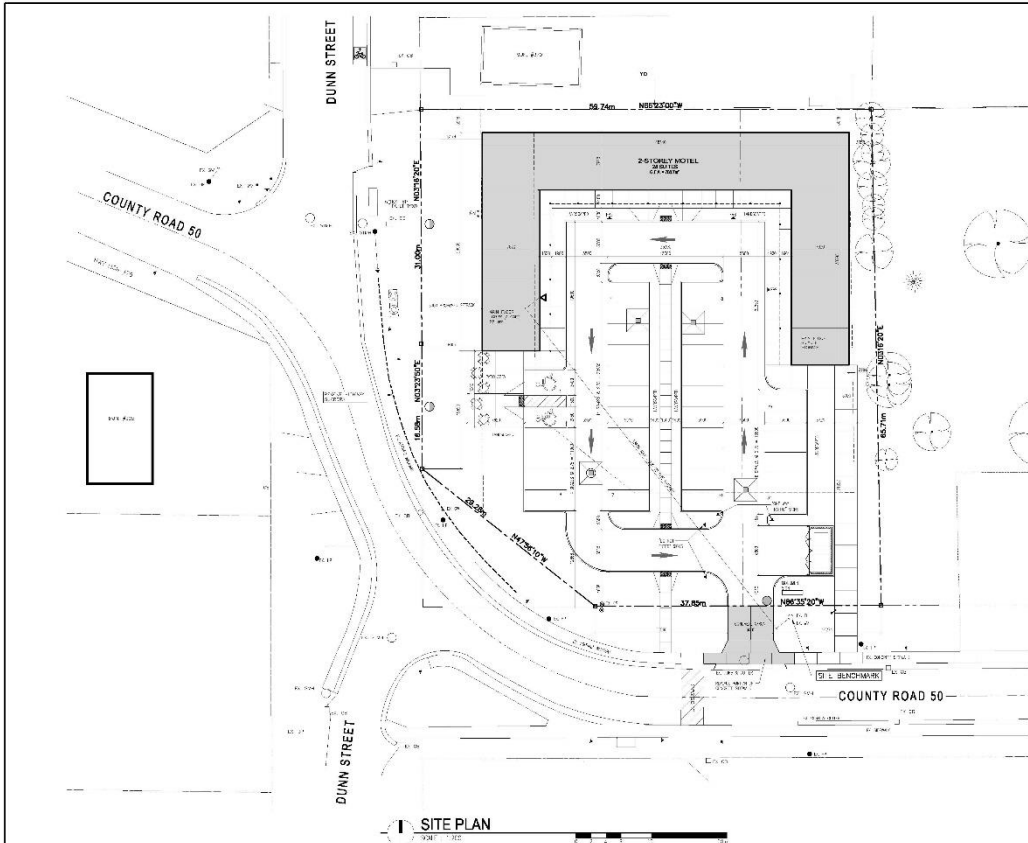
Colchester Secondary Plan – Main Street Area

The Main Street Area is the central commercial core that will provide opportunities for commercial and entertainment uses, which cater to residents and tourists alike, and ancillary residential uses.



Proposed Zoning Change

- To permit a two-storey Motel development with twenty-eight (28) guestrooms
- The zoning will remain R3.1 with the Motel as an additional permitted land use
- A “Motel” is defined as a building or part thereof, used primarily for the sleeping accommodation of the travelling public.
- The Motel will also include on-site parking for patrons, a café, and indoor bicycle storage facilities.
- The operators are the proprietors of The Grove Hotel in Kingsville



MAIL ROOM
 DATE 10/20/01
 REGISTERED MAIL No. 15
 H. H.
 10000 10/20/01
 10000 10/20/01

SITE STATISTICS:

DATE	DESCRIPTION	AMOUNT	CHECK NO.
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10/2/01	DEPOSIT	100.00	
10/3/01	DEPOSIT	100.00	
10/4/01	DEPOSIT	100.00	
10/5/01	DEPOSIT	100.00	
10/6/01	DEPOSIT	100.00	
10/7/01	DEPOSIT	100.00	
10/8/01	DEPOSIT	100.00	
10/9/01	DEPOSIT	100.00	
10/10/01	DEPOSIT	100.00	
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STOCK	
NEW STOCK	= 170.6 μ^2
NEW BUILDING	= 18.7 μ^2
RENTS (10 YEARS)	= 140.9
SALES TAX (10 YEARS)	= 12.1 (10.1)
PROPERTY TAX (10 YEARS)	= 12.2 (11.1)
INCOME TAX	= 83.9
TOTAL COST	609

● 20 世纪 90 年代以来，随着信息技术的飞速发展，企业的经营环境发生了深刻的变化。企业的经营环境日益复杂，企业的经营风险日益增加。企业的经营环境日益复杂，企业的经营风险日益增加。

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2022-2023 清华大学 计算机科学与技术专业 硕士

工作经历: 2023-2024 腾讯公司 软件开发工程师

2024-2025 阿里巴巴集团 高级开发工程师

项目经验: 参与开发大型电商平台后端系统，支持千万级用户并发。

2025-2026 字节跳动 产品经理

2026-2027 字节跳动 高级产品经理

2027-2028 字节跳动 产品总监

2028-2029 字节跳动 高级产品总监

2029-2030 字节跳动 产品副总裁

2030-2031 字节跳动 产品总裁

2031-2032 字节跳动 产品副总裁

2032-2033 字节跳动 产品总监

2033-2034 字节跳动 高级产品总监

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2035-2036 字节跳动 产品总裁

2036-2037 字节跳动 产品副总裁

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2038-2039 字节跳动 高级产品总监

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2043-2044 字节跳动 高级产品总监

2044-2045 字节跳动 产品副总裁

2045-2046 字节跳动 产品总裁

2046-2047 字节跳动 产品副总裁

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2051-2052 字节跳动 产品副总裁

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2079-2080 字节跳动 产品副总裁

2080-2081 字节跳动 产品总裁

2081-2082 字节跳动 产品副总裁

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2083-2084 字节跳动 高级产品总监

2084-2085 字节跳动 产品副总裁

2085-2086 字节跳动 产品总裁

2086-2087 字节跳动 产品副总裁

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2088-2089 字节跳动 高级产品总监

2089-2090 字节跳动 产品副总裁

2090-2091 字节跳动 产品总裁

2091-2092 字节跳动 产品副总裁

2092-2093 字节跳动 产品总监

2093-2094 字节跳动 高级产品总监

2094-2095 字节跳动 产品副总裁

2095-2096 字节跳动 产品总裁

2096-2097 字节跳动 产品副总裁

2097-2098 字节跳动 产品总监

2098-2099 字节跳动 高级产品总监

2099-2100 字节跳动 产品副总裁

2100-2101 字节跳动 产品总裁

2101-2102 字节跳动 产品副总裁

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2103-2104 字节跳动 高级产品总监

2104-2105 字节跳动 产品副总裁

2105-2106 字节跳动 产品总裁

2106-2107 字节跳动 产品副总裁

2107-2108 字节跳动 产品总监

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2109-2110 字节跳动 产品副总裁

2110-2111 字节跳动 产品总裁

2111-2112 字节跳动 产品副总裁

2112-2113 字节跳动 产品总监

2113-2114 字节跳动 高级产品总监

2114-2115 字节跳动 产品副总裁

2115-2116 字节跳动 产品总裁

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ROUTE

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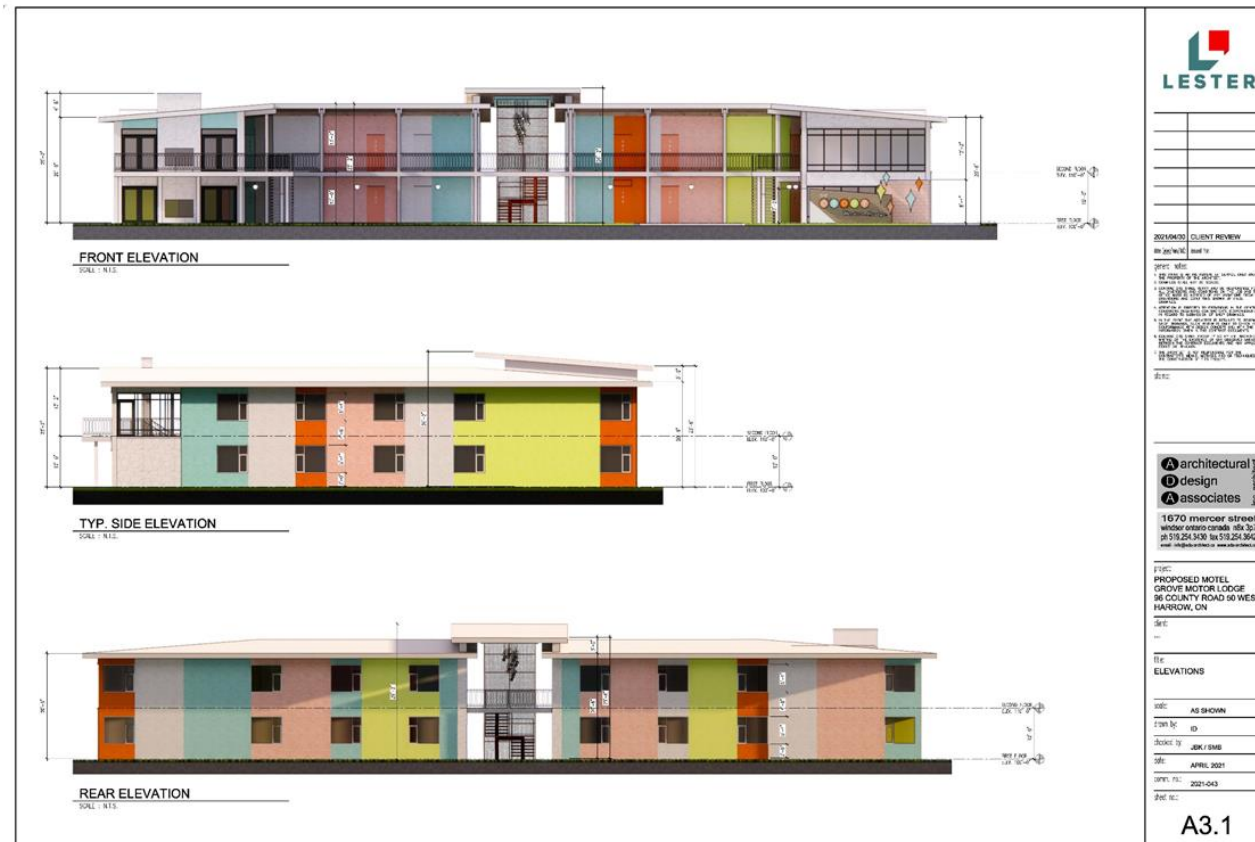


Proposed Zoning Regulation

The proposed Site-Specific Zoning Amendment will include the following regulations:

- A minimum front yard depth of 15 metres (50 feet)
- A minimum rear yard depth of 3 metres (10 feet)
- A minimum exterior side yard width of 8 metres (26 feet)
- A minimum interior side yard width of 3 metres (10 feet)
- A maximum building height of 10 metres (32 feet)

Proposed Motel (Building Elevations)



South Facing



The Grove Motor Lodge

96 County Road 50 West,
Harrow, ON

A architectural | 1670 Mercer St.
D design | Windsor | Ontario
A associates | N8X 3P7
Tel 519-254-3430
Fax 519-254-3642
www.ada-architect.ca

West Facing



The Grove Motor Lodge

96 County Road 50 West,
Harrow, ON

East Facing



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Policy Framework

Provincial Policy Statement (PPS)

Settlement areas shall be the focus of growth and development.

Land use patterns within settlement areas shall be based on densities and **a mix of land uses** which:

1. Efficiently use land and resources;
2. Are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available; and,
3. Support active transportation.



Policy Framework

County of Essex Official Plan

Colchester Centre considered a “Secondary Settlement Area” on Schedule A-2

All types of land uses are **permitted** within the Secondary Settlement Area, provided:

- i) Cost effective development patterns which reduce servicing costs are encouraged;
- ii) Environmental, heritage preservation or public health and safety concerns are avoided; and,
- iii) No negative impact on the traffic movement or overall function of a County Road

It is the policy of the County to ensure long term economic prosperity in settlement areas by encouraging local Official Plans to maintain the well being of downtowns and main streets.



Policy Framework

Colchester Secondary Plan – Main Street Area

Roofed accommodation uses including **motels**, hotels and small inns in accordance with the policies of section 4.1 –Tourism and Recreation **are permitted uses**.

Section 4.1 of Colchester Secondary Plan

The Town supports the provision of overnight accommodations to promote the Town's **economic development objectives**

Large-scaled roofed accommodations, including hotels and motels, will be directed to the **Main Street Area** where services, facilities and infrastructure exist to accommodate the use.

Public Comments

- 120 metre circulation radius
- Two (2) public comments received as of Thursday June 3





Public Concerns

Main Concerns
Traffic Increases and Concerns
Lack of public parking
Loss of Green Space
Loss of Residential Opportunity
Strain on Municipal Infrastructure
Loss of Lake Views
Noise Generation
Architectural Style



Site Plan –Colchester Secondary Plan

- The development is subject to Site Plan Control Approval to ensure a high aesthetic standard of building exteriors and site design; public safety; and, municipal policy on servicing, landscaping, parking are adhered to.
- Policies of Colchester Secondary Plan and specific Community Design Guidelines will provide framework to assist in the review of site plan applications within the Main Street Area.
- Public input is encouraged for significant new developments in Main Street Area.

Submitted Studies

Type of Study	Purpose of Study	Status of Review/Approval
Photometric Plan	Demonstrates the location, height and type of lighting fixtures on the site and proposed buildings.	Currently being reviewed by Department of Infrastructure Services
Landscaping Plan	Identifies planting material, species and site location. Also indicates trees to be removed	Reviewed and Approved
Stormwater Management Plan	Identifies required measures to control stormwater runoff associated with development	Currently being reviewed by the Town's Engineering Consultant
Functional Servicing Report	Determines impact on municipal services (water and sanitary)	Currently being reviewed by the Town's Engineering Consultant
Traffic Memorandum	Identifies road network improvements and designs required to provide a balanced transportation system and accommodate traffic needs of the development	Memo reviewed by County of Essex and Town of Essex. Recommendations of the County being reviewed by the Town.



Public Concern: Traffic Increases and Concerns

Results of Traffic Memorandum

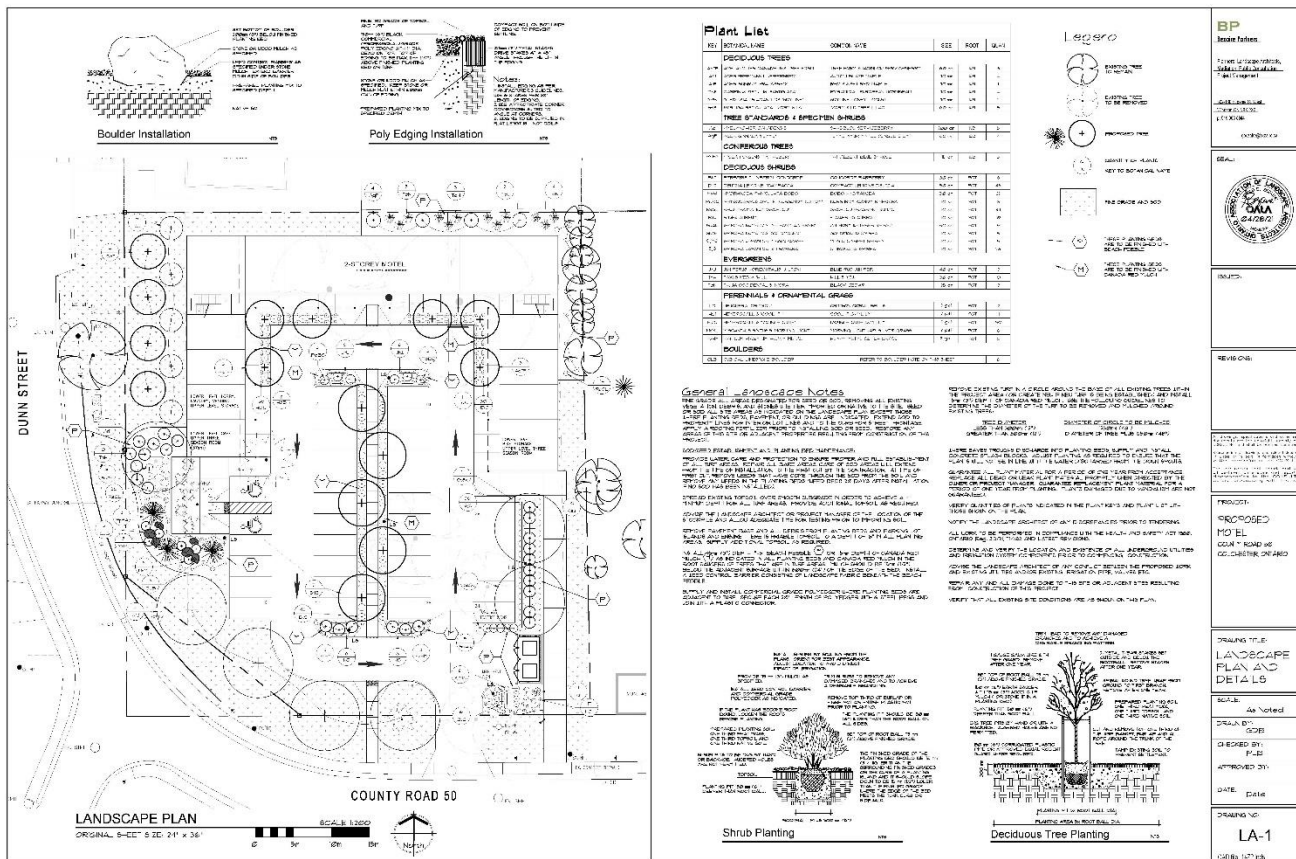
- Traffic Memorandum reviewed by County of Essex and Town of Essex
- Motel development will marginally increase vehicle trips to Colchester without impact on safe operation of the roadway or CWATS
- County and Town agree with the findings of the Statement
- Highway guardrail must stay
- Permits from County required for any works in Right of Way, signs, entrances and structures

Public Concern: Loss of Public Parking

Colchester Municipal Parking Lot Table

Lot Name	Lot Location	Lot Restrictions
Colchester Community Centre Lot	North of Colchester Community Centre and south of Sullivan Street between Jackson and Sydenham Streets.	
Sullivan Street Lot	North of Sullivan Street between Jackson and Sydenham Streets.	Boat trailers only between 6:00am and 1:00pm.
Colchester Park Lot- South	South of Colchester Park, north of Colchester Beach, west of Jackson Street.	
Colchester Park Lot- East	East of Colchester Park and West of Jackson Street.	Angle parking only.
County Road 50 Lot- East	North of County Road 50 between Jackson Street and Dunn Road.	
Colchester Schoolhouse Lot	West off Bagot Street between Sullivan Street and County Road 50.	
Colchester Harbour Lower Level Lot	Lower level of Colchester Harbour at the south end of Jackson Street.	Permit only.

Public Concern: Loss of Green Space





Public Concern: Loss of Residential Opportunity

- Settlement Areas identified in the Town of Essex Official Plan have sufficient lands to accommodate the projected population for the life of the Official Plan (2029)
- The Subject Site is not included in this calculation since it is not designated “Residential” in the Colchester Secondary Plan
- Zoning amendment is supplementary; residential allowances will not be removed
- Specific to Colchester, Infill Residential opportunities and Larger-scale Greenfield Development opportunities remain abundant



Public Concern: Strain on Municipal Infrastructure

- Conclusions and recommendations of the Functional Servicing Study and Stormwater Management Plan are currently being reviewed by the Town's peer reviewer, Stantec Consulting.
- Site Plan Control Approval will not be granted until the Town deems the Study and Plan satisfactory.



Public Concern: Lake Views & Noise Generation

- The Town should maintain municipal-owned land and public right way where they abut the lakeshore to protect important views and accommodate potential opportunities for lakeshore access, where appropriate
- The subject property does not abut the lakefront and the view is therefore not protected.
- Property is recognized as a gateway.
- Building setback 6 metres to create an enhanced public space
- Proprietors providing a mural at gateway to mark entry to Colchester and the Main Street Area

Public Concern: Architectural Style



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Fax 519-254-3642
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Main Street Design Guidelines

Building Orientation:

- New development should generally be oriented to public streets to clearly identify the public realm, create a continuous streetscape and create attractive barrier free pedestrian oriented environments. Principal entrances should face the street.

Building Height:

- Should not exceed a maximum height of 2-3 stories;



Main Street Design Guidelines

Building Forms:

- a) Complement adjacent development in terms of scale, massing, heights and cohesive and complimentary architectural styles;
- b) Architectural styles within the main street area should reflect old English Tudor themes, in keeping with the historical character of the Hamlet;
- c) Main building entrances should be readily identifiable;
- d) Awnings, patios, porches and similar structures are encouraged in order to provide pedestrian comfort and accommodation as an extension of the public realm;
- e) Buildings should have distinctive, low profile roofs with features such as gables and dormers and use materials characteristic of the area, including clapboard siding, stone and old brick, wood and wooden windows;
- f) Ground floor commercial retail building facades should provide large storefront window displays;
- g) Buildings situated at prominent view termini should provide enhanced architectural and aesthetic details

Main Street Design Guidelines



Existing Main Street



Existing Main Street





Agency Comments

Department/Agency	Comments
Essex Region Conservation Authority	<ul style="list-style-type: none">• No objections• Consideration of Source Water Protection Plan• Recommends the submission of a stormwater management plan

Town of Essex Comments

Department/Agency	Comments
Fire and Rescue Services	<ul style="list-style-type: none">• No objections
Infrastructure Services	<ul style="list-style-type: none">• No objections with Traffic Memo• Currently reviewing recommendations with County of Essex
Enbridge Gas	<ul style="list-style-type: none">• No objections
Accessibility Committee	<ul style="list-style-type: none">• No objections subject to no reduction in barrier free parking spaces and a the access door to lobby is handicap accessible



Next Steps

1. A report to Council and proposed Zoning By-law Amendment will be prepared for Council's decision at the June 21, 2021 Regular Council Meeting.
2. At the June 21, 2021 Council Meeting, Council may:
 - Approve the application for the zoning by-law amendment where notice of approval will be sent to the applicant and all persons requesting to be notified of the decision, and a 20 day appeal period takes effect.
 - Deny the application where notice of denial will be sent to the applicant and all persons requesting to be notified of the decision and a 20 day appeal period takes effect.
 - Defer the decision to a later date if further information is required.
3. If Zoning By-law Amendment is approved and the appeal period successfully lapses, Administration will present Council with a recommendation for Site Plan Control Approval following a satisfactory review of the submitted studies.



Thank You!

Questions?

The Corporation of the Town of Essex

By-Law Number 2034

Being a By-Law to Amend By-Law Number 1037

The Comprehensive Zoning By-Law for the Town of Essex

For the Lands Municipally known as 96 County Road 50 West

Whereas By-law Number 1037 is the Town’s Comprehensive Zoning By-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Essex;

And whereas the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend By-law Number 1037;

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

1. That subsection 1, of Section 28, of By-law 1037, is hereby amended by adding the following paragraph:
“55. For the lands municipally known as 96 County Road 50 West, a Motel shall be an additional permitted use subject to the following building regulations:
 - a. The Minimum Front Yard Depth shall be 15 metres
 - b. The Minimum Rear Yard Depth shall be 3 metres
 - c. The Minimum Exterior Side Yard Width shall be 8 metres
 - d. The Minimum Interior Side Yard Width shall be 3 metres
 - e. The Maximum Building Height shall 10 metres”
2. That Zoning District Map number 17 be amended accordingly
3. This bylaw shall come into force and take effect on the date of its passing thereof by Council.

Read a first, second and third time and finally passed on June 21, 2021.

Mayor

Clerk



Report to Council

Department: Development Services
Division: Planning
Date: June 21, 2021
Prepared by: Rita Jabbour, RPP, Manager, Planning Services
Report Number: PLANNING2021-12
Subject: Zoning Bylaw Amendment to Permit and Regulate
Second Dwelling Units in the Town of Essex
Number of Pages: 8 including attachments

Recommendation(s)

That Planning report PLANNING2021-12 entitled Zoning Bylaw Amendment to Permit and Regulate Second Dwelling Units in the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 21, 2021 be received, and

That Bylaw Number 2035, Being a Bylaw to Amend the Comprehensive Zoning Bylaw for the Town of Essex to Permit and Regulate Second Dwelling Units, be adopted for two readings only.

Purpose

To provide Council with proposed amendments to the Comprehensive Zoning Bylaw, Bylaw 1037, to permit the addition of a Second Dwelling Unit (SDU) in a main dwelling or a detached structure in the Agricultural district and select Residential districts throughout the Town of Essex.

The Municipality is required under subsection 16 (3) of the Planning Act to have policies in the Official Plan permitting the use of a SDU in a detached, semi-detached or townhouse dwelling, and the use of a SDU in a building or structure ancillary to those dwellings. The Zoning Bylaw gives effect to these policies by regulation.

Background and Discussion

A Second Dwelling Unit (SDU) is a separate and independent housekeeping unit which includes its own entrance, bathroom and kitchen facilities, living room and bedrooms. As a housekeeping unit, an SDU is not a short term rental to be used as accommodations by the traveling public. A SDU is intended to be used as long term accommodation for those seeking affordable rental housing alternatives.

In 2019, the *More Homes, More Choice Act* made amendments to that section of the Planning Act authorizing the addition of SDUs to require all Official Plans to have policies permitting two (2) residential units within a single-detached, semi-detached and townhome dwelling, and in a building or structure ancillary to the dwelling. The specific intent of the policy change is to provide affordable housing **opportunities, particularly rental housing. It is the Town's** decision to determine where and how such dwelling units will be accommodated, the applicable regulations and levels of service.

In order to achieve the directive of the *More Homes, More Choice Act*, an application to the Manager of Planning Services for the County of Essex for an Amendment to the Town of Essex Official Plan is required in order to include:

- Official Plan policies allowing a SDU in a building ancillary to a main dwelling in the Agricultural District, and
- Official Plan policies allowing a SDU in a main dwelling and in a detached ancillary building or structure in a Residential District.

An application to the County of Essex was made on Tuesday June 8th, 2021. **A decision on the application is still pending.**

In order to give effect to the proposed policy changes, amendments will be required to Bylaw **1037, the Town's Comprehensive Zoning Bylaw**, to provide for a SDU as a permitted use in a main building or in a detached building or structure ancillary to the main dwelling in the Agricultural District and select Residential Districts. Zoning amendments to regulate the location, setbacks, height, floor area and parking requirements are also required for a SDU in detached ancillary structures.

A Public/Special Council meeting was held virtually on Tuesday April 6th, 2021 to consider the proposed amendments to the Official Plan and Zoning Bylaw and to hear public feedback on the addition of SDU policies and regulations. **Attached is a copy of the Presentation from the Public/Special Council meeting.** A survey on the topic was published for two (2) weeks prior to the meeting and garnered 157 responses.

When asked if the building footprint of a SDU in a detached ancillary building should be limited to 70 square metres, forty-one (41) respondents neither agreed nor disagreed, and forty-one (41) respondents objected to the regulation.

When asked if the height of the SDU in a detached ancillary building should be restricted to one (1) storey or the first floor of an existing two-storey ancillary building, thirty-eight (38) respondents neither agreed nor disagreed and thirty-nine (39) respondents strongly disagreed.

Ultimately, Council supported limiting the height of a SDU in a detached ancillary building to one (1) storey in a required yard and allowing for a two (2) storey SDU structure outside of a required yard.

Draft zoning regulations and official plan policies were presented to Council on April 19th, 2021 through Planning report 2021-09. **Attached is a copy of that report.** Although Council approved the Official Plan Policies and directed Administration to submit the application for

Official Plan Amendment to the County of Essex for final decision-making, Council expressed some concerns regarding the draft zoning regulations. The following is a summary of Council's main concerns with the draft zoning regulations:

- Council members had concerns with permitting a SDU in a required yard, such as a rear yard or side yard, due to its impact on the privacy of abutting neighbours. The suggestion was that a SDU should be located in the building envelope for the main dwelling
- Council also made comments concerning the 40 percent (%) lot coverage regulation in low density residential districts as it relates to the impact on the adjacent neighbours, and the parking regulation.

If an SDU is located in a main dwelling and within the building envelope, there will be little to no impact on the neighbouring lots. The proposed zoning regulation would require a proponent to provide one (1) **on-site** parking space for **each dwelling unit**. Compliance with the parking regulation will be assessed at the time of building permit where the proponent will be required to submit a site plan showing the on-site parking space.

Bylaw 2035

Bylaw 2035 amends Zoning Bylaw 1037 by substituting the following regulations and general provisions for Second Dwelling Units (SDU):

- a) One (1) second dwelling unit shall be an additional permitted use in a single-detached dwelling or a semi-detached or townhome dwelling unit, provided that:
 - (i) the lot is in an Agricultural District or a Residential District but not in a Residential District permitting exclusively dwellings for three season occupancy or mobile homes;
 - (ii) there is no outward indication of the existence of the second dwelling unit, except as mandated by the Ontario Building Code;
- b) Alternatively, but not in combination with a) above, one (1) second dwelling unit shall

be an additional permitted use in a building ancillary to a single-detached dwelling, semi-detached dwelling unit or townhome dwelling unit, provided that:

- i. the lot is in an Agricultural District or a Residential District but not in a Residential District permitting exclusively dwellings for three season occupancy or mobile homes;
- ii. the second dwelling unit shall not be permitted in an ancillary building located in a required yard.

a) General Provisions:

- i) the lot has frontage on a street and is serviced by a municipal sanitary sewer of sufficient capacity or an approved septic system of sufficient capacity, an approved storm water outlet and a piped water supply;
- ii) Only one (1) water and sanitary service connection will be permitted per lot to service the secondary dwelling unit when available services are municipally owned and operated. A separate service connection for the second dwelling unit will not be permitted. All municipal water for the second dwelling unit must pass through the existing water meter. No secondary water meter or water account will be permitted for the second dwelling unit. A second dwelling unit with access to municipally-owned and -operated water and sanitary services will not be permitted to connect to any existing private on-site septic facilities or water system.
- iii) one (1) onsite parking space is provided for each dwelling unit;
- iv) the main dwelling and the lot on which it is located conform to all regulations of the Zoning District, in which the lot is located, applicable to them;
- v) the provisions of clauses 8.4, i) and iii), do not apply to a second dwelling unit; (Clause 8.4 i) and iii) prohibits the use of a cellar, either in whole or in part, as an individual dwelling unit, and limits the size of a dwelling unit to 60 square metres (650 square feet) in gross floor area for a single detached, semi-detached or townhome dwelling).

- vi) a second dwelling unit shall not be used as a short term rental unit.

Bylaw 2035 makes amendments to subsection 9.3, Special Lot and Yard Provisions, by excluding a second dwelling unit in a building ancillary to the main building when located 1.2 (4 feet) from a side or rear lot line. Bylaw 2035 also makes amendments to subsection 10.3, Accessory Buildings, by allowing a second storey on an accessory building where a second dwelling unit is proposed, but not on an accessory building located in whole or in part in a required yard.

Bylaw 2035 will only come into effect once the County of Essex approves the Official Plan Amendment to provide for SDU policies in the Town of Essex Official Plan, and when finally adopted through a third and final reading by Town of Essex Council.

Financial Impact

The Development Charges Act was recently amended to exempt Development Charges for the addition of a Second Dwelling Unit (SDU) in a main dwelling or in a building ancillary to a *new* main dwelling. Therefore, no development charges will be applicable for the construction of a SDU in the Town of Essex in these circumstances. Since development charges are calculated based on growth estimates at cost, the municipality is required to fund any municipal waived development charges if not exempted under the Development Charges Act and its associated regulations.

The addition of SDU policies may have impacts on servicing capacity for hard and soft services such as roads and community parks as more density is created to allow for more residents. However, these expenditures may be partially offset by an increase in the assessed value of residential and agricultural properties due to the SDU, resulting in additional tax revenue for the Town of Essex.

Consultations

Doug Sweet, Director of Community Services/Deputy CAO

Jeffrey R. Morrison, Director, Corporate Services/ Treasurer

Kevin Girard, Director, Infrastructure Services

Robert Auger, Town Solicitor/Clerk

Kevin Carter, C.B.O. /Manager, Building Services

Jeff Watson, Planner

Notice of the application for Official Plan amendment and Zoning Bylaw amendment was circulated to all persons and public bodies required to be notified under section 3 of Ontario Regulation 543/06 and subsection 5(9) of Ontario Regulation 545/06, including staff members from each Town of Essex department.

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ **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:	Zoning Bylaw Amendment to Permit and Regulate Second Dwelling Units in the Town of Essex .docx
Attachments:	<ul style="list-style-type: none">- Bylaw 2035.docx- SDU Presentation - Final.pdf- Official Plan and Zoning Bylaw Amendments for Second Dwelling Units in Town of Essex .pdf- Draft Zoning Bylaw.pdf- Bylaw 2013.pdf
Final Approval Date:	Jun 15, 2021

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



Lori Chadwick, Director, Development Services - Jun 14, 2021 - 1:36 PM



Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:49 PM



Public Meeting

Regarding Changes to Second Dwelling Unit (SDU) Policies and Regulations for the Town of Essex

April 6, 2021



Purpose of Meeting:

At this Statutory Public Meeting, Council hears representations from the public in regards to the merits and concerns related to new Official Plan Policies and Zoning By-law Regulations related to the construction of Second Dwelling Units

Council does not make a decision at this time.



Definitions

Planning Act -provincial legislation that sets out the ground rules for land use planning in Ontario.

Official Plan –Municipal Policy that sets the general land use planning policies for the Town

Zoning Bylaw –Municipal regulations that provide a legal framework for implementing the objectives and policies of the Official Plan

Ancillary –means a use which complements and otherwise provide a service to the main uses of the zoning district in which it is located (clearly secondary and not permitted on its own)



More Homes, More Choice Act (2019)

To increase the opportunities for a wider range of available housing, in 2019 the Province amended the *Planning Act* to require municipalities to have *Official Plan* policies authorizing the use of two (2) residential units in a dwelling (Single, Semi or Townhouse) AND a residential unit in a building *ancillary* to a dwelling.

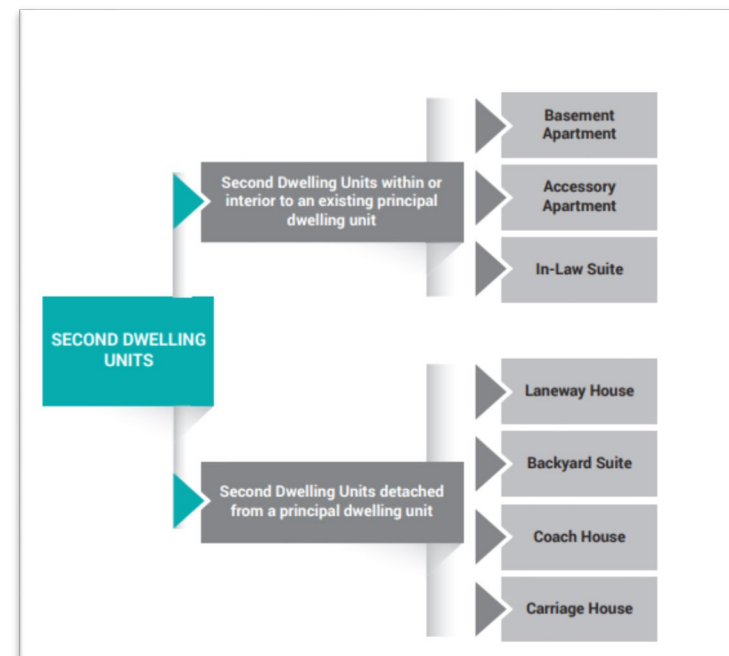
It is the Town's decision to determine where and how such dwelling units will be accommodated, the applicable *Zoning Bylaw* regulations and levels of service.

Second Dwelling Units (SDU)

A Second Dwelling Unit is a self contained-residential unit within a main dwelling (ie. single, semi, townhome dwelling unit) or within a detached structure on the same lot as the main dwelling (ie. within a detached garage).

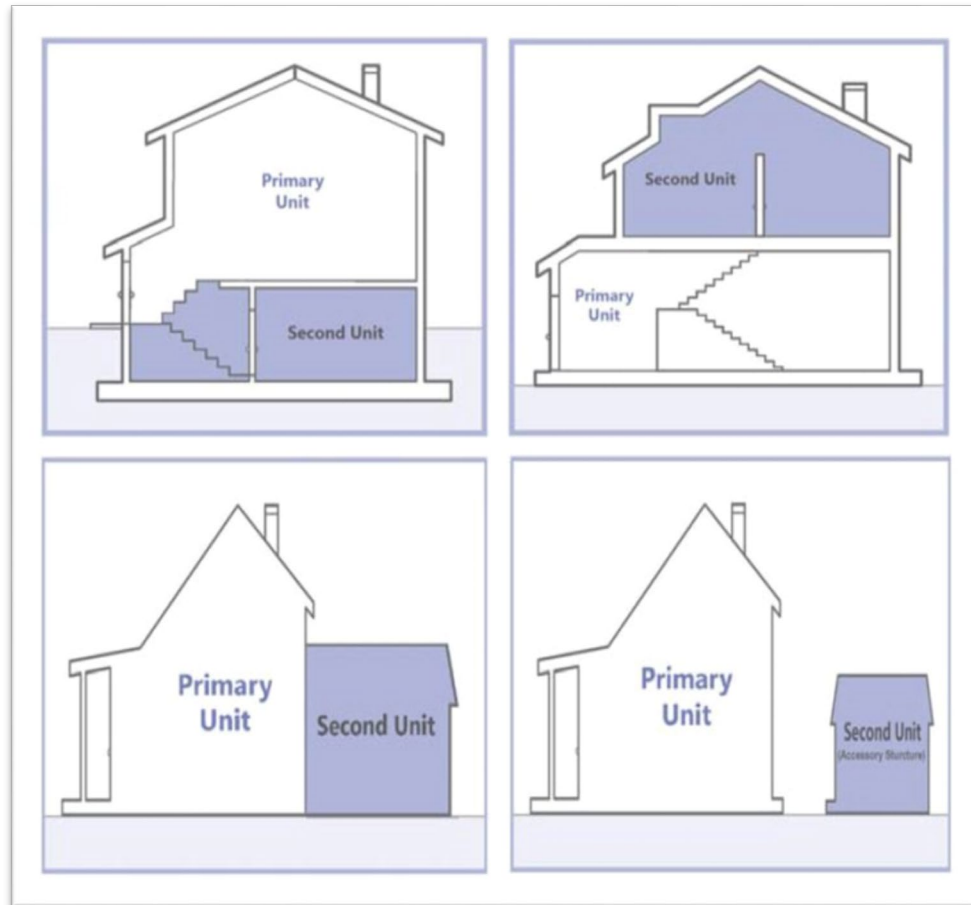
An SDU includes:

- A private kitchen
- Bathroom facilities
- Sleeping areas
- Entrances thereto



Source: City of Hamilton, *Creating a House and a Home*

Examples of a Second Dwelling Unit (SDU)





Benefits of Second Dwelling Units (SDU)

Provincial objectives, supported by the Town of Essex Official Plan and Strategic Plan:

- Increase the supply and range of affordable rental accommodation
- Support changing demographics by providing more housing options for extended families, elderly parents or for a live-in caregiver.
- Make more efficient use of existing infrastructure and the existing housing stock

A Second Dwelling Unit is NOT a short term rental



Current SDU Policies in the Official Plan

Section 4.22 “Residential Intensification and Affordability”

Second Dwelling Units

- Supports opportunity for its residents to create SDU
- One (1) SDU is permitted within a dwelling and in buildings *ancillary* to the main dwelling in general locations as set out in the land use designations of the Official Plan and the Zoning Bylaw

Current SDU Policies in the Official Plan

Section 5.4 “Lands Designated Agricultural”

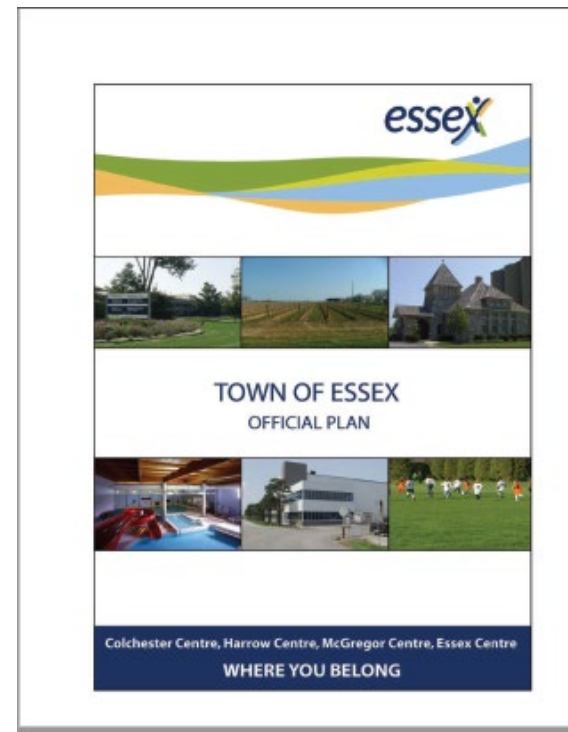
Second Dwelling Units

- Are permitted within the main dwelling

Section 5.7 “Lands Designated Residential”

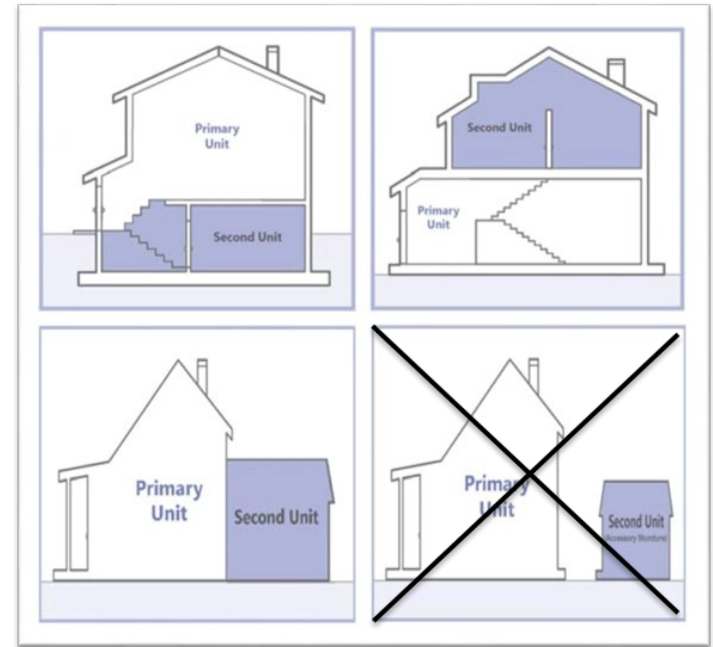
Second Dwelling Units

- Are permitted within a dwelling, OR
- In a building *ancillary* to the main dwelling



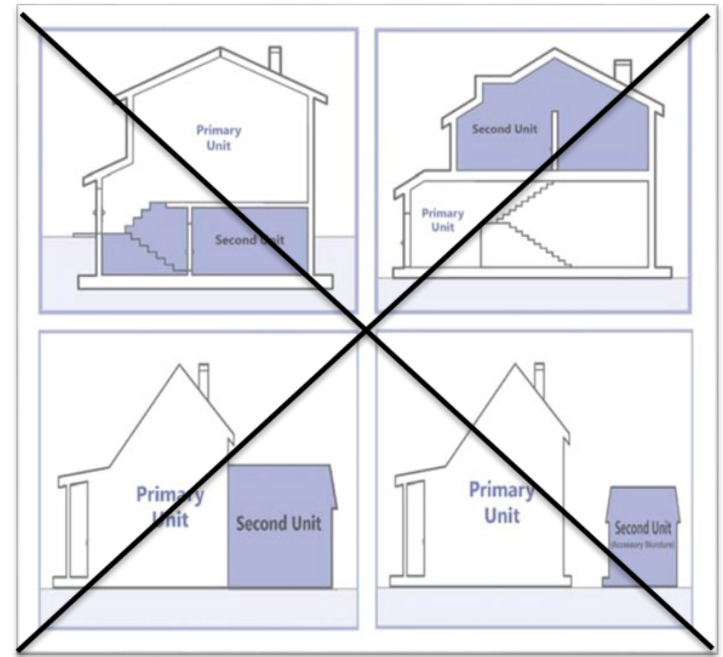
Current SDU Regulations in the Zoning By-law for Residential Districts

- A SDU is **permitted within a single, semi or townhome dwelling unit** in select residential districts
- A SDU is **not permitted in a detached building on the same lot as a main dwelling** in select residential districts
(Requires a site-specific zoning amendment)



Current SDU Regulations in the Zoning By-law for Agriculture Districts

- A SDU is **not permitted within a dwelling unit in an agricultural district** (Requires a site-specific zoning amendment)
- A SDU is **not permitted within a detached building on the same lot as a main dwelling** (Requires an Official Plan Amendment)





Required Amendments to the Official Plan

- In order to permit an SDU in an accessory building to a house in an Agricultural Zoning District, an amendment to the Official Plan (OPA) is necessary.
- Approval of an OPA is required by both Council and the County of Essex Manager of Planning Services. Preliminary discussion with the County Planner has indicated there would be support for such an amendment.
- An OPA can be submitted for approval concurrently with the amending zoning by-law(s).

THERE ARE NO APPEALS OF OFFICIAL PLAN POLICIES RESPECTING SECOND DWELLING UNITS



Required Amendments to the Zoning By-law

- In order to permit an SDU in a main dwelling in the Agricultural district and within a detached ancillary structure on the same lot as a main dwelling in the Agricultural District and select Residential districts, an amendment to the Zoning By-law (ZBA) is necessary.
- A ZBA is also necessary in order to implement regulations respecting the location and number of SDU, and maximum floor area, height, parking and setback regulations between property lines and existing structures.
- Approval of a ZBA is required only by Town Council

THERE ARE NO APPEALS OF BYLAW REGULATIONS RESPECTING SECOND DWELLING UNITS



Required Regulations

Ontario Regulation 299/19: Additional Residential Units

- Each additional residential unit shall have one (1) parking space that is provided and maintained for the sole use of the occupant of the additional residential unit
- Parking space may be a *tandem parking space* (a parking space which can only be accessed by passing through another parking space from a street, lane or driveway)
- An additional residential unit may be occupied by any person regardless of relationship to land owner
- An additional residential unit is permitted regardless of the date of construction of the primary residential unit.

It is the Town's decision to determine where and how such dwelling units will be accommodated, the applicable *Zoning Bylaw* regulations, and levels of service.



Public Consultation

What we did:

1. Created a Survey on SDU to garner public feedback (March 11-26)
2. Created **Essex.ca/SDUs** homepage to host information and links to documents and survey
3. Published Advertisements in both local newspapers
4. Published multiple posts to Town of Essex Facebook and Twitter pages
5. Created a media release and it sent to local media outlets and community contacts (eg. BIA, Chamber of Commerce, etc), as well as posted to corporate website
6. Purchased a \$100 Facebook ad campaign geo-targeted to Town of Essex residents



Public Consultation

Outreach and Outcome:

- Media Release was published in both local newspapers and AM800
- 157 survey responses
- **Facebook Video:** 11 shares and 11 engagements, 1,600 people reached. (1.6x higher engagement than other video content)
- **Facebook Post** (boosted): 5,370 Reach, 198 Link Clicks, 386 engagements including 34 shares and 25 comments
- Combined web traffic to SDUs webpage and online survey was 1,667 page views



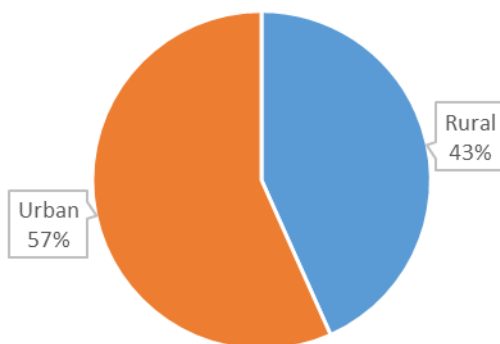
SDU Survey

1. Is your home in an urban or rural setting?
2. If rural, is it a farm?
3. Do you support the option of having a SDU in either a main dwelling or detached in an accessory building to a main dwelling?
4. Do you wish to construct a SDU?
5. Do you support the opportunity to have a SDU in either a main dwelling or in a detached accessory building located in an Agricultural Zone?
6. Do you wish to construct a SDU in your home or in a detached building?
7. Do you agree or disagree that the SDU should be limited to a maximum size of 70m² (750 sq. ft.)?
8. Do you agree or disagree that the SDU should be restricted to one storey or on the first floor of an existing two-storey accessory building

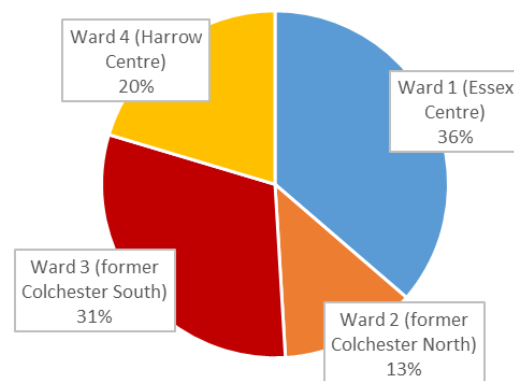
Survey Results:

- Majority of respondents considered themselves “Urban”
- Majority of respondents from Ward 1 and 3

Respondents Home Setting (Urban or Rural)

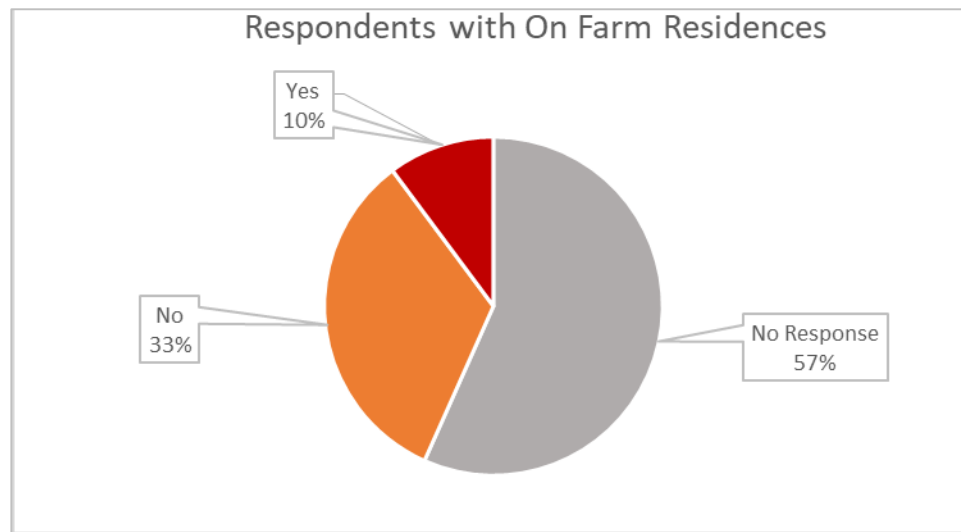


Responses by Ward



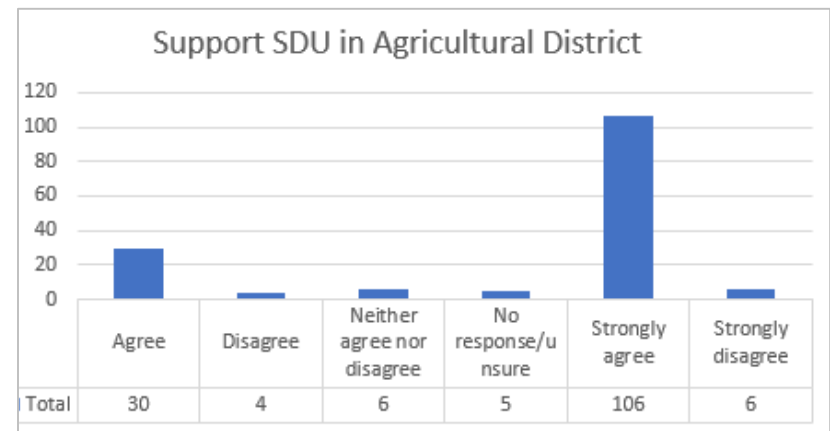
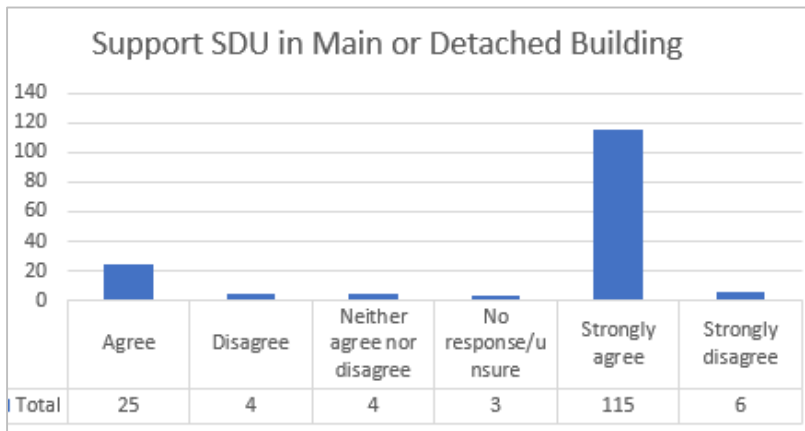
Survey Results:

- Majority of respondents **do not** reside on a farm



Survey Results:

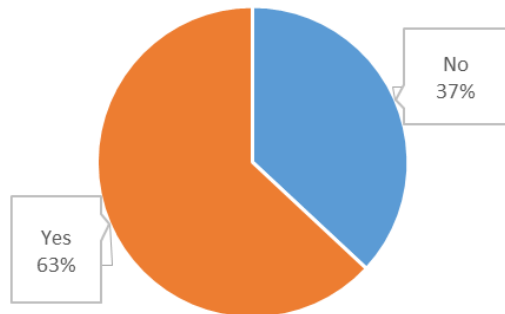
- Majority of respondents supports an SDU in a main dwelling or detached building
- Majority of respondents support an SDU in a main dwelling or detached building in the Agricultural zone



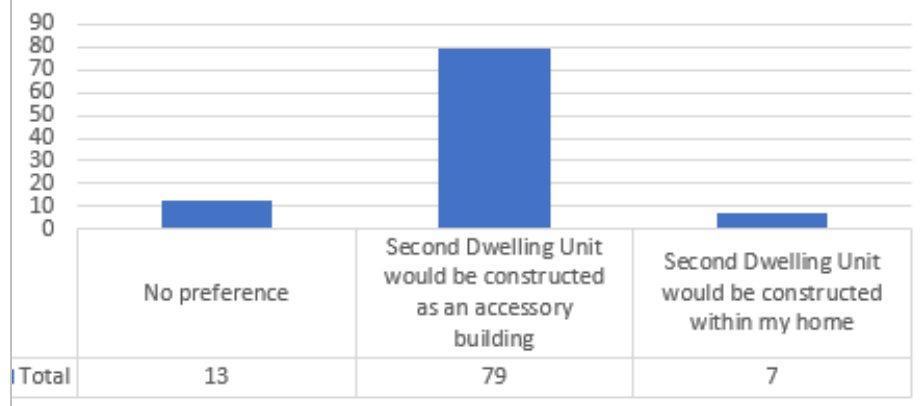
Survey Results:

- Majority of respondents considering constructing a SDU
- Majority of respondents wish to construct a SDU in a detached structure

Respondents Considering Constructing a SDU



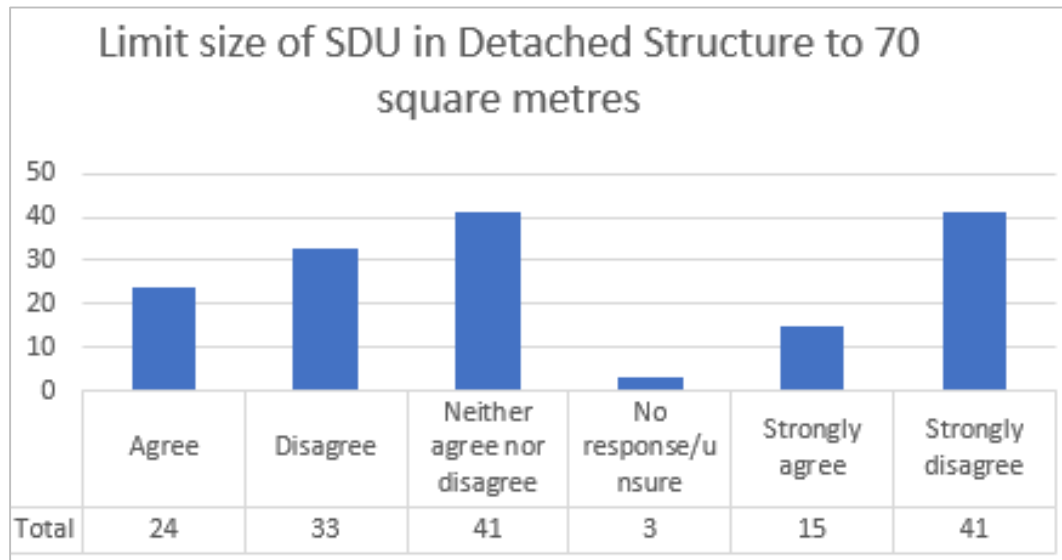
Location of SDU



**Only those who indicated they were interested in constructing an SDU received this question*

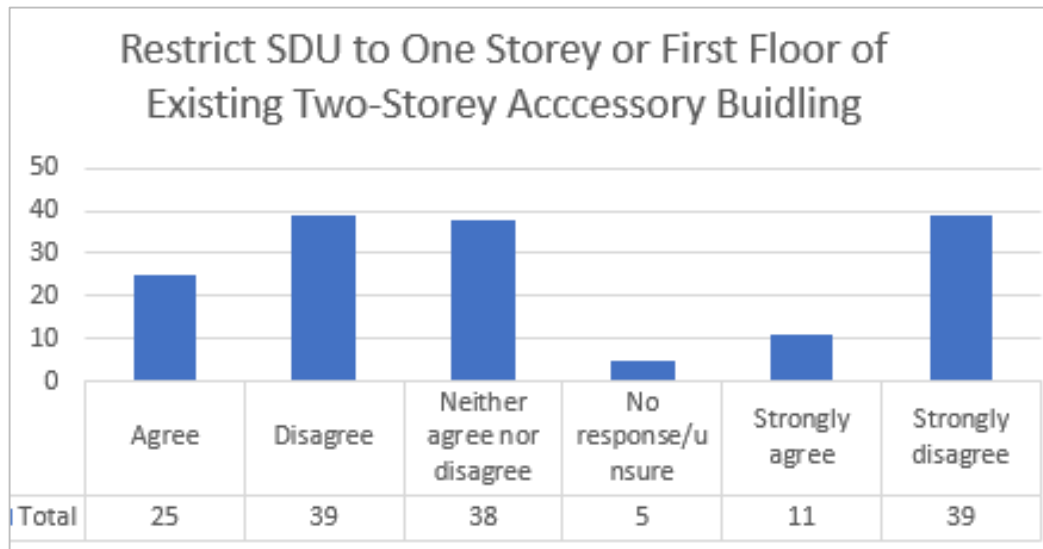
Survey Results:

- Majority of respondents **do not** support limiting the size of a SDU in a detached building to 70 square metres



Survey Results:

- Majority of respondents **do not** support limiting the height of a SDU in a detached building





Highlights of Public Comments:

- Viable/necessary option for those seeking extra income through rental property or those seeking affordable housing options especially for parents and aging family members and young individuals such as adult children who cannot afford to enter the housing market
- Ground floor limit of 70 square metres is not sufficient to accommodate a family or generate sufficient rental income to support the investment
- Support for option of having two-storey unit, or a unit on the upper floor of an unattached building such as a garage
- Concern that SDUs will be used as short term rentals

Agency Comments:

Department/Agency	Comments	Proposed Regulation
Essex Region Conservation Authority (ERCA)	No objections. Request further consideration and dialogue as it relates to SDU in flood prone or hazards area	Must permit SDU. Will be subject to ERCA approval
Infrastructure Services	Will not be permitted their own separate service connections. May have impact on servicing in areas with limited capacity	Need to have sufficient servicing capacity and frontage on street
Building Division	No objections. SDU subject to building Code regulations	
County of Essex	No objections	



Proposed Policies and Regulations:

1. Proposed amendment to the Town of Essex Official Plan:
Under subsection 5.4, Lands Designated “Agricultural”, Policies, Permitted Uses, amend paragraph f) iii), which reads, “one second dwelling unit in the main dwelling” to “one second dwelling unit in the main dwelling or in an accessory building to the main dwelling”



Proposed Policies and Regulations:

2. Proposed revisions to Zoning By-law 1037, the Town of Essex general land use zoning by-law:

i) Amend the definition of “Second Dwelling Unit” to read as follows:

Second Dwelling Unit means a second dwelling unit constructed within a single detached dwelling, semi-detached or townhome dwelling unit **or in an accessory building to a single detached dwelling, semi-detached or townhome dwelling unit for the purpose of providing full time residential accommodation of a person or persons.**



Proposed Policies and Regulations:

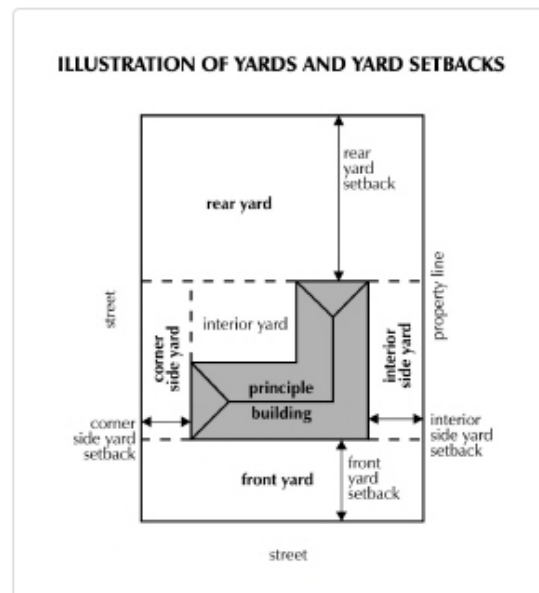
ii) Revise Section 8.15 “Second Dwelling Units” to allow:

- An option for allowing a SDU in main dwelling or a detached structure in Agricultural and select Residential District but **not** in both to limit adverse impacts to infrastructure, mitigate parking issues and impacts to our Development Charges reserves
- A two-storey SDU if not located within a *required yard*
- Maximum floor area to be dictated by *maximum lot coverage regulation* for respective zoning district but no greater than floor area of primary dwelling

Proposed Policies and Regulations

Two-storey option for SDU constructed outside of a required yard:

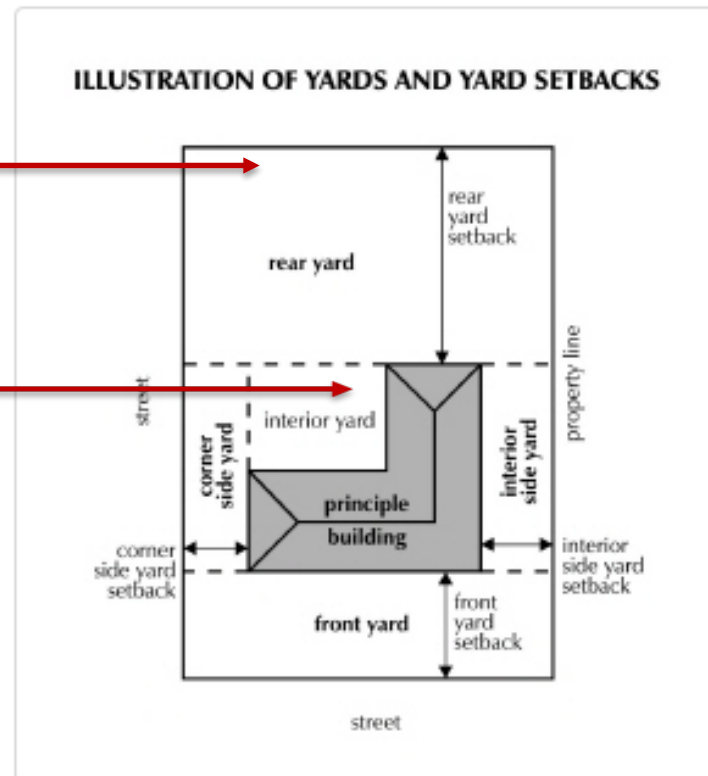
A required yard is defined as an unoccupied and unobstructed open space from ground to sky, required for each individual zoning district, except for any encroachment or structure permitted in the Zoning Bylaw.



Proposed Policies and Regulations

If SDU located here, limited to one (1) storey
(can apply for minor variance to permit two-storey)

If SDU located here, two (2) storey SDU permitted
(not permitted within 6 feet of existing dwelling)



Proposed Policies and Regulations

Maximum floor area to be dictated by maximum lot coverage regulation for respective zoning district but no greater than floor area of primary dwelling:

Lot coverage is the percentage of lot area covered by all buildings at grade.

Subsection 14.1 Residential District 1.1 (R1.1)

Low density housing on urban lots			
a) Permitted Uses			
i. Main use	One Single Detached Dwelling or One Bed and Breakfast Dwelling	Lawfully Existing Duplex Dwelling	Lawfully Existing Semi-Detached Dwelling
ii. Accessory use	Any use accessory to the Main Use		
b) Regulations			
i. Lot Width – Minimum	15m (50f)	18m (60f)	21m (70f)
ii. Lot Area – Minimum	460m ² (5000f ²) for a lot serviced by a sanitary sewer 1850m ² (20,000f ²) for a lot not serviced by a sanitary sewer	555m ² (6000f ²)	650m ² (7000f ²)
iii. Lot Coverage – Maximum	40% of lot area	40% of lot area	40% of lot area
iv. Building Height – Maximum	10m (32f) for a main building 1 storey for an accessory building	10m for a main building 1 storey for an accessory building	10m for a main building 1 storey for an accessory building
v. Front Yard Depth – Minimum	7.5m (25f)	7.5m	7.5m
vi. Rear Yard Depth – Minimum	7.5m	7.5m	7.5m

Subsection 14.2 Residential District 1.2 (R1.2)

Pleasant Valley - estate residential, limited agricultural uses			
a) Permitted Uses			
i.	Main use	One Bed and Breakfast Dwelling or One Single Detached Dwelling	Horse farm Other Agricultural Operation exclusive of a Livestock Intensive Agricultural Use
ii.	Lawfully existing main use	Livestock intensive horse farm Other livestock intensive agricultural use in operation since November 3, 1987	
iii.	Accessory use	Any use accessory to the main use	
b) Regulations			
i.	Lot Width – Minimum	60m (200f)	
ii.	Lot Area – Minimum	4h (10a)	
iii.	Lot Coverage – Maximum	25% of lot area	
iv.	Building Height – Maximum	10m (32f)	
v.	Front Yard Depth – Minimum	15m (50f)	
vi.	Rear Yard Depth – Minimum	15m (50f)	
vii.	Side Yard Width – Minimum	3m (10f) for an interior side yard 15m for an exterior side yard	
viii.	Each dwelling shall have storm water and sanitary facilities and electrical and potable water services approved by the Town or other authority having jurisdiction		
ix.	For this zoning district, horses shall be permitted at a maximum ratio of two (2) horses for each 0.4 hectares (1 acre) of lot area; all other livestock and poultry shall be permitted at a ratio of 0.5 animal units for each 0.4 hectares to a maximum of five (5) animal units. In calculating the total lot area to determine the maximum permitted		

b) Regulations	
i. Lot Width – Minimum	The lesser of 60m (200f) or as existing, unless otherwise specifically provided
ii. Lot Area – Minimum	The lesser of 40h (100a) or as existing, unless otherwise specifically provided
iii. Lot Coverage – Maximum	25% of lot area
iv. Building Height – Maximum	10m (32f) for a dwelling 15m (49f) for all other buildings
v. Front Yard Depth – Minimum	15m (50f)
vi. Rear Yard Depth – Minimum	15m
vii. Side Yard Width – Minimum	3m (10f) for an interior side yard 15m for an exterior side yard
viii.	A bed and breakfast dwelling shall have a minimum lot area of 1850m ² (20,000f ²).
ix.	A farm equipment sales and service establishment shall only be on a lot having a minimum lot area of 2ha (2.5a) and lot width of 30m (100f).
x.	A farm production support use, if not ancillary to an agricultural operation on the same lot, shall only be permitted on a lot having a minimum lot area of 2ha (2.5a) and lot width of 30m (100f).
xi.	A kennel, which is not entirely within a dwelling, shall be a minimum of 60m (200f) from a dwelling not on the same lot as the kennel.
xii.	A mushroom farm shall not be permitted within 350m (1150f) of a Residential District. A facility used for the growing, storage, packaging, or distribution of marijuana and or hemp shall be licensed by the licensing authority having jurisdiction and shall be a minimum of 300 m (985f) from a dwelling and a Green District and 500 m (1640f) from a Resident District.
xiii.	A nursery shall have a minimum lot area of 2ha (5a) the lesser of 2ha (5a).
xiv.	A riding stable shall only be permitted on a lot having a minimum lot area of 2ha (5a) and lot width of 30m (100f).



Next Steps:

1. A report to Council and proposed Bylaw will be prepared for Council's decision at the April 19, 2021 Regular Council Meeting.
2. At the April 19, 2021 Council Meeting, Council may:
 - Approve the Official Plan Amendment or defer decision if further information is required
 - Approve Zoning Bylaw amendment or defer decision if further information is required
 - Material regarding Official Plan Amendment will be submitted to County of Essex for Approval
 - If County approves, notice of Official Plan Amendment and Zoning Bylaw Amendment for SDUs will be published in local papers

Thank You!

Questions?





Report to Council

Department: Development Services
Division: Planning
Date: April 19, 2021
Prepared by: Rita Jabbour, RPP, Manager, Planning Services
Report Number: Planning 2021-09
Subject: Official Plan and Zoning Bylaw Amendment(s) to permit
Second Dwelling Unit (SDU) Policies and Regulations for
the Town of Essex

Number of Pages: 11 including attachments

Recommendation(s)

That Planning report PLANNING2021-09 entitled Official Plan and Zoning Bylaw Amendment(s) to permit Second Dwelling Unit (SDU) Policies and Regulations for the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated April 19, 2021 be received, and

That Bylaw Number 2013, Being a Bylaw to Amend the Official Plan for the Town of Essex to Permit Second Dwelling Unit Policies in Detached Structures on Lands Designated "Agricultural", be approved, and

That Council direct Administration to prepare a Zoning Bylaw Amendment with the proposed zoning regulations concerning Second Dwelling Units under Appendix B.

Purpose

To provide Council with proposed amendments to the Town of Essex Official Plan and Comprehensive Zoning Bylaw, Bylaw 1037, to permit the addition of a Second Dwelling Unit (SDU) in a main dwelling or a detached structure in the Agricultural district and select Residential districts throughout the Town of Essex.

The Municipality is required under subsection 16 (3) of the *Planning Act* to have policies in the Official Plan permitting the use of a SDU in a detached, semi-detached or townhouse dwelling, and the use of a SDU in a building or structure ancillary to those dwellings. The Zoning Bylaw gives effect to these policies by regulation.

Background and Discussion

Early Provincial Initiatives

In 2011, the Province of Ontario through the *Strong Communities through Affordable Housing Act*, required that each municipality have in place in their Official Plan, policies authorizing the addition of a Second Dwelling Unit (SDU) in a single-detached, semi-detached and townhome dwelling, or in a building or structure ancillary to the dwelling.

A SDU is a separate and independent housekeeping unit which includes its own entrance, bathroom and kitchen facilities, living room and bedrooms. As a housekeeping unit, an SDU is **not** a short term rental to be used as accommodations by the traveling public. A SDU is intended to be used as *long term accommodation* for those seeking *affordable rental housing alternatives*.

The Town of Essex complied with the mandates of the *Strong Communities through Affordable Housing Act* by amending the Official Plan to include policies permitting one (1) SDU in a single-detached dwelling and in a semi-detached and townhome dwelling unit, or, alternatively, in a building accessory to them, at general locations and in such manner, as specifically set out in the land use designations of the Official Plan and the Zoning By-law.

Current SDU Policies and Regulations Respecting Residential and Agricultural Lands

For those lands designated “Residential” in the Official Plan, other than those permitting three (3) season occupancy and mobile homes, the Official Plan includes policies permitting the addition of a SDU in a main dwelling or, as an alternative, in an ancillary/accessory building subject to compliance with the applicable provisions of the Official Plan and the Zoning Bylaw, but not on a lot having a garden suite.

For those lands designated “Agricultural”, the Official Plan includes policies permitting the addition of a SDU in a main dwelling but not in an accessory building.

The Town’s Comprehensive Zoning Bylaw, Bylaw 1037, gives effect to these SDU policies. Section 8.15 of Bylaw 1037 permits one (1) SDU as an additional permitted use **within** a single-detached dwelling or a semi-detached or townhome dwelling unit forming the main use of the lot in a **Residential zoning district only**, subject to compliance with the zoning regulations. Residents seeking to construct a SDU in a detached building ancillary to a dwelling in a Residential district would require an application for site specific amendment to the zoning bylaw.

In an Agricultural zoning district, Bylaw 1037 **prohibits** a SDU in a main dwelling or in an accessory building. Residents seeking to construct a SDU in the main dwelling in an Agricultural district would require an application for site specific amendment to the zoning bylaw. Residents seeking to construct a SDU in a detached building ancillary to a dwelling in the Agricultural district would require an application for Official Plan Amendment.

Expanded Provincial Mandates

In 2019, the *More Homes, More Choice Act* made amendments to that section of the *Planning Act* authorizing the addition of SDUs to require all Official Plans to have policies permitting two (2) residential units within a single-detached, semi-detached and townhome dwelling, and in a building or structure ancillary to the dwelling. The specific intent of the policy change is to provide affordable housing opportunities, **particularly rental housing. It is the Town’s decision**

to determine where and how such dwelling units will be accommodated, the applicable regulations and levels of service.

Required Amendments

In order to achieve the directive of the *More Homes, More Choice Act*, an amendment to the Official Plan is required in order to allow a SDU in a building ancillary to a main dwelling in the Agricultural District. Amendments to the Official Plan are also required to allow for the opportunity to construct a SDU in a main dwelling **and** in a detached ancillary building or structure in a Residential District since the Official Plan currently only provides for either option but not in both.

In order to give effect to these policy changes, amendments are also required to Bylaw 1037 to provide for a SDU as a permitted use in a main building in the Agricultural District, and within a main dwelling or in a detached building or structure ancillary to the main dwelling in the Agricultural and Residential District. Zoning amendments to regulate the location, setbacks, height, floor area and parking requirements is also required for SDU in detached ancillary structures.

April 6 Public/Special Council Meeting

A Public/Special Council meeting was held virtually on Tuesday April 6th to consider the proposed amendments to the Official Plan and Zoning Bylaw and to hear public feedback on the addition of SDU policies and regulations. **The public presentation is attached to this report as Appendix A.**

Although there were no members of the public registered as delegates, a survey on the topic was published for two (2) weeks prior to the meeting and garnered 157 responses. The majority of respondents supported the addition of a SDU in main dwellings and detached ancillary buildings in Residential and Agricultural districts. The majority of respondents who noted their intention to construct a SDU, indicated their desire to construct it in a detached building ancillary to the main dwelling on the lot.

Correction since the April 6 meeting: The presentation incorrectly identified the majority of responses as being opposed to limits on floor area and building height, when in fact the respondents were evenly split on their support and objection to limits on floor area and building height for a SDU in a detached ancillary building

Overall, Council supported limiting the height of a SDU in a detached ancillary building to one (1) storey in a required yard and allowing for a two (2) storey SDU structure outside of a required yard.

The following is summary of Council's comments and concerns and Administration's responses and recommendations:

Comment/Concern	Response/Recommendation
1. SDU may become Short Term Rentals	SDUs are to be used for long term residential accommodation. The Town is seeking to regulate Short Term Rentals through a separate Zoning Bylaw Amendment. Work is in progress on a community survey and public open house to explore the issue. A business licensing system will be vital to ensuring SDUs do not become Short Term Rentals.
2. SDU in ancillary buildings should have a square foot limit or be only 50 percent of the size of the main dwelling	The proposed regulation lets the prescribed maximum lot coverage for the respective zoning district dictate the size of the SDU. Currently, a low density residential district allows a maximum of 40 percent of the lot area to be covered by all buildings at grade (includes dwellings and accessory structure

Comment/Concern	Response/Recommendation
	<p>such as detached garage). The maximum lot coverage for a Rural Residential and Agricultural district is 25 percent. The size of the SDU will therefore be limited by this regulation by default. Proposed regulation also stipulates that detached ancillary SDU cannot be larger than the main dwelling.</p> <p>Recommendation: Allow lot coverage regulation to dictate size of SDU in detached building.</p> <p>Council may implement a limit in line with the current accessory structure regulations in the zoning bylaw (750 square feet) or impose a regulation of no greater than 50 percent of size of main dwelling (lot coverage would still apply in both scenarios).</p>
<p>3. SDU in ancillary detached structures may not be appropriate for an undersized lot</p>	<p>Recommendation: Add a new Zoning Bylaw regulation to section 9.3 “Special Lot and Yard Provisions” of Bylaw 1037 to permit a SDU in a main dwelling only if a lot situated in a residential district does not have the required lot area and/or lot width for that zoning district.</p> <p>This would prevent the addition of a SDU in a detached ancillary building on undersized</p>

Comment/Concern	Response/Recommendation
	residential lot. This would not apply to a SDU in an ancillary building in the Agricultural district.
4. Parking will become an issue	Proposed zoning regulation would require a proponent to provide one (1) on-site parking space for each dwelling unit . Compliance with parking regulation will be assessed at the time of building permit where the proponent will be required to submit a site plan showing parking.
5. Infrastructure may be an issue in some areas	Proposed zoning regulation will stipulate that servicing capacity must be sufficient. No building permit may be obtained if servicing is not available.

The following is summary of agency comments and concerns and **Administration's responses** and recommendations:

Department/Agency	Comments	Proposed Regulation/Comments
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Essex Region Conservation Authority (ERCA)	No objections. Request further consideration and dialogue as it relates to SDU in flood prone or hazards area	The Town must permit SDU. There is no need to include regulation respecting SDU in flood or hazard because proponent will be subject to ERCA approval as a condition of building permit approval.
Infrastructure Services	Will not be permitted their own separate service connections. May have impact on servicing in areas with limited capacity	The proposed zoning regulation requires sufficient servicing capacity and frontage on street. No building permit can be issued if these items are not in place.
Building Division	No objections. SDU subject to building Code regulations	
County of Essex	No objections. Consider including Official Plan policies prohibiting severance of detached SDUs in ancillary structures in agricultural districts.	Recommendation added to OPA bylaw.

The draft zoning regulations respecting SDU in main dwellings and ancillary dwellings are found under **Appendix B**.

Bylaw 2013

Bylaw 2013 amends Section 4.22, Section 5.4 (f) (ii), Section 5.7 (f) and (g) of the Town of Essex Official Plan to add policies respecting SDU in detached ancillary buildings in the Agricultural district, and in both the main dwelling and a building ancillary to the main dwelling in a Residential district, respectively.

Following **Council's approval**, Bylaw 2013 will be forwarded to the Manager of Planning Services for the County of Essex for approval. A Bylaw to amend the Zoning Bylaw will be **prepared for Council's consideration and adoption once County approval is received**. Notice of the passing of the Official Plan Amendment and the Zoning Bylaw Amendment will be **posted in the local papers for the public's information**.

Financial Impact

The Development Charges Act was recently amended to waive Development Charges for the addition of a Second Dwelling Unit (SDU) in a main dwelling or in a building ancillary to a main dwelling. Therefore, no development charges will be applicable for the construction of a SDU in the Town of Essex.

The addition of SDU policies may have impacts on servicing capacity for hard and soft services such as roads and community parks as more density is created to allow for more residents. However, these expenditures may be partially offset by an increase in the assessed value of residential and agricultural properties due to the SDU, resulting in additional tax revenue for the Town of Essex.

Consultations

Doug Sweet, Director of Community Services/Deputy CAO

Jeffrey R. Morrison, Director, Corporate Services/ Treasurer

Kevin Girard, Director, Infrastructure Services

Robert Auger, Town Solicitor/Clerk

Kevin Carter, C.B.O. /Manager, Building Services

Jeff Watson, Planner

Notice of the application for Official Plan amendment and Zoning Bylaw amendment was circulated to all persons and public bodies required to be notified under section 3 of Ontario Regulation 543/06 and subsection 5(9) of Ontario Regulation 545/06, including staff members from each Town of Essex department.

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ **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:	Official Plan and Zoning Bylaw Amendments for Second Dwelling Units in Town of Essex .docx
Attachments:	<ul style="list-style-type: none">- SDU Presentation - Final.pdf- Draft Zoning Bylaw.docx- Bylaw 2013.docx
Final Approval Date:	Apr 13, 2021

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



Lori Chadwick, Director, Development Services - Apr 13, 2021 - 9:59 AM



Chris Nepszy, Chief Administrative Officer - Apr 13, 2021 - 10:49 AM

Appendix A –
Draft Bylaw to Amend By-Law Number 1037
The Comprehensive Zoning By-Law for the Town of Essex
For the addition of Second Dwelling Unit Policies

Whereas By-law Number 1037 is the Town's Comprehensive Zoning By-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Essex;

And whereas the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend By-law Number 1037;

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

1. That the definition for a Second Dwelling Unit be amended under Section 7, Definitions, to read as follows:

A "Second Dwelling Unit" means a second dwelling unit constructed within a single detached dwelling, semi-detached or townhome dwelling unit or in an accessory building to a single detached dwelling, semi-detached or townhome dwelling unit for the purpose of providing full time residential accommodation of a person or persons.

2. That Subsection 8.15, Second Dwelling Units, is hereby deleted and the following substituted therefor:

"8.15 Second Dwelling Units

- a) One (1) second dwelling unit shall be an additional permitted use in a single-detached dwelling or a semi-detached dwelling or townhome dwelling unit, provided that:
 - (i) the lot is in an Agricultural Zoning District or in Residential Zoning District, not including a Residential Zoning District permitting exclusively dwellings for three season occupancy or mobile homes;
 - (ii) there is no outward indication of the existence of the second dwelling

unit, except as mandated by the Ontario Building Code;

b) Alternatively, but not in combination with a) above, one (1) second dwelling unit, shall be an additional permitted use in an accessory building to a single-detached dwelling, semi-detached dwelling unit or townhome dwelling unit, provided that:

- (i) the lot is in a Residential Zoning District, not including a Residential Zoning District permitting mobile homes or dwellings for three season occupancy exclusively;
- (ii) no second dwelling unit or part thereof shall be permitted above the ground floor of the accessory building if the accessory building is located in a required yard;

c) General Provisions:

- i) the lot has frontage on a street and is serviced by a municipal sanitary sewer of sufficient capacity or an approved septic system of sufficient capacity, an approved storm water outlet and a piped water supply;
- ii) one (1) onsite parking space is provided for each dwelling unit;
- iii) the dwelling and the lot on which it is located conform to all regulations of the Zoning District applicable to them;
- iv) the provisions of clauses 8.4, i) and iii), do not apply to a second dwelling unit;

2. That subsection 9.3, Special Lot and Yard Provisions, be amended by adding the following paragraph:

3. “a) For an existing accessory building, in a Residential District, which has less than the required setback from the side or rear lot line, the required setback shall be as existing; provided ,however, any additions thereto shall be a minimum of 1.2m (4 ft) from the side and rear lot lines. That subsection 9.3 (b), Special Lot and Yard Provisions, be amended to read as follows:

For an existing lot in a Residential District 1.1 or 2.1 (R1.1, R2.1), which has less than the minimum lot area and /or lot width required for that district, one (1) single-detached dwelling and any use accessory thereto shall be permitted uses, provided that the lot

width is a minimum of 12m (40f) and the lot area is as existing, the accessory use is not a second dwelling unit, and subject to compliance with all other applicable provisions of this by-law;

4. That subsection 10.3, Accessory Buildings, be amended by deleting paragraphs i), ii) and iii) and substituting the following therefor:

- “i) not be used in whole or in part for a dwelling unit, unless it is a permitted second dwelling unit;
- ii) not have cooking or sanitary facilities above the ground floor;
- iii) not have facilities for the preparation of food, unless such facilities are in a permitted second dwelling unit or are for an activity accessory to a permitted use not located in a Residential District;”

The Corporation of the Town of Essex

By-Law Number 2013

Being a By-Law to Amend

The Official Plan for the Town of Essex

Whereas the Official Plan sets policies and guidelines for the use of lands and the character, location and use of buildings and structures within the Town of Essex;

And whereas the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend the Official Plan to permit the option of constructing a second dwelling unit in an **accessory building on lands designated “Residential” and “Agricultural”**;

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

1. That Official Plan Amendment 8 to the Town of Essex Official Plan, attached as Schedule **“1” to this by-law**, is hereby adopted.

This By-law shall come into force and take effect upon approval of Official Plan Amendment 8 by the Manager of Planning Services for the County of Essex.

Read a first, second and third time and finally adopted on April 19, 2021.

Mayor

Clerk

Schedule "1" to By-law 2013

DETAILS OF THE AMENDMENT

The Official Plan of the Town of Essex is amended as follows:

1. **That, in subsection 4.22, "Residential Intensification and Affordability, Second Dwelling Units", the first and second paragraphs, beginning with the word "In" and ending with the word "By-law" are hereby deleted and the following substituted therefor:**

In accordance with the mandates of the Planning Act and the objectives of the *More Homes, More Choice Act* (2019), the Town supports the opportunity for its residents to create second dwelling units. Second dwelling units will help to provide affordable rental housing, accessibility to municipal and support services and job opportunities and accommodation for the elderly and other persons wanting independent living in a secure residential environment. One second dwelling unit will be permitted in a single-detached dwelling, semi-detached and townhome dwelling unit, and, in a building accessory to them, at general locations and in such manner, as specifically set out in the land use designations of this Plan and the Zoning By-law.

2. **That, in subsection 4.22, "Residential Intensification and Affordability, Second Dwelling Units", the fifth, sixth and seventh paragraphs, beginning with the word "According" and ending with the word "suite" are hereby deleted and the following substituted therefor:**

"Lands subject to restrictive zoning, servicing limitations or such other limitations identified in the Provincial Policy Statement will not be deemed to be appropriate for second dwelling units."

3. **That, in subsection 5.7, "Lands Designated Residential", provision G be deleted;**
4. **That subsection 5.4, Lands Designated "Agricultural", Policies, Permitted Uses, is hereby amended by deleting clause f (ii) (3) and by adding to clause f (iii), the following:**
"and in an accessory building to a main dwelling;"

5. That in subsection 6.5, Consents in Areas Designated "Agricultural", Divisions of Farm Land, the following clause be added:

"d) A second dwelling, created under subsection 5.4 of this Plan, cannot be severed from the lands on which the main and second dwellings are located by means of an application for consent before the Town of Essex Committee of Adjustment."

IMPLEMENTATION AND INTERPRETATION

The provisions of Official Plan Amendment 8 will be implemented by enacting appropriate amendments to the General Zoning By-law of the Town of Essex, By-law 1037.

The Corporation of the Town of Essex

By-Law Number 2035

Being a By-Law to Amend By-Law Number 1037

The Comprehensive Zoning By-Law for the Town of Essex

To Permit and Regulate Second Dwelling Units

Whereas By-law Number 1037 is the Town's Comprehensive Zoning By-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Essex;

And whereas the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend By-law Number 1037;

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

1. That the definition for a Second Dwelling Unit be amended under Section 7, Definitions, to read as follows:

A "Second Dwelling Unit" means a second dwelling unit constructed within a single detached dwelling, semi-detached or townhome dwelling unit or in a detached building ancillary to a single detached dwelling, semi-detached or townhome dwelling unit for the purpose of providing full time residential accommodation of a person or persons.

2. That Subsection 8.15, Second Dwelling Units, is hereby deleted and the following substituted therefor:

"8.15 Second Dwelling Units

- a) One (1) second dwelling unit shall be an additional permitted use in a single-detached dwelling or a semi-detached dwelling or townhome dwelling unit, provided that:
 - (i) the lot is in an Agricultural District or in a Residential Zoning District but not in a Residential District permitting exclusively dwellings for three season occupancy or mobile homes;
 - (ii) there is no outward indication of the existence of the second dwelling unit, except as mandated by the Ontario Building Code;
- b) Alternatively, but not in combination with a) above, one (1) second dwelling unit, shall be an additional permitted use in a building ancillary to a single-detached dwelling, semi-detached dwelling unit or townhome dwelling unit, provided that:
 - (i) the lot is in a Residential Zoning District, not including a Residential Zoning District permitting mobile homes or dwellings for three season occupancy exclusively;
 - (ii) no second dwelling unit or part thereof shall be permitted above the ground floor of

the accessory building if the accessory building is located in a required yard;

c) General Provisions:

- i) the lot has frontage on a street and is serviced by a municipal sanitary sewer of sufficient capacity or an approved septic system of sufficient capacity, an approved storm water outlet and a piped water supply;
- ii) Only one (1) water and sanitary service connection will be permitted per lot to service the secondary dwelling unit when available services are municipally owned and operated. A separate service connection for the second dwelling unit will not be permitted. A second dwelling unit with access to municipally owned and operated water and sanitary services will not be permitted to connect to any existing on-site private septic facilities or water systems.
- iii) one (1) onsite parking space is provided for each dwelling unit;
- iv) the dwelling and the lot on which it is located conform to all regulations of the Zoning District applicable to them;
- v) the provisions of clauses 8.4, i) and iii), do not apply to a second dwelling unit;
- vi) a second dwelling unit shall not be used

2. That subsection 9.3, Special Lot and Yard Provisions, be amended by adding the following paragraph:

That subsection 9.3 (b), Special Lot and Yard Provisions, be amended to read as follows:

For an existing lot in a Residential District 1.1 or 2.1 (R1.1, R2.1), which has less than the minimum lot area and /or lot width required for that district, one (1) single-detached dwelling and any use accessory thereto shall be permitted uses, provided that the lot width is a minimum of 12m (40f) and the lot area is as existing, subject to compliance with all other applicable provisions of this by-law. The accessory use shall not be or include a second dwelling unit;

3. That subsection 10.3, Accessory Buildings, be amended by deleting paragraphs i), iii), vi) and substituting the following therefor:

- "i) not be used in whole or in part for a dwelling unit, unless it is a permitted second dwelling unit;
- iii) not have facilities for the preparation of food, unless such facilities are in a permitted second dwelling unit or are for an activity accessory to a permitted use of a lot which is not located in a Residential district;
- vii) Notwithstanding other provisions in this by-law to the contrary, where a second dwelling unit is a permitted use in an accessory building, the maximum height of the accessory building shall be two storeys, provided that the accessory building is not located in whole or in part in a required yard."

4. This By-law shall come into force and take effect on the date of approval of Official Plan Amendment Number 8 by the Manager of Planning Services for the County of Essex.

Read a first and second time and provisionally adopted on June 21, 2021.

Mayor

Clerk

Read a third time and finally adopted on July 5, 2021

Mayor

Clerk



Report to Council

Department: Corporate Services
Division: Finance and Business Services
Date: June 21, 2021
Prepared by: Katelynn Giurissevich, CPA, CA, Manager, Finance and Business Services
Report Number: Finance and Business Services-2021-07
Subject: Revised Fees and Charges By-law and Schedules
Number of Pages: 8

Recommendation(s)

- a) Corporate Services Report 2021-07 **entitled** "Revised Fees and Charges By-law and Schedules" **be received**;
- b) That By-law 2040 being a by-law to establish miscellaneous fees and charges for the Town of Essex together with Schedule A and A.1 to By-law 2040, receive three readings and be passed accordingly with an effective date of July 1, 2021;
- c) That **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 be revised with an effective date of July 1, 2021; and
- d) That By-law 1331 being a by-law to establish miscellaneous fees and charges for the Town of Essex be repealed effective July 1, 2021.

Purpose

A By-Law and revisions to a by-law, including any related schedules, must be adopted by Council.

Background and Discussion

Administration worked with consultants BMA Management Consulting Inc. to undergo a comprehensive User Fee Study. This study reviewed user fees currently in place at the Town of Essex to ensure that the fees charged represented the true cost of the service provided.

This comprehensive User Fee Study was presented to Council on May 17, 2021.

Accordingly the relevant fee schedules and accompanying by-laws have been replaced/amended as applicable in accordance with the recommendations received within the User Fee Study and presented within this Report.

Financial Impact

The new rates for miscellaneous fees and charges will provide for sufficient revenues to offset expenses, as identified in the 2021 User Fee Study.

Consultations

Jeffrey Morrison, CPA, CGA, Director, Corporate Services

Lori Chadwick, Director, Development Services

Rita Jabbour, Manager, Development Services

Robert Auger, Town Solicitor

Kevin Girard, Director, Infrastructure Services

Kevin Carter, Chief Building Officer, Manager, Building Services

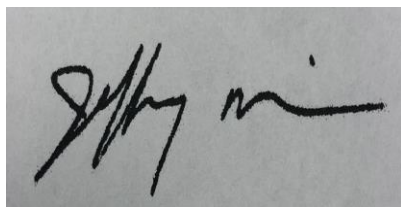
Link to Strategic Priorities

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

Report Approval Details

Document Title:	Revised Schedules to By-Laws 1812 and 2040 - Finance and Business Services-2021-07.docx
Attachments:	<ul style="list-style-type: none">- Schedule C ByLaw 1812_Tariff of Rates_Cemeteries_2021.pdf- Schedule A.1 to 2040.pdf- By-Law No. 2040- misc fees and charges.pdf- Schedule A to ByLaw 2040_2021 rates.pdf
Final Approval Date:	Jun 16, 2021

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

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

Jeffrey Morrison, Director, Corporate Services/Treasurer - Jun 16, 2021 - 9:46 AM

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

Chris Nepszy, Chief Administrative Officer - Jun 16, 2021 - 1:41 PM

By-Law Number 1812
Schedule C
Tariff of Rates

Effective July 1, 2021			
Sales	Interment (Burial) Rights	Care and Maintenance (Perpetual Care)	Total
Traditional Lot - Residential	\$700.65	\$467.10	\$1,167.75
Traditional Lot - Non-Residential	\$1,050.71	\$700.48	\$1,751.19
Niche (Columbarium) - Residential	\$1,671.39	\$294.95	\$1,966.34
Niche (Columbarium) - Non-Residential	\$2,089.24	\$368.24	\$2,457.48
Interment (Includes opening/closing grave, lowering/raising device, grass seeding)			
Casket			\$1,023.58
Cremated Remains			\$875.47
Infants			\$537.63
Niche			\$306.00
Assisted Services ¹			
Adult or Child			\$1,300.00
Cremated Remains			\$500.00
Receipt from Irregular Burial Site			\$650.00
Marker/Monument Care and Maintenance²			
Flat	Less than 173 square inches		\$0.00
	At least 173 square inches		\$50.00
Upright	At least 173 square inches		\$100.00
	More than 173 square inches		\$200.00
Lots purchased prior to January 1, 1955 where no previous care and maintenance has been paid			
Resident			\$467.75
Non-Resident			\$700.48
Other Services			
Transfer of Interment Rights (Lot Transfer)			\$156.01
Headstone Moving			\$508.36

¹Maxiumum in accordance with O. Reg. 184/12 under the *Funeral, Burial and Cremation Services Act, 2002*

²Maxiumum under the *Funeral, Burial and Cremation Services Act, 2002*

The Corporation of the Town of Essex

By-Law Number 2040

Being a by-law to establish a schedule of miscellaneous fees and charges to be collected by The Corporation of the Town of Essex

Whereas Section 391 (1) and 391 (1.1) of the Municipal Act, 2001 (as amended by Bill 130) hereinafter "Municipal Act", as amended, authorize a municipality to impose fees or charges on persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- c) for the use of its property including property under its control.

And whereas, Section 398(1) of the Act provides that the fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

And whereas, Section 398(2) of the Act provides that the Treasurer of a municipality may add fees and charges imposed by the municipality to the tax roll for a property in the municipality for which all of the owners are responsible for paying the fees and charges;

And Whereas Section 69 (1) of the Planning Act, R.S.O. 1990, c. P.13, provides the council of a municipality, by by-law, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment in respect of the processing of each type of application provided for in the tariff.

And Whereas Section 7 of the Building Code Act, S.O. 1992 c.23, as amended, permits the Council of a municipality to pass by-laws to require the payment of fees on applications for and on the issuance of permits and prescribing the amounts thereof;

And whereas, the Town of Essex did retain the firm of BMA Management Consulting Inc. to undertake a comprehensive review and user fee study of the miscellaneous fees and charges collected by the Town;

And whereas, the Council of the Town of Essex held a public meeting on May 17, 2021 to seek public input on the proposed miscellaneous fees and charges;

And whereas, the Town now deems it expedient to pass a By-Law to establish miscellaneous fees and charges in accordance with the fees determined through the

comprehensive review by BMA Management Consulting Inc., and any amendments thereto.

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

1. That By-Law Number 1331 is hereby repealed effective 12:01:00 a.m. July 1, 2021;
2. That the miscellaneous fees and charges for services or fees and charges for services or activities provided by the Town of Essex shall be as set forth in Schedule “A” and Schedule A.1 attached hereto;
3. That the fees and charges shall be adjusted annually, on January 1 in any given year by the Core Consumer Price Index, percentage change over one year ago as published for the third quarter of the prior year;
4. That any portion of a fee or charge that remains unpaid after the date fixed for payment, or thirty (30) days, whichever is less, shall bear interest at the rate of one and on-quarter percent (1-1/4%) per month (fifteen percent (15%) per annum) until such time as the fee or charge is paid in full;
5. That the Town of Essex may use a registered collection agency to collect any unpaid fee or charge, including interest charged pursuant to Section 4 of this By-Law and the collection agency’s fees, as approved by the Town of Essex, shall be added to the unpaid amounts to become the total amount payable to the collection agency; and
6. That this By-Law shall come into force and effect on July 1, 2021 at 12:01:00 a.m.

Read a first, a second and a third time and finally passed on June 21, 2021.

Mayor

Clerk

Schedule "A" to By-Law Number 2040			
(Effective July 1, 2021, subject to applicable HST)			
Department	Description of Fee or Charge	Unit	Fee or Charge
Building	Class A & B - Assembly and Institutional:		
	Assembly & Institutional	Per square foot	\$ 1.70
	Class C - Residential:		
	All finished floors	Per square foot	\$ 1.14
	Unfinished floors	Per square foot	\$ 1.14
	Decks, porch, shed	per permit	\$ 96.00
	Accessory structures	Per square foot	\$ 0.32
	House moving	Each	\$ 600.00
	Fence	Flat Fee	\$ 64.00
	Above ground pool	Flat Fee	\$ 64.00
	Inground pool	Flat Fee	\$ 128.00
	Renovations	Per square foot	\$ 0.75
	Class D & E - Office & Mercantile:		
	Office and Mercantile	Per square foot	\$ 1.01
	Renovations/tenant improvement	Per square foot	\$ 0.56
	Class F - Industrial:		
	Industrial Office area	Per square foot	\$ 1.01
	Industrial Plant area	Per square foot	\$ 0.72
	Renovations	Per square foot	\$ 0.56
	Agricultural:		
	Pole barns	Per square foot	\$ 0.25
	Accessory Agricultural	Per square foot	\$ 0.30
	Greenhouses	Per square foot	balance
	Farm Building Renovation	Per square foot	\$ 0.25
	Plumbing:		
	New Construction	Per Unit	\$ 684.00
	Plumbing Renovations	Per Fixture	\$15, Min. of \$64
	Backwater valve	Per Unit	\$ 96.00
	Storm/Sanitary Sewer Inspection	Per Unit	\$ 96.00
	On Site Sewage Systems:		
	Sewage Septic System - Class 4 systems	Per Unit	\$ 772.00
	Tertiary System	Per Unit	\$ 850.00
	Septic Repairs - To Existing System	Per Unit	\$ 388.00
	Septic Inspections	Per Inspection	\$ 96.00
	Reviews and Assessments	Per review	\$ 96.00
	Demolitions:		
	Residential	Per square foot	\$0.32, Min. \$128
	Non - Residential	Per square foot	\$0.42, Min. \$128
	General Building Fees:		
	Lawyers letters	Per Letter	\$ 64.00
	911 signs	Per Unit	\$ 64.00
	Change of use permit	Per Hour	over 1 hr
	Tents	Per unit	\$ 96.00
	Revised Plan Review	Per review	Min. \$192 Plus \$64/hr over 3 hr
	Transfer of permit - Residential	Each	\$ 64.00
	Transfer of permit - Non-Residential	Each	\$ 128.00
	Inspection fee - incomplete not ready for inspection	Per Inspection	\$ 64.00
	Inspections for Ontario Renovate Program	Per Inspection	\$ 128.00
	Construction Started without a Permit		150% of the permit fee
	Construction Finished without a Permit		200% of the permit fee
	Solar Panel - Residential	Each	\$ 64.00
	Solar Panel - Non-Residential	Each	\$ 128.00
	Certificates:		
	Building/Zoning	Each	\$ 64.00
	Public Works	Each	\$ 64.00
	Part 8 (Septic)	Each	\$ 64.00
	Occupancy Permit	Each	\$ 64.00
	Miscellaneous Inspection Fees:		
	Miscellaneous Inspection Fees not listed above	Each	\$ 96.00
	LCBO Report & Occupant Load Calculations	Each	\$ 128.00
	Re-inspection - inspection booked, but work incomplete	Each	\$ 128.00
	Indemnity Deposits:		
	Residential/ Agriculture:		
	new, addition, demolition	Each	\$ 1,000.00
	driveway approach	Each	\$ 1,000.00
	accessory, pools, renovation	Each	\$ 500.00
	agricultural structure	Each	\$ 250.00
	mobile homes	Each	\$ 250.00
	Commercial/ Industrial:		
	new, addition, demolition	Each	\$ 1,500.00
	sign, renovations	Each	\$ 500.00
	Minimum permit fee - for all projects not specifically listed above	Each	Min. \$128
	Building permit fees for all projects not specifically noted above	Each	\$12.50 per \$1,000 Construction
Planning	Official Plan Amendment	(plus deposit to be determined at time of application)	\$ 6,400.00
	Zoning By-Law Amendment - Major (Note 1)	(plus deposit to be determined at time of application)	\$ 3,300.00
	Zoning By-Law Amendment - Minor (Note 1)	(plus deposit to be determined at time of application)	\$ 2,500.00
	Holding Removal	Each	\$ 1,200.00
	Temporary Use By-Law	Each	\$ 2,500.00
	Site Plan Control	Each	\$ 2,900.00

Schedule "A" to By-Law Number 2040			
(Effective July 1, 2021, subject to applicable HST)			
Department	Description of Fee or Charge	Unit	Fee or Charge
	Site Plan Amendment - Major (Note 1)	(plus deposit to be determined at time of application)	\$ 2,500.00
	Site Plan Amendment - Minor (Note 1)	(plus deposit to be determined at time of application)	\$ 2,000.00
	Plan of Subdivision and Condominium	Each	\$6,600 Plus \$10,000 Deposit
	Part Lot Control Exemption By-Law - Major (Note 1)	Each	\$ 1,700.00
	Part Lot Control Exemption By-Law - Minor (Note 1)	Each	\$ 1,300.00
	Consent to Sever	Each	\$ 1,400.00
	Complex Minor Variances (Note 1)	Each	\$ 1,200.00
	Minor Variances (Note 1)	Each	\$ 900.00
	Consent to Sever and Variance (applications submitted)	Each	\$ 2,200.00
	Change of Consent Conditions - Minor Request	Each	\$ 250.00
	Change of Consent Conditions - Major Request	Each	\$ 400.00
	Deferred Committee of Adjustment Application	Each	\$ 110.00
	Certificate of Validation	Each	\$ 120.00
	Development Agreements:		
	Plan of Subdivision and Condominium (Note 2)	Each	\$5,000 Deposit
	Site Plan Control (Note 3)	Each	\$5,000 Deposit
	All Other Developments	(plus deposit to be determined at time of application)	\$ 2,800.00
	Sign By-Law Amendment	Each	\$ 720.00
Finance	Tax Certificate or Statement per Section 352(1) of the Municipal Act (Note 4)	Each	\$ 75.00
	Payment Dishonoured or Returned as Non-Sufficient Funds	Each	\$ 35.00
	business days) per Section 352(1) of the <i>Municipal Act, 2001</i>	Each	\$ 150.00
	Tax Receipt/Account Information/Duplicate/Reprint (Note 4)	Per property	\$ 11.00
	Refund of Credit on Account	Each	\$ 27.00
	Misposting of Payment	Each	\$ 27.00
	Accounts Receivable - Invoices outstanding over 30 days	Per month	1.25%
	Financing Administration	Per property	\$ 110.00
	Research (for Tax, Accounting for Financial Information more than 3 years)	Per property	\$ 55.00
	Photocopy (letter, legal, 11 x 17)	Each	\$ 0.45
	Virtual City Hall Transaction Fee	Percentage of payment	2.50%
Legislative Services (Clerk)			
	Lottery Licences:		
	Bingo	Percentage of prizes	2% of prizes for bingo
	Raffle	Percentage of prizes	2% of prizes for raffle
	Break Open Ticket	Percentage of prizes	2% of prizes for break open ticket
	Marriage Licence	Each	\$ 150.00
	Burial Permit	Each	\$ 17.00
	Administering Oaths or Declarations - Resident	Each	\$ 14.00
	Administering Oaths or Declarations - Non-Resident	Each	\$ 28.00
Business or Other Licensing			
	Transient Trader or Vendor's Licence	Per unit	\$ 340.00
Geographic Information System			
	Standard Map Products:		
	1) 8.5 x 11 inches selected area specified by customer (colour)	Each	\$ 2.25
	2) 8.5 x 11 inches selected area specified by customer (black and white)	Each	\$ 1.25
	3) 11 x 17 inches selected are specified by customer (colour)	Each	\$ 3.75
	4) 11 x 17 inches selected area specified by customer (black and white)	Each	\$ 2.25
	5) 11 x 17 inches digital aerial photography (colour)	Each	\$ 9.50
	Standard Products - Wide Format:		
	1) Selected area or digital file (black and white) - maximum 42 inches wide	Per square foot	\$ 2.80
	2) Selected area or digital file (colour) - maximum 42 inches wide (per square foot)	Per square foot	\$ 3.75
	3) Selected area specified by customer with aerial photography - 42 inches wide	Per square foot	\$ 5.00
	Wide Format Scans:		
	Size 22 x 34 inches or 24 x 36	Per scan	\$ 5.25
	Size 34 x 44 inches or 36 x 48	Per scan	\$ 6.25
	Other:		
	Custom mapping	Per hour	\$ 70.00
	Drawing format printing	Per square foot	\$ 0.55
	Compact Disk (CD)/Digital Video Disk (DVD)	Per burn	\$ 12.00
Fire	Fire Property Certificate	Each	\$ 75.00
	Fire Property Incident Report	Per Report	\$ 75.00
	Fire Property Inspection Report (no inspection required)	Per Report	\$ 75.00
	Business Inspection requiring inspection letter	Per Letter	\$ 125.00
	LCBO Licensing Inspection	Per Inspection	\$ 125.00
	Risk & Safety Management Plans (RSMP) Licensing Inspections (Propane facility)	Per Inspection	\$ 125.00
	Follow up on inspection on all properties after 1st reinspection (2nd follow up)	Per Inspection	\$ 125.00
	3rd and subsequent re-inspection	Per Inspection	\$ 125.00

Schedule "A" to By-Law Number 2040			
(Effective July 1, 2021, subject to applicable HST)			
Department	Description of Fee or Charge	Unit	Fee or Charge
	False Alarms (After 3 occurrences in a calendar year)	Each	Current MTO Rates
	Fire extinguisher training (up to 20 persons)	Per session	\$ 190.00
			\$190 plus Additional \$5/per person over 20
	Fire extinguisher training (over 20 persons)	Per session	
By-Law Enforcement	Clean Yard By-law Order - Town Work/Clean up/Cut	Per hour/ minimum	\$ 123.00
	Snow Clearing By-law Order - Town Work	Per hour/ minimum	\$ 123.00
	Weed Control Act Order - Town Work	Per hour/ minimum	\$ 123.00
	Property Standards Order - Town Work	Per hour/ minimum	\$ 123.00
	Application for Noise Exemption	Per hour/ minimum	\$ 123.00
	Administrative fee on additional infraction with 12 month period	Each	\$ 123.00
Water/ Wastewater	Water Shutoff Regular Hours	Each	\$ 130.00
	After Hours Water Shut Off	Each	\$ 260.00
	Frozen Meter Repair	Each	\$ 180.00
	Water Meters Missed Appointment	Each	\$ 50.00
	Wastewater Inspection	Per Inspection	\$ 130.00
Public Works	Entrance Permit	Each	\$ 200.00
Other Misc. Fees	Tile Drainage Loan Inspection	Per inspection	\$ 130.00
	Telecommunications Agreement	Each	\$ 2,522.19
Notes:			
Note 1 - The determination of whether an application constitutes a Minor or Major Application will be made by the Planning Division			
Note 2 - Subdivision and Condominium Agreement fee now included in the Subdivision and Condominium application			
Note 3 - Site Plan Agreement fee now included in the Site Plan application fee			
Note 4 - Fee will be eliminated up to two times per year for customers whos tax bills are paid by their mortgage company as per Finance and Business Services Report 2017-05.			
Note 5- Indemnity Deposits paid after July 1, 2021 must have the Final inspection occur within 5 calendar years from the date of issuance.			
After this five year period the deposit is considered non-refundable and relinquished.			

Schedule "A.1" to By-Law Number 2040				
(Effective July 1, 2021, subject to applicable HST)				
Department	Name of Fee or Charge	Description of Fee or Charge	Unit	Fee or Charge
Fire and Rescue Services	Non-resident Motor Vehicle Accident or Fire Attendance	Motor Vehicle Accident Response	Per hour or other if specified	As set by Ministry of Transportation
Public Works	Cost Recovery for works carried out by Maintenance and Operations	Costs for services such as engineering, construction and miscellaneous activities, damage repair, etc. Billable to third parties	Per hour or other if specified	OPSS 127 rates for equipment plus Town of Essex rates fo labour plus actual cost of material plus costs incurred for contracted services.
Public Works	Cost Recovery for roadway signage damage and/or requests	Costs for services related to repairing damage or establishing road closure or directional signage	Per hour or other if specified	OPSS 127 rates for equipment plus Town of Essex rates fo labour plus actual cost of material plus costs incurred for contracted services.
Public Works	Cost Recovery for damage to Traffic Signal Equipment or streetlights	Costs for services related to repairing damage to Signal Equipment or streetlights	Per hour or other if specified	OPSS 127 rates for equipment plus Town of Essex rates fo labour plus actual cost of material plus costs incurred for contracted services.
Remark: Ministry of Tranportation Collision Report Order Fee will be charged at actual, if any.				



Report to Council

Department: Infrastructure Services
Division: Infrastructure Services
Date: June 21, 2021
Prepared by: Kevin Girard, P.Eng., MBA
Director, Infrastructure Services
Report Number: Infrastructure Services-2021-06
Subject: Ward 1 Water Supply West of Highway 3 – Cost Recovery
Number of Pages: 6

Recommendation(s)

That Infrastructure Services – 2021 – 06 entitled, “Ward 1 Water Supply West of Highway 3 – Cost Recovery” prepared by Kevin Girard, Director of Infrastructure Services dated June 21, 2021 be received, and

That Council direct Administration to develop a by-law in accordance with Part 12 of the Municipal Act to impose a special charge on benefitting property owners to fully recover the costs of the watermain crossing Highway 3 at the 14th Concession Road upon connection to municipal water supply as identified in Infrastructure Services Report 2021-06.

Purpose

To present Council with a recommendation for the allocation of costs for the watermain installation crossing Highway 3 at the 14th Concession approved on March 1st, 2021.

Background and Discussion

At the March 1, 2021 Regular Council meeting, Council provided the following direction to install the watermain across Highway 3 at the 14th Concession. It was further identified in the associated report (Infrastructure Services 2021 – 05) that administration would research potential cost recovery strategies and bring a strategy forward for Council consideration.

R21-03-075

Moved by Joe Garon

Seconded By Steve Bjorkman

That Infrastructure Services-2021-05 entitled Ward 1 Water Supply West of Highway 3 prepared by Kevin Girard, Director, Infrastructure Services dated March 1, 2021 be received;

That Council approve the sole sourcing to Dillon Consulting and Coco Paving Inc., acting as the **Design-Build Team for the Ministry of Transportation's Highway 3 Widening Project** (Contract 2020-3006), to design and construct a new watermain crossing Highway 3 as described in this report; and

That Council authorize the expenditure of \$148,569.60 including applicable taxes from **the Town's water reserves to design, construct and administer the installation of the** watermain crossing Highway 3 at the 14th Concession.

Carried

After review of current legislation, it was determined that the best means to recover these costs are through Part 12 of the Municipal Act. This part of the Act and specifically Section 391 authorizes a municipality via by-law to impose fees or charges on persons for services or **activities provided or done by or on behalf of it. Specifically Section 391 (2) provides that "a fee or charge imposed for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time"**.

In this case, the benefitting properties would be those that would be able to connect or potentially able to connect to said municipal water now or in the future. Future developable



Figure 1: Benefitting Properties

In order to equitably determine the benefit to each property and its associated share of the expense, a number of alternatives were assessed. Since the lands identified in Figure 1 are all lands designated in the Official Plan as Industrial with a variety of permitted uses, it is difficult to estimate the actual benefit that each property will gain as a result of connecting to the municipal water supply. Therefore, it was determined that larger parcels would have more to gain from municipal water supply than smaller parcels based on the ability to sever or subdivide, potential development opportunities, and the ability to accommodate larger industrial facilities. Using this strategy to assess the cost of the watermain crossing Highway 3, Table 1 was prepared to assess each parcel its portion of the cost.

Table 1: Watermain Assessment

Address	ARN	Area of Parcel (m ²)	Percentage of Benefitting Land	Assessed to Property (including applicable HST)
0 County Road 8	375457000003150	17,939.8215	4.21%	\$ 6,248.64
0 County Road 8	375457000003150	171,591.0282	40.23%	\$ 59,767.10
14028 Pinkerton Road	375457000003450	39,426.6105	9.24%	\$ 13,732.73
14016 Pinkerton Road	375457000003480	62,246.7224	14.59%	\$ 21,681.24
14978 14 th Concession	375457000003500	135,338.3816	31.73%	\$ 47,139.89
Total		426,542.5642	100.00%	\$ 148,569.60

The assessments provided in Table 1 include only the costs associated with crossing Highway 3 at the 14th concession. The extension of the watermain from its termination at the most easterly end of the 14th concession to the benefiting property owners would be borne by future development of said lands.

In addition, since the benefit to property owners will not be realized until connection to municipal water supply, it is recommended that the by-law imposing these special fees and charges be imposed **on these properties upon connection to the Town's municipal water supply**.

Financial Impact

The total cost to install the watermain crossing was \$148,569.60 including applicable HST which was approved by Council to be funded by Water Reserves. As identified in the Discussion section of this report, it is intended that the full cost (100%) of the watermain crossing Highway

3 be recovered from the benefiting properties west of Highway 3 upon connection to municipal water supply.

As previously discussed, this watermain crossing was funded by Water Reserves and since the special charge associated with the watermain crossing will be collected upon connection to the municipal water supply, this means that the costs for the watermain will be funded by Water Reserves until the connection of the properties identified in Figure 1. Therefore, there is **a risk that the Town's Water** Reserves will not be reimbursed for a significant amount of time, or ever, in the event that development does not occur west of Highway 3.

Consultations

Jeffrey Morrison, Director, Corporate Services/Treasurer

Kate Giurissevich, Manager, Finance and Business Services/Deputy Treasurer

Robert Auger, Town Solicitor, Legal and Legislative Service/Clerk

Lori Chadwick, Director, Development Services

Andy Graf, Manager, Environmental Services

Link to Strategic Priorities

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

Report Approval Details

Document Title:	Ward 1 Water Supply South of Highway 3 - Cost Recovery - Infrastructure Services-2021-06.docx
Attachments:	
Final Approval Date:	Jun 15, 2021

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

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

Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:52 PM



Report to Council

Department: Community Services
Division: Recreation and Culture
Date: June 21, 2021
Prepared by: Doug Sweet, Dir. of Community Services/Deputy CAO
Report Number: Recreation and Culture-2021-02
Subject: Results of Request for Quote – New Office at Essex Recreation Complex
Number of Pages: 4

Recommendation(s)

The following three (3) recommendations are **provided for Council's consideration**:

1. That Recreation and Culture-2021-002 entitled Results of Request for Quote – New Office at Essex Recreation Complex prepared by Doug Sweet, Director of Community Services/Deputy CAO dated June 21, 2021 be **received**, and
2. That Council **award** the Request for Quote – New Office at Essex Recreation Complex to TCI Titan Contracting Incorporated in the total amount of \$31,798.78 including non-refundable Harmonized Sales Tax; and
3. That Council **approve** utilizing approved grant funding of \$31,798.78 from the Investing in Canada Infrastructure Program: COVID-19 Resiliency grant for project CS-21-0104 New Office at Essex Recreation Complex.

Purpose

Council approval is required for changes to the approved Capital budget.

Background and Discussion

In 2021, Council approved in the Capital Budget for a new staff office to be built at the Essex Recreation Complex in the amount of \$30,000 with the Town of Essex and Greater Essex County School Board splitting the capital cost equally.

On October 28, 2020, Ontario announced the COVID-19 Resilience Infrastructure Stream ("**COVID stream**") Grant Funding under the Investing in Canada Infrastructure Program (ICIP) in Ontario. Under the new COVID-19 Resilience Infrastructure Stream, \$250 million in combined federal-provincial funding will be dedicated to local governments across the province.

The federal government has indicated that investments under this stream are to support public infrastructure, defined as tangible capital assets, including temporary infrastructure related to pandemic response, primarily for public use and/or benefit which include retrofits, repairs and upgrades for municipal buildings.

Administration was notified in May 2021 that the Town was successful in its grant application and full funding for the new Essex Recreation Complex office would be funded through the grant.

As this project is occurring at the Essex Recreation Complex which is owned by the Greater Essex County District School Board, Town Administration met with the school board to discuss the project and location. The school board fully supported the project and requested since the project is part of the school that the Town send the Request for Quote package to **the Greater Essex County School Board's 14 pre-qualified contractors.**

A Request for Quote following the **guidelines as set out in the Town's Procurement By-Law** Number 1043 and the Greater Essex County District School Board Procurement policy for the creation of a new staff office at the Essex Recreation Complex was developed and distributed and closed on May 12, 2026 at 3:00:00 PM.

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

Name of Tenderer	Total Tender price including non-refundable Harmonized Sales Tax (1.76%)
TCI Titan Contracting Incorporated	\$31,798.78
Alliance General Contracting of Windsor Inc	\$49,760.64
Trillium Contracting Inc	\$40,648.03

Based on the pricing provided in the submissions, it is recommended that the lowest tender submitted by TCI Titan Contracting Incorporated be accepted.

Financial Impact

As per the 2021 Capital budget, \$30,000 (Project Code: CS-21-0104) was approved for a new staff office to be built at the Essex Recreation Complex. The Town applied to the Federal **Government's** Investing in Canada Infrastructure Program: COVID-19 Resiliency grant fund for this project and the Town was successful in receiving grant funding. The original project had 50% of funding coming from the Town of Essex (Asset Management Reserve account) and 50% coming from the Greater Essex County School Board and with the Town receiving full grant funding for the project, the Town's **original budgeted commitment of \$15,000 will** remain in the Asset Management Reserve account.

Consultations

Greater Essex County School Board Facility Department

Architecttura Consultants

Town of Essex Finance Department

Manager of Recreation and Culture

Link to Strategic Priorities

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

Report Approval Details

Document Title:	CS-2021-Results of Request for Quote - New Office at Essex Recreation Complex - Recreation and Culture-2021-02.docx
Attachments:	
Final Approval Date:	Jun 15, 2021

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

A handwritten signature in black ink, appearing to read "Chris Nepszy". The signature is fluid and cursive, with a large initial "C" and a stylized "N".

Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:39 PM



Report to Council

Department: Development Services
Division: Economic Development
Date: June 21, 2021
Prepared by: Nelson Silveira, Economic Development Officer
Report Number: Economic Development-2021-07
Subject: Building Report and Development Overview May 2021
Number of Pages: 2 plus attachments

Recommendation(s)

That Economic Development -2021-07 entitled Building Report and Development Overview May 2021 prepared by Nelson Silveira, Economic Development Officer dated June 21, 2021 be received for information.

Purpose

To provide council with a monthly 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 May 2021 - Economic Development-2021-07.docx
Attachments:	- Building 2021-05.pdf - Development Overview - May 2021.pdf
Final Approval Date:	Jun 15, 2021

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



Lori Chadwick, Director, Development Services - Jun 15, 2021 - 9:09 AM



Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:46 PM

Report Number: Building 2021-05
Date: June 4, 2021
Subject: May 2021 Building Report

Number of Permits and Construction Value

Permit Type	Permits Issued	Prior Months	Year Total	Cancelled Permits	Monthly (Current) Construction Value	Prior Months Construction Value	Less Cancelled Construction Values	Construction Values as of May 2021	Construction Values as May 2020
Single Family Residence									
Ward 1	2	11	13		\$ 1,440,000.00	\$ 5,817,250.00	\$ -	\$ 7,257,250.00	\$ 18,198,000.00
Ward 2	0	2	2		\$ -	\$ 687,375.00	\$ -	\$ 687,375.00	\$ -
Ward 3	4	6	10		\$ 3,317,000.00	\$ 4,319,250.00	\$ -	\$ 7,636,250.00	\$ 4,718,000.00
Ward 4	1	1	2		\$ 1,256,500.00	\$ 1,256,500.00	\$ -	\$ 2,513,000.00	\$ -
Multiple Residential	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ -
Addition/Sunrooms	1	9	10		\$ 40,000.00	\$ 1,054,500.00	\$ -	\$ 1,094,500.00	\$ 297,650.00
Garages/Carports	4	9	13		\$ 141,300.00	\$ 467,500.00	\$ -	\$ 608,800.00	\$ 188,102.00
Decks/Porches	6	5	11		\$ 94,400.00	\$ 60,300.00	\$ -	\$ 154,700.00	\$ 40,000.00
Fences/Pools	9	23	32		\$ 174,700.00	\$ 664,100.00	\$ -	\$ 838,800.00	\$ 266,500.00
Demolition	0	6	6		\$ -	\$ 158,980.00	\$ -	\$ 158,980.00	\$ 45,000.00
House Raising	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ -
Pole Barns	1	7	8		\$ 50,000.00	\$ 537,000.00	\$ -	\$ 587,000.00	\$ 1,524,000.00
Commercial/Industrial	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ 1,302,400.00
Miscellaneous	2	5	7		\$ 24,000.00	\$ 30,860.00	\$ -	\$ 54,860.00	\$ 40,000.00
Shed	7	13	20		\$ 743,500.00	\$ 325,660.00	\$ -	\$ 1,069,160.00	\$ 61,700.00
Roof	0	2	2		\$ -	\$ 77,700.00	\$ -	\$ 77,700.00	\$ 25,000.00
Septic System	2	3	5		\$ 65,000.00	\$ 87,000.00	\$ -	\$ 152,000.00	\$ 160,000.00
Sign	1	4	5		\$ 48,800.00	\$ 4,000.00	\$ -	\$ 52,800.00	\$ 2,500.00
Green Houses/Winery	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ -
Renovations	2	7	9		\$ 300,000.00	\$ 772,000.00	\$ -	\$ 1,072,000.00	\$ 200,000.00
Additions/Renovation-Commercial/Industrial/Insti	2	3	5		\$ -	\$ 180,000.00	\$ -	\$ 180,000.00	\$ 4,657,000.00
Plumbing only	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ 30,000.00
Demolition Out Buildings	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ 5,000.00
Total Permits/Construction Value	44	116	160	0	\$ 7,695,200.00	\$ 16,499,975.00	\$ -	\$ 24,195,175.00	\$ 31,760,852.00

Permit Fee Totals		Development Charges	Monthly Totals	Year To Date
		Charged - SFR	\$ 60,591.00	\$ 220,421.00
Monthly Total	\$ 38,706.30	Charged - Com/Ind/Inst	\$ -	\$ -
Yearly Total	\$ 143,589.13	Waived - SFR	\$ -	\$ -
Previous Year Total	\$ 194,444.46	Waived - Com/Ind/Inst	\$ -	\$ -

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	6	0	1	4	2	0	0	0	0	0	0	0	13		13
Ward 2	0	0	0	2	0	0	0	0	0	0	0	0	2		2
Ward 3	2	0	1	3	4	0	0	0	0	0	0	0	10		10
Ward 4	0	0	0	1	1	0	0	0	0	0	0	0	2		2
Multiple Residential	0	0	0	0	0	0	0	0	0	0	0	0	0		0
Addition/Sunrooms	0	1	1	7	1	0	0	0	0	0	0	0	10		10
Garages/Carports	2	2	4	1	4	0	0	0	0	0	0	0	13		13
Decks/Porches	0	0	2	3	6	0	0	0	0	0	0	0	11		11
Fences/Pools	0	7	7	9	9	0	0	0	0	0	0	0	32		32
Demolition	0	4	0	2	0	0	0	0	0	0	0	0	6		6
House Raising	0	0	0	0	0	0	0	0	0	0	0	0	0		0
Pole Barns	2	2	2	1	1	0	0	0	0	0	0	0	8		8
Commercial/Industrial	0	0	0	0	0	0	0	0	0	0	0	0	0		0
Miscellaneous	0	1	0	4	2	0	0	0	0	0	0	0	7		7
Shed	1	2	5	5	7	0	0	0	0	0	0	0	20		20
Roof	0	0	1	1	0	0	0	0	0	0	0	0	2		2
Septic System	0	1	0	2	2	0	0	0	0	0	0	0	5		5
Sign	1	3	0	0	1	0	0	0	0	0	0	0	5		5
Green Houses/Winery	0	0	0	0	0	0	0	0	0	0	0	0	0		0
Renovations	2	2	1	2	2	0	0	0	0	0	0	0	9		9
Additions/Renovation-Commercial/Industrial/Institutional	0	1	1	1	2	0	0	0	0	0	0	0	5		5
Plumbing only	0	0	0	0	0	0	0	0	0	0	0	0	0		0
Demolition Out Buildings	0	0	0	0	0	0	0	0	0	0	0	0	0		0
Total	16	26	26	48	44	0	0	0	0	0	0	0	160	0	160

Monthly Permit Fee Totals

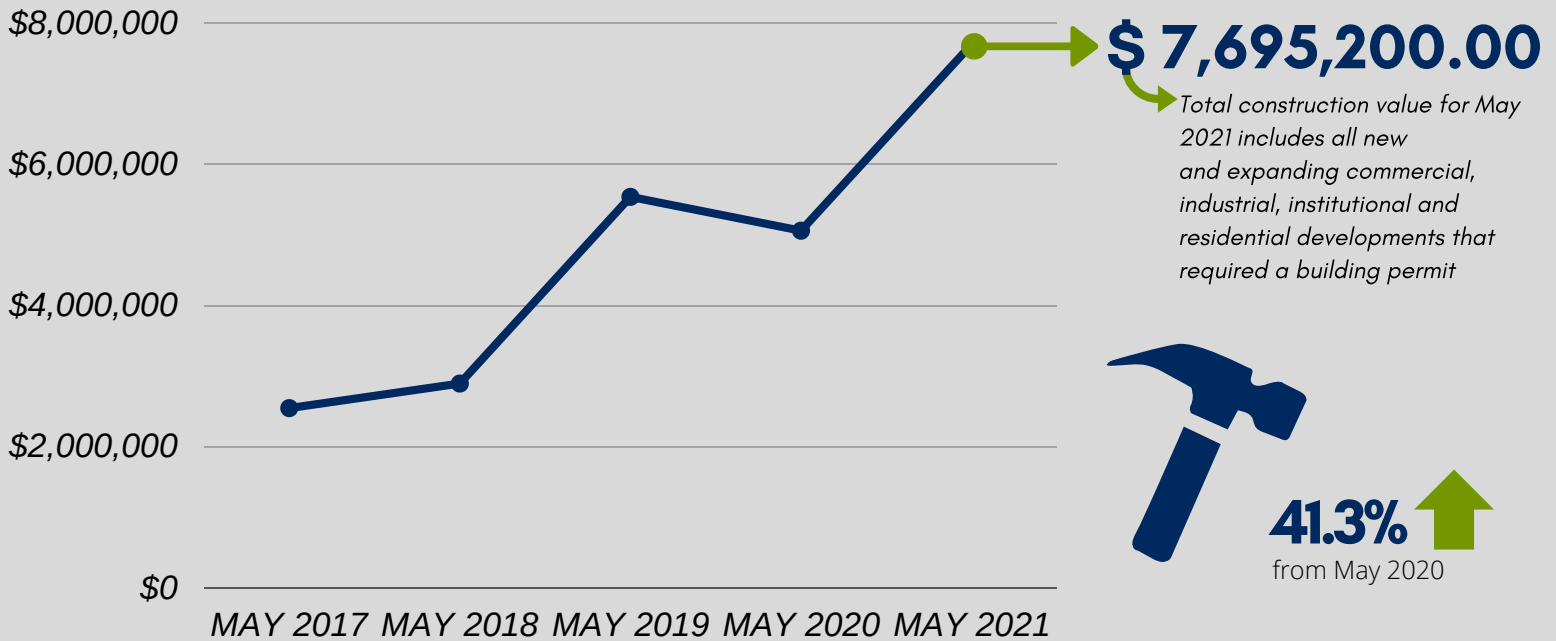
Permit Categories													Cancelled		Year Total
	January	February	March	April	May	June	July	August	September	October	November	December	Total	Permits	
Single Family Residence	\$ 26,462.60	\$ -	\$ 3,304.50	\$ 31,124.15	\$ 25,267.65	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 86,158.90	\$ -	\$ 86,158.90
Single Family Residence-Plumbing	\$ 4,950.00	\$ -	\$ 750.00	\$ 6,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,700.00	\$ -	\$ 11,700.00
Single Family Residence-Septic	\$ 700.00	\$ -	\$ -	\$ 1,400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,100.00	\$ -	\$ 2,100.00
Multiple Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Additions/Sunrooms	\$ -	\$ 360.00	\$ 489.60	\$ 4,457.70	\$ 320.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,627.30	\$ -	\$ 5,627.30
Garages/Carports	\$ 228.50	\$ 244.00	\$ 1,236.00	\$ 1,537.00	\$ 813.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,058.50	\$ -	\$ 4,058.50
Decks/Porches	\$ -	\$ -	\$ 268.00	\$ 458.00	\$ 719.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,445.00	\$ -	\$ 1,445.00
Fences/Pools	\$ -	\$ 943.00	\$ 640.00	\$ 760.00	\$ 720.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,063.00	\$ -	\$ 3,063.00
Demolition	\$ -	\$ 2,394.10	\$ -	\$ 842.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,236.60	\$ -	\$ 3,236.60
House Raising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pole Barns	\$ 1,504.00	\$ 1,014.00	\$ 1,280.00	\$ 368.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,666.00	\$ -	\$ 4,666.00
Commercial/Industrial	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ 300.00	\$ -	\$ 450.00	\$ 290.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,040.00	\$ -	\$ 1,040.00
Shed	\$ 100.00	\$ 247.50	\$ 588.00	\$ 671.95	\$ 7,125.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,732.95	\$ -	\$ 8,732.95
Roof	\$ -	\$ -	\$ 100.00	\$ 100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -	\$ 200.00
Septic System	\$ -	\$ -	\$ -	\$ 1,400.00	\$ 1,400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,800.00	\$ -	\$ 2,800.00
Sign	\$ 100.00	\$ 75.00	\$ -	\$ -	\$ 488.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 663.00	\$ -	\$ 663.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Renovations	\$ 1,250.64	\$ 1,542.25	\$ 2,053.96	\$ 842.52	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,889.37	\$ -	\$ 5,889.37
Additions/Renovation-Commercial/Industrial/Institutional	\$ -	\$ 361.08	\$ 550.00	\$ 434.28	\$ 863.15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,208.51	\$ -	\$ 2,208.51
Plumbing only	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Demolition Out Buildings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 35,295.74	\$ 7,480.93	\$ 11,260.06	\$ 50,846.10	\$ 38,706.30	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 143,589.13	\$ -	\$ 143,589.13

Monthly Construction Value Total

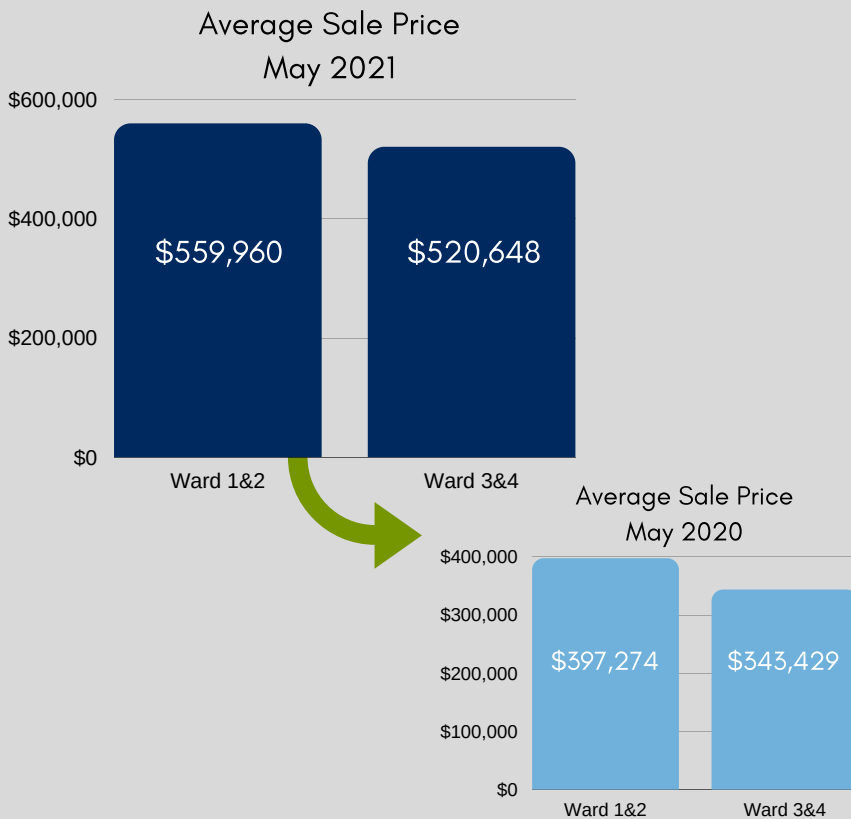
Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Total	Cancelled Permits	Year Total
Single Family Residence															
Ward 1	\$ 3,499,250.00	\$ -	\$ 200,000.00	\$ 2,118,000.00	\$ 1,440,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,257,250.00	\$ -	\$ 7,257,250.00
Ward 2	\$ -	\$ -	\$ -	\$ 687,375.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 687,375.00	\$ -	\$ 687,375.00
Ward 3	\$ 1,764,750.00	\$ -	\$ 784,000.00	\$ 1,770,500.00	\$ 3,317,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,636,250.00	\$ -	\$ 7,636,250.00
Ward 4	\$ -	\$ -	\$ -	\$ 1,256,500.00	\$ 1,256,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,513,000.00	\$ -	\$ 2,513,000.00
Multiple Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Additions/Sunrooms	\$ -	\$ 130,000.00	\$ 50,000.00	\$ 874,500.00	\$ 40,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,094,500.00	\$ -	\$ 1,094,500.00
Garages/Carports	\$ 125,000.00	\$ 47,500.00	\$ 175,000.00	\$ 120,000.00	\$ 141,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 608,800.00	\$ -	\$ 608,800.00
Decks/Porches	\$ -	\$ -	\$ 34,000.00	\$ 26,300.00	\$ 94,400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 154,700.00	\$ -	\$ 154,700.00
Fences/Pools	\$ -	\$ 340,000.00	\$ 192,800.00	\$ 131,300.00	\$ 174,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 838,800.00	\$ -	\$ 838,800.00
Demolition	\$ -	\$ 122,980.00	\$ -	\$ 36,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 158,980.00	\$ -	\$ 158,980.00
House Raising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pole Barns	\$ 188,000.00	\$ 143,000.00	\$ 160,000.00	\$ 46,000.00	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 587,000.00	\$ -	\$ 587,000.00
Commercial/Industrial	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ -	\$ -	\$ 30,860.00	\$ 24,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 54,860.00	\$ -	\$ 54,860.00
Shed	\$ 9,700.00	\$ 55,160.00	\$ 97,800.00	\$ 163,000.00	\$ 743,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,069,160.00	\$ -	\$ 1,069,160.00
Roof	\$ -	\$ -	\$ 21,000.00	\$ 56,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77,700.00	\$ -	\$ 77,700.00
Septic System	\$ -	\$ 35,000.00	\$ -	\$ 52,000.00	\$ 65,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 152,000.00	\$ -	\$ 152,000.00
Sign	\$ 1,000.00	\$ 3,000.00	\$ -	\$ -	\$ 48,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 52,800.00	\$ -	\$ 52,800.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Renovations	\$ 191,000.00	\$ 100,000.00	\$ 431,000.00	\$ 50,000.00	\$ 300,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,072,000.00	\$ -	\$ 1,072,000.00
Additions/Renovation-Commercial/Industrial/Institutional	\$ -	\$ 50,000.00	\$ 55,000.00	\$ 75,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000.00	\$ -	\$ 180,000.00
Plumbing only	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Demolition Out Buildings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 5,778,700.00	\$ 1,026,640.00	\$ 2,200,600.00	\$ 7,494,035.00	\$ 7,695,200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,195,175.00	\$ -	\$ 24,195,175.00

\$ 4,319,250.00

Total Yearly Construction Value



Real Estate



Total Single Family Dwellings Sold 2021



Total Single Family Home Permits 2021





Registrar's Directive: Funeral services

- Maximum of 15% to max of 50 attendees indoors
- 2 metres distancing to max of 50 attendees outdoors

Effective Friday, June 11, 2021

Funeral services and visitations have new restrictions starting Friday:

- Indoors – Maximum of 15 per cent capacity of a particular room to a maximum of 50 attendees in the entire facility
- Outdoors – Two metres physical distancing to a maximum of 50 attendees

The restrictions are part of the Government of Ontario's Step One announcement, and have additional restrictions developed in consultation with the BAO's:

- Funeral and Transfer Service Advisory Committee
- Cemetery, Crematorium and Municipal Advisory Committee
- And supported by the Ontario Funeral Service Association and the Ontario Association of Cemetery and Funeral Professionals

Max 50 and other restrictions

The new maximum at any indoor or outdoor funeral service, including visitations, is 50 attendees. Funeral and cemetery staff do not count in the maximum of 50 attendees but staffing ratios will apply.

Funeral and cemetery staff will coordinate to maintain a staff ratio of:

- One staff member for every 10 attendees to a maximum requirement of four staff members for 50 attendees

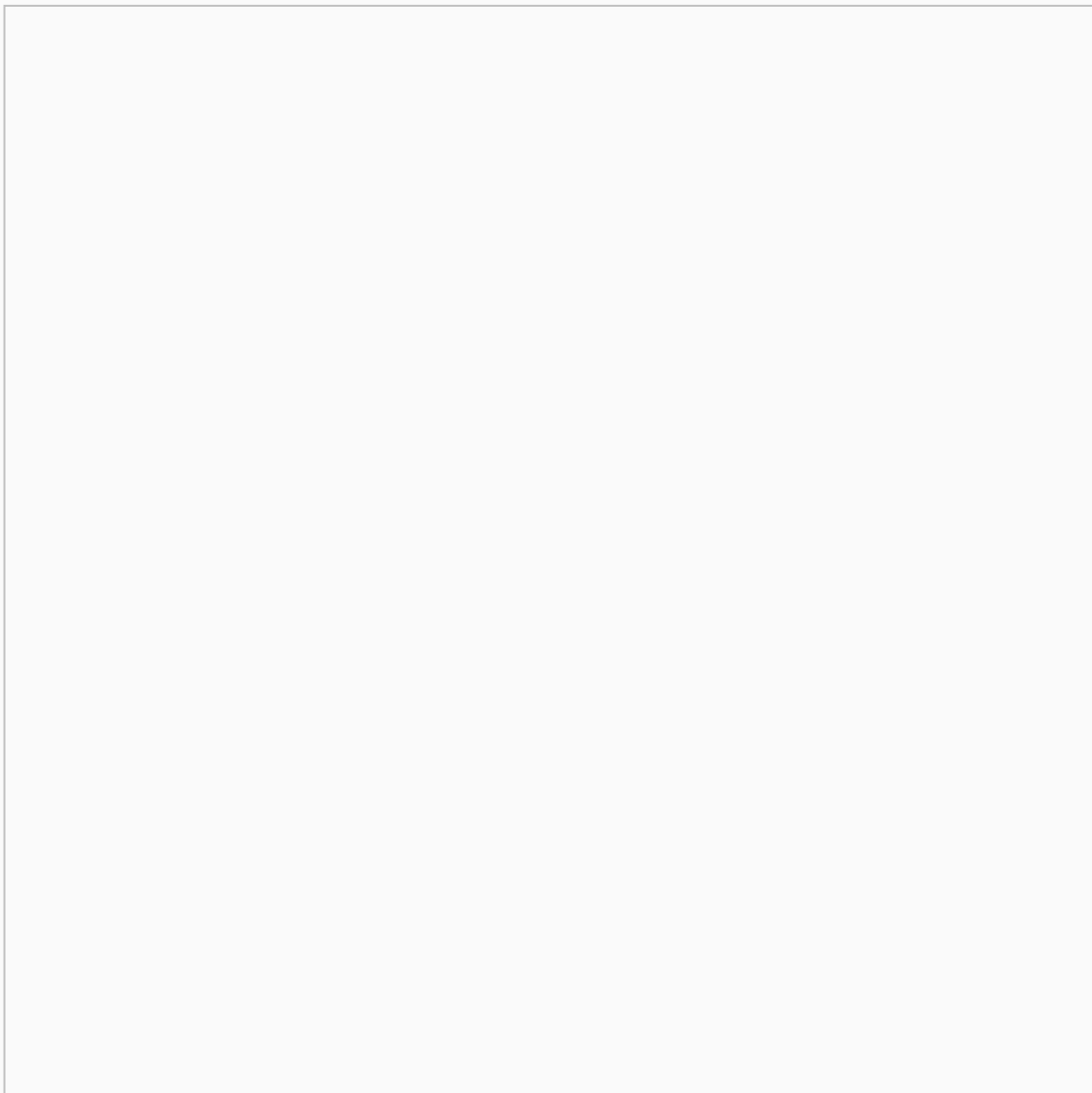
This Registrar's Directive also includes these restrictions:

- All visitations must be scheduled (There can be more than one visitation per deceased person, as before)
- Minimum of 15 minutes between scheduled indoor visitations for cleaning
- Guests must sign in
- No lining up or cycling of attendees
- All BAO licensed operators are allowed to be stricter in their establishments if they wish (For example, cemeteries can always have fewer people in attendance if they wish)
- Masks or face coverings continue to be required at all funeral services and visitations
- Two metres (six feet) of physical distancing, except for members of the same household who live together
- Continue cleaning and disinfecting all rooms

This province-wide Registrar's Directive applies to all funeral services, regardless of the venue. The exception will be funeral services held in the

Porcupine Health Unit jurisdiction, which will continue under the [previous maximum of 10 attendees Registrar's Directive, issued on April 16, 2021](#) until further notice.

The intention going forward is to phase-in increases in attendance numbers and fewer requirements as part of the Government of Ontario's Roadmap to Reopen. The province will remain in Step One for 21 days to evaluate any impacts on key public health and health system indicators. As indicators improve, the government will announce whether the province will move to Step Two of its reopening plan.





Ontario
Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.


Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par

Recommended 

Appuyé par : Le président du Conseil des ministres,

Concurred 
Chair of Cabinet

Approuvé et décrété le

La lieutenant-gouverneure,

Approved and Ordered

JUN 07 2021

Date


Lieutenant Governor

JUN 07 2021

Number (O. Reg.)
Numéro (Règl. de l'Ont.)

440/21

[Bilingual]

CONFIDENTIAL
Until filed with the
Registrar of Regulations

REG2021.0517.e
24-EC/CJO

ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 82/20

(RULES FOR AREAS IN STAGE 1)

- 1. The title to Ontario Regulation 82/20 is revoked and the following substituted:**

RULES FOR AREAS IN SHUTDOWN ZONE AND AT STEP 1

- 2. Section 1 of the Regulation is revoked and the following substituted:**

Terms of Order

- 1.** The terms of this Order are set out in Schedules 1 to 10.

- 3. Sections 3 to 3.3 of the Regulation are revoked and the following substituted:**

Application

3. (1) Subject to subsections (2) and (3), this Order applies to the areas listed in Schedule 1 to Ontario Regulation 363/20 made under the Act.

(2) Schedules 1 to 5 apply throughout the Shutdown Zone.

(3) Schedules 6 to 10 apply throughout the areas at Step 1.

Shutdown Zone

3.1 In this Order, a reference to the Shutdown Zone is a reference to all areas listed as being in the Shutdown Zone in section 1 of Schedule 1 to Ontario Regulation 363/20 made under the Act.

Step 1

3.2 In this Order, a reference to areas at Step 1 is a reference to all areas listed as being at Step 1 in section 2 of Schedule 1 to Ontario Regulation 363/20 made under the Act.

References to this Order

3.3 (1) In Schedules 1 to 5, a reference to “this Order” is a reference to Schedules 1 to 5.

(2) In Schedules 6 to 10, a reference to “this Order” is a reference to Schedules 6 to 10.

4. (1) Subsection 1 (5) of Schedule 1 to the Regulation is amended by striking out “12” and substituting “10”.

(2) Sections 11 and 12 of Schedule 1 to the Regulation are revoked.

5. Subsection 6 (3) of Schedule 2 to the Regulation is amended by striking out “(Rules for Areas in Stage 2)” in the portion before paragraph 1.

6. Subsection 4 (2) of Schedule 3 to the Regulation is amended by adding the following paragraph:

21.1 Horseshoe pits.

7. Schedule 4 to the Regulation is amended by adding the following section:

Exception, retirement homes

2.1 Section 1 does not apply with respect to a gathering in a retirement home within the meaning of the *Retirement Homes Act, 2010* if it is in compliance with the policies or guidance, if any, issued by the Retirement Homes Regulatory Authority.

8. The English version of paragraph 21.2 of Schedule 5 to the Regulation is amended by striking out “section 35 (1)” and substituting “subsection 35 (1)”.

9. The heading immediately before Schedule 6 to the Regulation is revoked and the following substituted:

STEP 1

10. (1) The heading to Schedule 6 to the Regulation is revoked and the following substituted:

**SCHEDULE 6
GENERAL RULES AT STEP 1**

(2) Subsection 1 (5) of Schedule 6 to the Regulation is amended by striking out “13” and substituting “11”.

(3) Subsection 2 (4) of Schedule 6 to the Regulation is revoked.

(4) Schedule 6 to the Regulation is amended by adding the following section:

Work from home except where necessary

2.1 (1) 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, unless the nature of their work requires them to be on-site at the workplace.

(2) Subsection (1) does not apply to a business or organization described in subsection 1 (9).

(5) Section 3 of Schedule 6 to the Regulation is amended by adding the following subsection:

(3.1) For the purposes of this Order, the maximum number of members of the public permitted in a business or facility that is operating at 15 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 26.67 and rounding the result down to the nearest whole number.

(6) Subsection 4 (4) of Schedule 6 to the Regulation is revoked and the following substituted:

(4) Every member of the public in a place of business or facility that is open to the public, and every person in attendance at an organized public event or gathering permitted by this Order, shall maintain a physical distance of at least two metres from every other person, except from their caregiver or from members of the person’s household.

(7) Section 5 of Schedule 6 to the Regulation is revoked and the following substituted:

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

5. (1) The person responsible for a business or place that is open must not permit patrons 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.

(2) The person responsible for a business or place that is open must not permit patrons to line up inside 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 (5).

(8) Section 7 of Schedule 6 to the Regulation is revoked.

(9) Section 9 of Schedule 6 to the Regulation is revoked.

(10) Sections 12 and 13 of Schedule 6 to the Regulation are revoked.

11. (1) The heading to Schedule 7 to the Regulation is revoked and the following substituted:

SCHEDULE 7
BUSINESSES THAT MAY OPEN AT STEP 1

(2) Section 2 of Schedule 7 to the Regulation is revoked and the following substituted:

Retailers

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

1. Supermarkets, grocery stores, convenience stores, indoor farmers' markets and other stores that primarily sell food, other than establishments described in section 3.
2. Pharmacies.
3. Discount and big box retailers selling groceries.
4. Safety supply stores.
5. Businesses that primarily sell, rent or repair assistive devices, aids or supplies, mobility devices, aids or supplies or medical devices, aids or supplies.
6. Optical stores that sell prescription eyewear to the public.
7. Retail stores operated by telecommunications providers.
8. Stores, other than establishments described in section 3, that sell liquor, including beer, wine and spirits.
9. Outdoor garden centres and plant nurseries.
10. Indoor greenhouses.

(2) The business must comply with the following conditions:

1. They must limit the total number of members of the public in the place of business so that the total number of members of the public 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 6.
2. They must ensure that any music played at the place of business is not at a decibel level that exceeds the level at which normal conversation is possible.

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

(4) Nothing in this section permits a business located within an indoor farmer's market to exceed 15 per cent capacity for in-store shopping unless it is a business that primarily sells food.

(3) Paragraph 5 of subsection 3 (2) of Schedule 7 to the Regulation is revoked.

(4) Paragraph 6 of subsection 3 (2) of Schedule 7 to the Regulation is revoked and the following substituted:

6. No patron may be permitted to line up or congregate outside of the establishment unless they are maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment.
- 6.1 No patron may be permitted to line up inside the establishment unless they are,
 - i. maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment, and
 - ii. 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 (5) of Schedule 6.

(5) Paragraph 7 of subsection 3 (2) of Schedule 7 to the Regulation is revoked and the following substituted:

7. No more than four people may be seated together at an outdoor table at the establishment unless everyone seated at the table is,
 - i. a member of the same household,
 - ii. a member of up to one other household who lives alone, or

- 111. a caregiver for any member of either household.

(6) Subsection 3 (3) of Schedule 7 to the Regulation is amended by striking out “paragraphs 1, 2, 3, 4, 6, 9, 10, 12, and 13 of subsection 1 (1) of Schedule 2 to Ontario Regulation 263/20 (Rules for Areas in Stage 2)” in the portion before paragraph 1 and substituting “paragraphs 1, 2, 3, 4, 6, 8.1, 9, 10, 12, and 13 of subsection 1 (1) of Schedule 2 to Ontario Regulation 263/20”.

(7) Section 5 of Schedule 7 to the Regulation is revoked and the following substituted:

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

1. Despite section 7, the only businesses in the shopping mall that may open for in-person retail sales to the public are,
 - i. businesses described in section 2, and
 111. any other businesses that have a public entrance that opens onto a street or exterior sidewalk.
2. Members of the public must only be permitted to enter the shopping mall,
 1. 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 (4) or (5),
 111. 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.
3. Members of the public who enter the shopping mall for a reason described in paragraph 2 must not be permitted to loiter in any area of the shopping mall that is not related to the purpose of their visit.
4. If a business or place in the shopping mall has a public entrance that opens onto a street or exterior sidewalk,

1. members of the public may only be permitted to enter and exit the business or place through a public entrance that opens onto a street or exterior sidewalk, and
 11. members of the public must be prohibited from entering or exiting the business or place through any entrance that opens directly into the shopping mall.
5. Any interior dining spaces inside the shopping mall, including any tables and seating in food courts, must be closed.
 6. The shopping mall must ensure that any music played at the shopping mall is not at a decibel level that exceeds the level at which normal conversation is possible.
 7. If the shopping mall is an indoor shopping mall, the shopping mall must actively screen individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the indoor premises of the mall.
- (2) Any business in the shopping mall that is not permitted to open for in-person retail sales to the public may open for the purpose of,
- (a) making sales using an alternative method of sale that does not require patrons to enter the shopping mall, including curbside pick-up or delivery; or
 - (b) permitting patrons to pick up items at a designated location established by the shopping mall under subsection (4) or (5).
- (3) For greater certainty, paragraph 5 of subsection (1) does not prevent a restaurant, bar or other food or drink establishment within a shopping mall from opening and operating in compliance with section 3.
- (4) 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, and an item may only be provided for pick-up if the patron ordered the item before arriving at the business premises.
- (5) 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 only pick up orders from the outdoor designated location by making a prior appointment, and an item may only be provided for pick-up if the patron ordered the item before arriving at the business premises.

(8) Section 5.1 of Schedule 7 to the Regulation is revoked.

(9) Paragraph 4 of section 6 of Schedule 7 to the Regulation is amended by striking out “50 per cent capacity, as determined in accordance with subsection 3 (2) of Schedule 6” at the end and substituting “25 per cent capacity, as determined in accordance with subsection 3 (3) of Schedule 6”.

(10) Section 7 of Schedule 7 to the Regulation is revoked and the following substituted:

7. (1) Businesses not already described in sections 2 to 6 that engage in retail sales to the public and that comply with the following conditions:

1. They must limit the number of members of the public in the place of business so that the total number of members of the public in the place of business at any one time does not exceed 15 per cent capacity, as determined in accordance with subsection 3 (3.1) of Schedule 6.
2. They must ensure that any music played at the place of business is not at a decibel level that exceeds the level at which normal conversation is possible.

(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 1 to 6 must comply with the conditions set out in subsection (1).

(3) 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) and provide products to patrons through in-person sales or through an alternative method of sale, such as curbside pick-up or delivery.

(4) A business that, as of December 26, 2020, was permitted to be open only in accordance with the conditions described in subsection (1) as it read on that date may only continue to be open in accordance with the conditions under that subsection as amended whether or not, after that date, it modified its operations or the type of products it sells.

(5) Despite subsection 32 (2) of Ontario Regulation 268/18 (General) made under the *Smoke-Free Ontario Act, 2017*, a person responsible for a specialty vape store as defined in that Regulation that is permitted to be open in accordance with the conditions described in subsection (1) shall not permit an electronic cigarette to be used for the purpose of sampling a vapour product in the specialty vape store.

(11) Section 14 of Schedule 7 to the Regulation is revoked and the following substituted:

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

(12) Section 21 of Schedule 7 to the Regulation is revoked and the following substituted:

21. (1) Child care providers, subject to subsections (2) and (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 under this Order 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 under this Order to provide in-person teaching or instruction to the child on that day and who, immediately before April 12, 2021,
 1. was enrolled in school, and
 11. 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 10, 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 permitted under this Order 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 “child care provider” 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”, “fournisseur de services de garde”)

“school day” has the same meaning as in the *Education Act*. (“jour d’école”)

(13) Schedule 7 to the Regulation is amended by adding the following section:

21.1 Businesses providing short term rental accommodation that meet the following condition:

1. Any indoor pools, communal steam rooms, saunas or indoor whirlpools, indoor fitness centres, or other indoor recreational facilities that are part of the operation of these businesses, are closed.

(14) Paragraph 1 of section 22 of Schedule 7 to the Regulation is revoked and the following substituted:

1. Any indoor pools, communal steam rooms, saunas or indoor whirlpools, indoor fitness centres, or other indoor recreational facilities that are part of the operation of these businesses, are closed.

(15) Section 22.1 of Schedule 7 to the Regulation is revoked and the following substituted:

22.1 (1) Establishments that operate for the purposes of providing access to sensory deprivation pods that are being used for a therapeutic purpose prescribed by, or administered by, a regulated health professional and that comply with the following conditions:

1. Persons who provide services in the business must wear appropriate personal protective equipment.
2. No member of the public may be permitted to enter the premises except by appointment.
3. No member of the public may be permitted to be in the premises except for the period of time during which they are receiving sensory deprivation pod services.
4. The total number of patrons permitted indoors in the establishment must be limited to the number that can maintain a physical distance of at least two metres from every other person in the establishment, and in any event cannot exceed the lesser of,
 - i. five patrons, and
 - ii. 25 per cent capacity as determined in accordance with subsection 3 (3) of Schedule 6.

(2) Paragraph 3 of subsection (1) does not apply to a single caregiver accompanying an individual receiving the sensory deprivation pod service or to a single child of such individual.

(16) Section 23 of Schedule 7 to the Regulation is revoked and the following substituted:

- 23.** Campgrounds that meet the following condition:

1. Any restaurant, indoor pool, communal steam room, sauna or indoor whirlpool, meeting room, indoor fitness centre or other indoor 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 or outdoor dining in accordance with section 3,
 - iii. contains a washroom, or
 - iv. provides access to an area described in subparagraph i, ii or iii.

(17) Section 24.1 of Schedule 7 to the Regulation is revoked.

(18) Subsection 30 (2) of Schedule 7 to the Regulation is amended by striking out “section 7” and substituting “section 2”.

(19) Paragraph 1 of subsection 34 (1) of Schedule 7 to the Regulation is revoked and the following substituted:

1. Any clubhouse, restaurant, indoor pool, communal steam room, sauna or indoor whirlpool, meeting room, indoor fitness centre or other indoor 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 or outdoor dining in accordance with section 3,
 - iii. contains a washroom, or
 - iv. provides access to an area described in subparagraph i, ii or iii.

(20) Subsection 45 (7) of Schedule 7 to the Regulation is revoked and the following substituted:

(7) A facility for outdoor sports and recreational fitness activities, including a facility for indoor sports and recreational fitness activities that has such outdoor facilities, may be open if it complies with the following conditions:

1. The only activities permitted on the premises are outdoor fitness classes, personal training and training for team and individual sports.

2. No patrons are permitted to be in the indoor areas of the facility, except as may be necessary,
 1. to access a washroom,
 - ii. to access an outdoor area that can only be accessed through an indoor route, or
 - iii. as may be necessary for the purposes of health and safety.
3. No more than 10 patrons may participate,
 1. in an outdoor fitness class at any one time, or
 - ii. as a group in personal training or in training for team or individual sports.
4. No spectators are permitted to be at the facility. However, a person under the age of 18 years who is engaged in activities in the facility may be accompanied by one parent or guardian.
5. Any person who enters or uses the facility must maintain a physical distance of at least three metres from any other person who is using the facility.
6. For greater certainty, team sports must not be practised or played at the facility, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
7. Activities that are likely to result in individuals coming within three metres of each other must not be practised or played at the facility.
8. The person responsible for the facility must,
 - i. record the name and contact information of every member of the public who enters 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.

9. The facility must actively screen individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the facility.

(21) Subsection 45 (9) of Schedule 7 to the Regulation is revoked.

(22) Section 45.1 of Schedule 7 to the Regulation is revoked and the following substituted:

Personal physical fitness, etc.

45.1 Personal physical fitness and sports trainers that meet the following conditions:

1. Any services must be provided outside.
2. Services may not be provided to more than 10 patrons at one time.
3. No spectators are permitted. However, a person under the age of 18 years who is engaged in physical fitness or sports training activities may be accompanied by one parent or guardian.
4. Any person who is engaged in physical fitness or sports training activities must maintain a physical distance of at least three metres from any other person.
5. Training sessions for members of a sports team cannot include games or scrimmage games.
6. Activities that are likely to result in individuals coming within three metres of each other must not be practised or played.
7. The personal trainer or sports trainer must,
 1. record the name and contact information of every member of the public who they are providing services to,
 11. maintain the records for a period of at least one month, and
 111. 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.
8. The personal trainer or sports trainer must actively screen individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they engage in personal physical fitness or sports training activities.

(23) Section 46 of Schedule 7 to the Regulation is revoked and the following substituted:

Recreation

46. (1) Subject to subsection (2), businesses whose primary purpose is to operate an outdoor recreational amenity that is permitted to open under section 4 of Schedule 8.

(2) Amusement parks and water parks must be closed.

(24) Section 47 of Schedule 7 to the Regulation is revoked and the following substituted:

47. Outdoor horse racing tracks, car racing tracks and other similar venues may open for training and races if they comply with the following conditions:

1. No members of the public are permitted at the venue.
2. Only persons who are essential to the training, race or operation of the venue are permitted to be on the premises of the venue.

(25) Schedule 7 to the Regulation is amended by adding the following section:

50.1 Osteopathic manual practitioners.

(26) Schedule 7 to the Regulation is amended by adding the following section:

Teaching and instruction

57.1 Businesses that open to provide in-person teaching and instruction and that meet the following conditions:

1. The instructional space for the in-person teaching and instruction must be outdoors.
2. The students must 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.
3. The total number of students permitted to be in each instructional space at any one time must be limited to 10 persons.
4. If the in-person teaching or instruction involves singing or the playing of brass or wind instruments,

1. every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier, or
 - ii. every person in the instructional space must remain at least three metres apart from every other person in the instructional space.
5. Students must be actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the business.
6. The person responsible for the business shall,
1. record the name and contact information of every student who attends the in-person teaching and instruction,
 - 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.

(27) Subsection 60 (1) of Schedule 7 to the Regulation is amended by adding the following paragraph:

- 1.1 No more than 50 performers may be permitted to be on the film or television set.

(28) Paragraph 4 of subsection 60 (1) of Schedule 7 to the Regulation is revoked.

(29) Section 63 of Schedule 7 to the Regulation is revoked and the following substituted:

63. Commercial and industrial photography.

63.1 Photography studios and services that meet the following conditions:

1. Photography may only be provided by appointment.
2. Any in-person services provided to patrons, including the taking of photographs, must be provided outdoors.
3. Patrons must be actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before photography is provided.

(30) Section 65 of Schedule 7 to the Regulation is revoked and the following substituted:

Entertainment

65. (1) Concert venues, theatres and cinemas that meet the conditions set out in subsection (2) or (3).

(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 on outdoor premises if they comply with the following conditions:

1. No spectators may be permitted anywhere on the premises.
2. Only persons who are essential to the rehearsal or performance are permitted anywhere on the premises.
3. No more than 10 performers may be permitted to participate in the rehearsal or performance.
4. Every performer and other person who performs work for the concert venue, theatre or cinema must maintain a physical distance of at least three metres from every other person.
5. No performer or other person who performs work for the concert venue, theatre or cinema may be permitted in an indoor area of the concert venue, theatre or cinema, except,
 - i. where necessary to use a washroom,
 - ii. where necessary to access an outdoor area that can only be accessed through an indoor route, or
 - iii. as may otherwise be required for the purposes of health and safety.
6. The person responsible for the concert venue, theatre or cinema must,
 - i. record the name and contact information of every performer or other person who is present at the rehearsal or performance,
 - 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.

7. The person responsible for the concert venue, theatre or cinema must ensure that individuals are actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the premises.

(3) Concert venues, theatres and cinemas may open if they comply with the following conditions:

1. The movie, concert, artistic event, theatrical performance or other performance must be provided in a drive-in or drive-through format.
2. Each person in attendance at the drive-in cinema or the drive-in or drive-through concert, event or performance, other than persons who perform work for the drive-in cinema or the drive-in or drive-through concert, event or performance, must remain within a motor vehicle designed to be closed to the elements except,
 - i. where necessary to purchase admission,
 - ii. where necessary to use a washroom, or
 - iii. as may otherwise be required for the purposes of health and safety.
3. Every motor vehicle at the drive-in cinema or the drive-in or drive-through concert, event or performance may only contain members of a single household plus a maximum of one additional person from outside that household who lives alone.
4. The driver of a motor vehicle at the drive-in cinema or the drive-in or drive-through concert, event or performance must ensure that it is positioned at least two metres away from other motor vehicles.

66. Businesses that provide outdoor tour and guide services, including guided hunting trips, tastings and tours for wineries, breweries and distilleries, trail riding tours, walking tours and bicycle tours, but not motor vehicle tours or boat tours, may open if they comply with the following conditions:

1. The tour must be operated to enable every person on the tour, including tour guides, to maintain a physical distance of at least two metres from every other person, except where necessary,
 - i. to facilitate payment, or
 - ii. for the purposes of health and safety.

2. Every person on the tour must wear a mask or face covering in a manner that covers their mouth, nose and chin during any period in which they come within two metres of another person, unless they are entitled to any of the exceptions set out in subsection 2 (5) of Schedule 6.
3. The number of members of the public on the tour must not exceed the number of persons that would permit compliance with paragraph 1 while on the tour, and in any event cannot exceed 10 persons.
4. Every member of the public who intends to participate in the tour must be actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they participate in the tour.
5. The persons on the tour must remain outdoors at all times, except where necessary to use a washroom or as may otherwise be required for the purposes of health and safety.
6. The tour or guide service must,
 - i. record the name and contact information of every patron that participates in the tour,
 - 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.

12. (1) The heading to Schedule 8 to the Regulation is revoked and the following substituted:

SCHEDULE 8

PLACES THAT MUST CLOSE OR THAT ARE SUBJECT TO CONDITIONS AT STEP 1

(2) Paragraph 5 of subsection 1 (1) of Schedule 8 to the Regulation is revoked.

(3) Paragraph 2 of subsection 2 (1) of Schedule 8 to the Regulation is revoked and the following substituted:

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, or

- ii. every person in the instructional space must remain at least three metres apart from every other person in the instructional space.

(4) Section 3 of Schedule 8 to the Regulation is revoked and the following substituted:

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 10 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;
- (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; or
- (e) to facilitate the operation of a day camp for children described in section 24 of Schedule 7.

(3) Subsections (1) and (2) do not apply to schools that meet the condition set out in subsection (4) 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.

(4) A school described in subsection (3) may open if it meets the following condition:

1. 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.

(5) A school or private school may allow persons, other than persons allowed to be at the school or private school under subsection (2), to enter the school or private school temporarily, as necessary,

- (a) to prepare for an end-of-school-year celebration ceremony described in subsection 1 (5) of Schedule 9, if the person is a staff member or student at the school or private school and is required to be indoors for such preparation;
- (b) to use a washroom or as may otherwise be required for the purposes of health and safety while attending the end-of-school-year celebration; or
- (c) to return goods or supplies or retrieve personal belongings.

(5) Section 4 of Schedule 8 to the Regulation is revoked and the following substituted:

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 45 of Schedule 7, 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.
12. Trails.
13. Horse riding facilities.
14. Shooting ranges, including those operated by rod and gun clubs.
15. Playgrounds.
16. Portions of parks or recreational areas containing outdoor fitness equipment.
17. Archery ranges.
18. Boat and watercraft launches.
19. Lawn game courts, including lawn bowling, bocce and croquet courts.
20. Horseshoe pits.
21. Outdoor pools, splash pads, spray pads, whirlpools, wading pools and water slides.

(3) An outdoor recreational amenity described in subsection (2) may only open if the following conditions are met:

1. Subject to paragraph 2, any person who enters or uses the amenity must maintain a physical distance of at least two metres from any other person who is using the amenity.

2. Any person who engages in physical exercise in the amenity, including by engaging in a training session, sport or game, must maintain a physical distance of at least three metres from any other person who is using the amenity.
3. Team sports must not be practised or played within the amenity, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
4. Other sports or games that are likely to result in individuals coming within three metres of each other must not be played within the amenity.
5. Clubhouses on the premises must be closed, except to the extent that they,
 1. are used in conjunction with an outdoor pool, splash pad, spray pad, whirlpool, wading pool or water slide, or
 - ii. provide access to equipment storage, a washroom or a portion of the amenity that is used to provide first aid.

(4) Paragraphs 1 and 2 of subsection (3) do not apply in respect of the following persons who enter or use an outdoor recreational amenity:

1. Parasport participants and their attendants or guides.
2. Members of a single household.

(5) Paragraphs 1 to 4 of subsection (3) do not apply with respect to an amenity, or a particular area of an amenity, during periods when the amenity or the particular area is exclusively being used by persons who are athletes, coaches and 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 clause (a).

(6) Each person responsible for a boat or watercraft shall ensure that if a group of persons uses that boat or watercraft together for recreational purposes, the members of the group are all members of the same household or one other person from outside that household who lives alone or a caregiver for any member of the household.

(6) Section 5 of Schedule 8 to the Regulation is revoked and the following substituted:

Museums, etc.

5. (1) Subject to subsections (2) and (3), museums, galleries, aquariums, zoos, science centres, landmarks, historic sites, botanical gardens and similar attractions must be closed to members of the public.

(2) An attraction described in subsection (1) may open to provide drive-in or drive-through access to the public if it complies with the conditions set out in section 65 of Schedule 7, subject to any necessary modifications.

(3) An outdoor attraction described in subsection (1) may open if it complies with the following conditions:

1. The number of members of the public in the attraction must be limited so that the total number of members of the public in the outdoor ticketed area of the attraction at any one time does not exceed 15 per cent capacity, determined by taking the total square metres of outdoor ticketed area accessible to the public in the attraction, dividing that number by 26.67 and rounding the result down to the nearest whole number.
2. The person responsible for the attraction must post a sign in a conspicuous location visible to the public that states the maximum capacity they are permitted to operate under.
3. No member of the public may enter a ticketed area of the attraction unless they have made a reservation to do so.
4. No member of the public may be permitted access to interactive exhibits or exhibits that would create a high risk of personal contact.
5. No member of the public may be permitted to enter any indoor area of the premises, except,
 - i. to access a washroom,
 - ii. to access an outdoor area that can only be accessed through an indoor route, or
 - iii. as may be necessary for the purposes of health and safety.
6. No amusement rides or tour vehicles may be operated by the attraction.

13. (1) The heading to Schedule 9 to the Regulation is revoked and the following substituted:

SCHEDULE 9
ORGANIZED PUBLIC EVENTS, CERTAIN GATHERINGS AT STEP 1

(2) Subsection 1 (1) of Schedule 9 to the Regulation is amended by striking out “or” at the end of clause (c), adding “or” at the end of clause (d) and adding the following clause:

- (e) an outdoor gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony where the number of persons attending the gathering exceeds the number that can maintain a physical distance of at least two metres from every other person in the space where the gathering is held.

(3) Subsection 1 (4) of Schedule 9 to the Regulation is amended by striking out “clause (1) (d)” at the end and substituting “clauses (1) (d) and (e)”.

(4) Subsection 1 (5) of Schedule 9 to the Regulation is revoked and the following substituted:

(5) Clause (1) (c) does not apply with respect to an outdoor end-of-school-year celebration ceremony held by a school or private school within the meaning of the *Education Act* that is in compliance with a direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health.

(6) All persons participating in an end-of-school-year celebration ceremony described in subsection (5) must remain outdoors at all times, except as permitted under subsection 3 (5) of Schedule 8.

(5) Section 2 of Schedule 9 to the Regulation is revoked and the following substituted:

Exception, single household, etc.

2. Section 1 does not apply with respect to,

- (a) a gathering of members of a single household;
- (b) a gathering that includes members of a household and one other person from another household who lives alone; or
- (c) a gathering that includes persons described in clause (a) or (b), and a caregiver for any of those persons.

Exception, retirement homes

2.1 Section 1 does not apply with respect to a gathering in a retirement home within the meaning of the *Retirement Homes Act, 2010* if it is in compliance with the policies or guidance, if any, issued by the Retirement Homes Regulatory Authority.

(6) Schedule 9 to the Regulation is amended by adding the following section:

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) (e) 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 the purposes of health and safety, and paragraph 2 applies with necessary modifications.

14. The Regulation is amended by adding the following Schedule:

SCHEDULE 10
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.
2. An individual who works for a manufacturer or distributor of pharmaceutical products or medical supplies, including medications, medical isotopes, vaccines, antivirals, medical devices, sanitizers and disinfectants.

3. An individual who performs work in relation to the administration, manufacturing or distribution of COVID-19 vaccines and whose work cannot be performed remotely.
4. An individual who works in a pharmacy as defined in the *Drug and Pharmacies Regulation Act*.
5. An individual who works in an establishment where goods or services are sold or offered for sale to the public, if a pharmacy as defined in the *Drug and Pharmacies Regulation Act* is located within the establishment.
6. A police officer as defined in the *Police Services Act*.
7. A special constable appointed pursuant to section 53 of the *Police Services Act*.
8. A member of a police force other than a police officer as defined in the *Police Services Act*.
9. 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.
10. A provincial offences officer as defined in the *Provincial Offences Act*.
11. 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.
12. 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 or the Ministry of the Solicitor General, including,
 - i. the Indigenous Courtwork Program,

- ii. the Indigenous Bail Verification and Supervision Program, or
 - iii. the Indigenous Bail Beds Program.
- 13. 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.
- 14. An individual employed as a firefighter as defined in the *Fire Protection and Prevention Act, 1997*.
- 15. An individual who is,
 - 1. 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.
- 16. A paramedic as defined in the *Ambulance Act*.
- 17. A coroner as defined in the *Coroners Act*.
- 18. 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.
- 19. 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.
- 20. 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*.
- 21. An individual employed in the Operational Support Division of the Correctional Services Recruitment and Training Centre in the Ministry of the Solicitor General who,
 - 1. provides facilities or maintenance services, or

- ii. is a Senior Staff Development Officer or Manager of Customized Training.
- 22. An employee of Compass Group Canada Ltd. who works at or provides services in relation to the Cook Chill Food Production Centre.
- 23. 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.
- 24. 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.
- 25. An individual employed in the Ministry of the Solicitor General at the Provincial Forensic Pathology Unit.
- 26. An individual employed in the Provincial Emergency Operations Centre or at the Ministry of the Solicitor General's Emergency Operations Centre.
- 27. 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.
- 28. 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*.
- 29. 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*.

30. 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 subsection 35 (1) of that Act.
31. 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.
32. 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.
33. 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.
34. Persons employed in the Direct Operated Facilities Branch of the Ministry of Children, Community and Social Services.
35. 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.
36. 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*.
37. An individual who works in a child care centre or who otherwise provides child care in accordance with the requirements in this Order.
38. An individual appointed as an inspector under subsection 28 (1) of the *Child Care and Early Years Act, 2014*.
39. Any individual whose child was registered in an emergency child care program delivered by a consolidated municipal service manager or district social service administration board during the time period beginning on April 6, 2021 and ending on April 16, 2021.

40. A staff member of a school as defined in the *Education Act* who provides, or supports the provision of, in-person instruction at a school to pupils with special education needs who cannot be accommodated through remote learning.
41. A staff member of a school as defined in the *Education Act* who,
 - i. provides or supports the provision of in-person teaching or instruction in a school that is permitted to provide in-person teaching and instruction under this Order, and
 - ii. has a child who is enrolled at a school that is not permitted to provide in-person teaching or instruction under this Order and who is not receiving in-person teaching or instruction.
42. A member of the Canadian Armed Forces or an employee of the Department of National Defence.
43. 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.
44. 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.
45. Staff as defined in the *Retirement Homes Act, 2010*.
46. Licensees as defined in the *Retirement Homes Act, 2010* who are individuals and who work or provide services at a retirement home.
47. Staff as defined in the *Long-Term Care Homes Act, 2007*.

48. 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*.
49. An individual employed in the Ministry of Labour, Training and Skills Development in Radiation Protection Services.
50. 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, or the ongoing refining, transmission, distribution and storage of gas or other type of hydrocarbon, sufficient to meet the demands of the province of Ontario:
 1. The Independent Electricity System Operator.
 11. A generator, transmitter or distributor within the meaning of the *Electricity Act, 1998*.
 111. A gas distributor or gas transmitter within the meaning of the *Ontario Energy Board Act, 1998*.
 - iv. A distributor as defined in subsection 40 (3) of the *Technical Standards and Safety Act, 2000* that is not already described in subparagraph ii or iii.
 - v. An oil refinery.
51. An individual who performs work that is essential to the operation of, or who conducts COVID-19 sampling and analysis related to,
 - i. a municipal drinking water system as defined in section 2 of the *Safe Drinking Water Act, 2002*,
 11. 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
 111. 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.
52. An individual employed in the Ministry of the Environment, Conservation and Parks who performs work in relation to the following and whose work cannot be performed remotely:

1. Laboratory services.
 - ii. Environmental monitoring and reporting.
 - iii. Responding to environmental incidents.
 - iv. The operation of Ontario Parks.
53. An individual employed in a business involved in the collecting, transporting, storing, processing, disposing or recycling of any type of waste.
 54. 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.
 55. An individual working in a homeless shelter or providing services to homeless persons.
 56. An individual who works for a business that processes, manufactures or distributes food or beverages.
 57. An individual who works in a supermarket, grocery store, convenience store, farmer's market or other store that primarily sells food, other than an establishment described in section 3 of Schedule 7.
 58. An individual who works at a business that produces food, beverages, or agricultural products including plants, including by farming, harvesting, aquaculture, hunting or fishing.
 59. An individual who works at a business that supports the food or agricultural products supply chains.
 60. An individual who is engaged in work that involves driving a Class A or D motor vehicle as described in Ontario Regulation 340/94 (Drivers' Licences) made under the *Highway Traffic Act*.
 61. An individual employed by a municipal transit agency, Metrolinx or the Ontario Northland Transportation Commission whose work cannot be performed remotely.
 62. An individual who works for a business described in section 40 of Schedule 7.
 63. Members, officers and special constables appointed under the *Royal Canadian Mounted Police Act* who are working in Ontario.

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

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

Commencement

15. This Regulation comes into force on the day it is filed.

CONFIDENTIEL
jusqu'au dépôt auprès du
registrateur des règlements

Reg2021.0517.f24.EDI
24-EC/CJO

RÈGLEMENT DE L'ONTARIO

pris en vertu de la

LOI DE 2020 SUR LA RÉOUVERTURE DE L'ONTARIO (MESURES ADAPTABLES EN RÉPONSE À LA COVID-19)

modifiant le Règl. de l'Ont. 82/20

(RÈGLES POUR LES RÉGIONS À L'ÉTAPE 1)

1. Le titre du Règlement de l'Ontario 82/20 est abrogé et remplacé par ce qui suit :

RÈGLES POUR LES RÉGIONS DANS LA ZONE DE FERMETURE ET À L'ÉTAPE 1

2. L'article 1 du Règlement est abrogé et remplacé par ce qui suit :

Termes du décret

1. Les termes du présent décret sont énoncés aux annexes 1 à 10.

3. Les articles 3 à 3.3 du Règlement sont abrogés et remplacés par ce qui suit :

Champ d'application

3. (1) Sous réserve des paragraphes (2) et (3), le présent décret s'applique aux régions indiquées à l'annexe 1 du Règlement de l'Ontario 363/20 pris en vertu de la Loi.

(2) Les annexes 1 à 5 s'appliquent partout dans la zone de fermeture.

(3) Les annexes 6 à 10 s'appliquent dans toutes les régions à l'étape 1.

Zone de fermeture

3.1 Dans le présent décret, la mention de «zone de fermeture» vaut mention de toutes les régions indiquées comme se trouvant dans la zone de fermeture à l'article 1 de l'annexe 1 du Règlement de l'Ontario 363/20 pris en vertu de la Loi.

Étape 1

3.2 Dans le présent décret, la mention de «régions à l'étape 1» vaut mention de toutes les régions indiquées comme se trouvant à l'étape 1 à l'article 2 de l'annexe 1 du Règlement de l'Ontario 363/20 pris en vertu de la Loi.

Mentions du présent décret

3.3 (1) Dans les annexes 1 à 5, la mention du «présent décret» vaut mention des annexes 1 à 5.

(2) Dans les annexes 6 à 10, la mention du «présent décret» vaut mention des annexes 6 à 10.

4. (1) Le paragraphe 1 (5) de l'annexe 1 du Règlement est modifié par remplacement de «12» par «10».

(2) Les articles 11 et 12 de l'annexe 1 du Règlement sont abrogés.

5. Le paragraphe 6 (3) de l'annexe 2 du Règlement est modifié par suppression de «(Règles pour les régions à l'étape 2)» à la fin du passage qui précède la disposition 1.

6. Le paragraphe 4 (2) de l'annexe 3 du Règlement est modifié par adjonction de la disposition suivante :

21.1 Les jeux de fers à cheval.

7. L'annexe 4 du Règlement est modifiée par adjonction de l'article suivant :

Exception : maisons de retraite

2.1 L'article 1 ne s'applique pas à un rassemblement dans une maison de retraite au sens de la *Loi de 2010 sur les maisons de retraite* si celui-ci est conforme aux politiques ou aux orientations, le cas échéant, que donne l'Office de réglementation des maisons de retraite.

8. La version anglaise de la disposition 21.2 de l'annexe 5 du Règlement est modifiée par remplacement de «section 35 (1)» par «subsection 35 (1)».

9. Le titre qui précède immédiatement l'annexe 6 du Règlement est abrogé et remplacé par ce qui suit :

ÉTAPE 1

10. (1) Le titre de l'annexe 6 du Règlement est abrogé et remplacé par ce qui suit :

ANNEXE 6 RÈGLES GÉNÉRALES APPLICABLES À L'ÉTAPE 1

(2) Le paragraphe 1 (5) de l'annexe 6 du Règlement est modifié par remplacement de «13» par «11».

(3) Le paragraphe 2 (4) de l'annexe 6 du Règlement est abrogé.

(4) L'annexe 6 du Règlement est modifiée par adjonction de l'article suivant :

Télétravail, sauf lorsque nécessaire

2.1 (1) Chaque personne responsable d'une entreprise ou d'un organisme qui est ouvert veille à ce que toute personne qui exécute un travail pour l'entreprise ou l'organisme l'exécute à distance, sauf si la nature de son travail nécessite sa présence dans le lieu de travail.

(2) Le paragraphe (1) ne s'applique ni à une entreprise ni à un organisme visés au paragraphe 1 (9).

(5) L'article 3 de l'annexe 6 du Règlement est modifié par adjonction du paragraphe suivant :

(3.1) Pour l'application du présent décret, le nombre maximal de membres du public autorisés dans une entreprise ou dans une installation qui fonctionne à 15 % de sa capacité d'accueil est calculé en prenant la superficie totale en mètres carrés accessible au public dans l'entreprise ou dans l'installation, en excluant les rayonnages et les accessoires de magasin fixes, en divisant ce nombre par 26,67 et en arrondissant le résultat à la baisse au nombre entier le plus près.

(6) Le paragraphe 4 (4) de l'annexe 6 du Règlement est abrogé et remplacé par ce qui suit :

(4) Chaque membre du public se trouvant dans l'établissement d'une entreprise ou dans une installation qui est ouverte au public et chaque personne présente à un événement public organisé ou à un rassemblement autorisé par le présent décret maintient une distance physique d'au moins deux mètres par rapport à chaque autre personne, à l'exception de son fournisseur de soins ou des membres de son ménage.

(7) L'article 5 de l'annexe 6 du Règlement est abrogé et remplacé par ce qui suit :

Distanciation physique et port du masque ou du couvre-visage dans les files d'attente

5. (1) La personne responsable d'une entreprise ou d'un lieu qui est ouvert ne doit pas permettre à ses clients de faire la queue ni de se rassembler à l'extérieur de l'entreprise ou du lieu à moins de maintenir une distance physique d'au moins deux mètres par rapport aux autres groupes de personnes.

(2) La personne responsable d'une entreprise ou d'un lieu qui est ouvert ne doit pas permettre à ses clients de faire la queue à l'intérieur de l'entreprise ou du lieu à moins de satisfaire aux conditions suivantes :

- a) ils maintiennent une distance physique d'au moins deux mètres par rapport aux autres groupes de personnes;
- b) ils portent un masque ou un couvre-visage de manière à couvrir leur bouche, leur nez et leur menton, sauf s'ils peuvent invoquer l'une ou l'autre des exceptions énoncées au paragraphe 2 (5).

(8) L'article 7 de l'annexe 6 du Règlement est abrogé.

(9) L'article 9 de l'annexe 6 du Règlement est abrogé.

(10) Les articles 12 et 13 de l'annexe 6 du Règlement sont abrogés.

11. (1) Le titre de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

ANNEXE 7 ENTREPRISES QUI PEUVENT OUVRIR À L'ÉTAPE 1

(2) L'article 2 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

Détaillants

2. (1) Les entreprises suivantes qui effectuent des ventes au détail au public et qui satisfont aux conditions énoncées au paragraphe (2) :

- 1. Les supermarchés, épiceries, magasins de proximité, marchés fermiers intérieurs et autres magasins qui vendent principalement des aliments, à l'exception des établissements visés à l'article 3.
- 2. Les pharmacies.
- 3. Les détaillants à bas prix et les grandes surfaces qui vendent des produits d'épicerie.
- 4. Les magasins d'équipement de sécurité.
- 5. Les entreprises qui vendent, louent ou réparent principalement des appareils et accessoires fonctionnels et les fournitures connexes, des aides à la mobilité et les fournitures pour la mobilité, ou des fournitures, aides et équipements médicaux.
- 6. Les magasins de produits optiques qui vendent des verres correcteurs au public.

7. Les magasins de vente au détail exploités par des fournisseurs de télécommunications.
8. Les magasins, à l'exception des établissements visés à l'article 3, qui vendent des boissons alcoolisées, y compris la bière, le vin et les spiritueux.
9. Les jardineries et pépinières de plein air.
10. Les serres intérieures.

(2) Les entreprises doivent satisfaire aux conditions suivantes :

1. Elles doivent limiter le nombre total de membres du public dans l'établissement de l'entreprise de sorte que le nombre total de membres du public dans l'établissement de l'entreprise à tout moment ne dépasse pas 25 % de sa capacité d'accueil, selon ce qui est calculé conformément au paragraphe 3 (3) de l'annexe 6.
2. Elles doivent veiller à ce qu'aucune musique ne soit diffusée dans l'établissement de l'entreprise à un niveau de décibels supérieur au niveau auquel une conversation normale est possible.

(3) Il est entendu que la disposition 1 du paragraphe (1) comprend les magasins qui vendent principalement une catégorie d'aliments.

(4) Le présent article n'a pas pour effet d'autoriser une entreprise située dans un marché fermier intérieur à dépasser 15 % de sa capacité d'accueil pour les achats en magasin, sauf s'il s'agit d'une entreprise qui vend principalement des aliments.

(3) La disposition 5 du paragraphe 3 (2) de l'annexe 7 du Règlement est abrogée.

(4) La disposition 6 du paragraphe 3 (2) de l'annexe 7 du Règlement est abrogée et remplacée par ce qui suit :

6. Aucun client ne peut être autorisé à faire la queue ni se rassembler à l'extérieur de l'établissement à moins de maintenir une distance physique d'au moins deux mètres par rapport aux autres groupes de personnes à l'intérieur ou à l'extérieur de l'établissement.
- 6.1 Aucun client ne peut faire la queue à l'intérieur de l'établissement à moins de satisfaire aux conditions suivantes
 - i. il maintient une distance physique d'au moins deux mètres par rapport aux autres groupes de personnes à l'intérieur ou à l'extérieur de l'établissement,

- ii. il porte un masque ou un couvre-visage de manière à couvrir sa bouche, son nez et son menton, sauf s'il peut invoquer l'une ou l'autre des exceptions énoncées au paragraphe 2 (5) de l'annexe 6.

(5) La disposition 7 du paragraphe 3 (2) de l'annexe 7 du Règlement est abrogée et remplacée par ce qui suit :

- 7. Quatre personnes au plus peuvent être assises ensemble à une table extérieure sur les lieux de l'établissement, à moins que chaque personne assise à la table soit, selon le cas :
 - i. un membre du même ménage,
 - ii. un membre d'au plus un autre ménage vivant seul,
 - iii. un fournisseur de soins pour un membre quelconque de l'un ou l'autre de ces ménages.

(6) Le paragraphe 3 (3) de l'annexe 7 du Règlement est modifié par remplacement de «aux dispositions 1, 2, 3, 4, 6, 9, 10, 12, et 13 du paragraphe 1 (1) de l'annexe 2 du Règlement de l'Ontario 263/20 (Règles pour les régions à l'étape 2)» par «aux dispositions 1, 2, 3, 4, 6, 8.1, 9, 10, 12, et 13 du paragraphe 1 (1) de l'annexe 2 du Règlement de l'Ontario 263/20» dans le passage qui précède la disposition 1.

(7) L'article 5 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

5. (1) Les centres commerciaux qui satisfont aux conditions suivantes :

- 1. Malgré l'article 7, les seules entreprises situées dans le centre commercial qui peuvent ouvrir pour les ventes au détail au public en personne sont les suivantes
 - i. les entreprises visées à l'article 2,
 - ii. les autres entreprises qui ont une entrée publique qui s'ouvre sur une rue ou un trottoir extérieur.
- 2. Les membres du public ne doivent être autorisés à entrer dans le centre commercial qu'aux fins suivantes :
 - i. en vue d'avoir accès à une entreprise ou à un lieu dont l'ouverture est permise en vertu du présent décret,
 - ii. en vue d'avoir accès à un endroit désigné visé au paragraphe (4) ou (5),

- iii. en vue d'assurer ou d'appuyer la fourniture de services relatifs aux tribunaux,
 - iv. pour des activités exercées par un gouvernement ou au nom de celui-ci,
 - v. en vue d'assurer ou d'appuyer la fourniture de services gouvernementaux.
3. Les membres du public qui entrent dans le centre commercial pour un motif visé à la disposition 2 ne doivent pas être autorisés à flâner dans une partie du centre qui n'a aucun rapport avec l'objet de leur visite.
 4. Si une entreprise ou un lieu situé dans le centre commercial a une entrée publique qui s'ouvre sur une rue ou un trottoir extérieur, il est satisfait aux conditions suivantes
 - i. d'une part, les membres du public ne peuvent être autorisés à entrer dans l'entreprise ou le lieu et à en sortir que par une entrée publique qui s'ouvre sur une rue ou un trottoir extérieur,
 - ii. d'autre part, il doit être interdit aux membres du public d'entrer dans l'entreprise ou le lieu ou d'en sortir par toute entrée qui s'ouvre directement sur le centre commercial.
 5. Les espaces de restauration intérieurs qui se trouvent dans le centre commercial, notamment les tables et les sièges dans les aires de restauration, doivent être fermés.
 6. Le centre commercial doit veiller à ce qu'aucune musique n'y soit diffusée à un niveau de décibels supérieur au niveau auquel une conversation normale est possible.
 7. Le centre commercial qui est un centre commercial intérieur doit effectuer activement le contrôle sanitaire des particuliers, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant qu'ils n'accèdent à l'intérieur du centre commercial.

(2) Les entreprises situées dans le centre commercial qui ne sont pas autorisées à ouvrir pour les ventes au détail au public en personne peuvent ouvrir pour l'une ou l'autre des fins suivantes :

- a) effectuer des ventes à l'aide d'autres méthodes de vente qui n'oblige pas les clients à entrer dans le centre commercial, notamment la collecte sur le trottoir ou la livraison;
- b) permettre aux clients de faire la collecte d'articles à un endroit désigné établi par le centre commercial en vertu du paragraphe (4) ou (5).

(3) Il est entendu que la disposition 5 du paragraphe (1) n'a pas pour effet d'empêcher un restaurant, un bar ou un autre établissement qui sert des aliments ou des boissons qui se trouve dans un centre commercial d'ouvrir et d'exercer ses activités conformément à l'article 3.

(4) Un centre commercial peut établir un seul endroit désigné à l'intérieur du centre en vue de permettre aux clients de faire la collecte d'une commande passée auprès d'une entreprise ou d'un lieu qui est situé dans le centre commercial. Les clients peuvent faire la collecte d'une commande auprès de l'endroit désigné à l'intérieur uniquement en prenant rendez-vous. Un article ne peut être fourni pour collecte que si le client l'a commandé avant d'arriver sur les lieux de l'entreprise.

(5) Un centre commercial peut établir un nombre d'endroits désignés à l'extérieur du centre en vue de permettre aux clients de faire la collecte d'une commande passée auprès d'une entreprise ou d'un lieu qui est situé dans le centre commercial. Les clients peuvent faire la collecte d'une commande auprès d'un endroit désigné à l'extérieur uniquement en prenant rendez-vous. Un article ne peut être fourni pour collecte que si le client l'a commandé avant d'arriver sur les lieux de l'entreprise.

(8) L'article 5.1 de l'annexe 7 du Règlement est abrogé.

(9) La disposition 4 de l'article 6 de l'annexe 7 du Règlement est modifiée par remplacement de «50 % de la capacité d'accueil, selon ce qui est établi conformément au paragraphe 3 (2) de l'annexe 6» par «25 % de sa capacité d'accueil, selon ce qui est calculé conformément au paragraphe 3 (3) de l'annexe 6» à la fin de la disposition.

(10) L'article 7 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

7. (1) Les entreprises qui ne sont pas visées aux articles 2 à 6, qui effectuent des ventes au détail au public et qui se conforment aux conditions suivantes :

1. Elles doivent limiter le nombre de membres du public dans l'établissement de l'entreprise de sorte que le nombre total de membres du public dans l'établissement de l'entreprise à tout moment ne dépasse pas 15 % de sa capacité d'accueil, selon ce qui est calculé conformément au paragraphe 3 (3.1) de l'annexe 6.
2. Elles doivent veiller à ce qu'aucune musique ne soit diffusée dans l'établissement de l'entreprise à un niveau de décibels supérieur au niveau auquel une conversation normale est possible.

(2) Malgré toute autre disposition du présent décret, les entreprises qui effectuent des ventes au détail au public et qui ne sont pas visées aux articles 1 à 6 doivent satisfaire aux conditions énoncées au paragraphe (1).

(3) Les magasins de vente au détail de cannabis exploités en vertu d'une autorisation de magasin de vente au détail délivrée aux termes de la *Loi de 2018 sur les licences liées au cannabis* peuvent ouvrir s'ils satisfont aux conditions énoncées au paragraphe (1) et qu'ils fournissent des produits aux clients par l'intermédiaire de la vente en personne ou par d'autres méthodes de vente, notamment la collecte sur le trottoir ou la livraison.

(4) Une entreprise dont, le 26 décembre 2020, l'ouverture n'était autorisée que conformément aux conditions visées au paragraphe (1), dans sa version en vigueur à cette date, ne peut rester ouverte que conformément aux conditions prévues à ce paragraphe dans sa version modifiée, qu'elle ait ou non modifié, après cette date, ses activités ou le type de produits qu'elle vend.

(5) Malgré le paragraphe 32 (2) du Règlement de l'Ontario 268/18 (Dispositions générales) pris en vertu de la *Loi de 2017 favorisant un Ontario sans fumée*, la personne responsable d'une boutique spécialisée de vapotage, au sens de la définition donnée à ce terme dans ce règlement, dont l'ouverture est autorisée conformément aux conditions visées au paragraphe (1), ne doit pas permettre l'utilisation d'une cigarette électronique pour l'essai d'un produit de vapotage dans la boutique spécialisée de vapotage.

(11) L'article 14 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

14. Les services domestiques qui soutiennent les enfants, les personnes âgées ou vulnérables, y compris les services d'entretien ménager, de cuisine, de nettoyage intérieur et extérieur, et d'entretien.

(12) L'article 21 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

21. (1) Les fournisseurs de services de garde, sous réserve des paragraphes (2) et (3).

(2) Un centre de garde peut ouvrir s'il satisfait aux conditions suivantes :

1. Le centre ne doit pas exploiter un programme de services de garde qui fonctionne avant ou après l'école durant n'importe quel jour d'école pour un enfant, sauf si l'école de l'enfant est autorisée en vertu du présent décret à dispenser un enseignement en personne à l'enfant ce jour-là.
2. Le centre ne doit pas fournir des services de garde les jours d'école pendant les heures normales d'école à un enfant qui fréquente une école non autorisée en vertu du présent décret à dispenser un enseignement en personne à l'enfant ce jour-là et qui, avant le 12 avril 2021 :
 1. était inscrit à l'école,
 11. n'était pas inscrit au centre ces jours-là et pendant ces heures-là.

3. Si le ministre de l'Éducation désigne un centre de garde en tant que centre de garde d'urgence qui dispense des services de garde aux enfants des particuliers énumérés à l'annexe 10, la disposition 2 ne s'applique pas à la prestation de services de garde par le centre aux enfants de ces particuliers.

(3) Le fournisseur de programmes autorisés de loisirs et de développement des compétences ne doit pas fournir un tel programme à un enfant un jour d'école, sauf si l'enfant est inscrit à une école qui est autorisée en vertu du présent décret à dispenser un enseignement en personne ce jour-là.

(4) Les définitions qui suivent s'appliquent au présent article.

«jour d'école» S'entend au sens de la *Loi sur l'éducation*. («school day»)

«programme autorisé de loisirs et de développement des compétences», «garde d'enfants», «centre de garde» et «fournisseur de services de garde» S'entendent au sens de la *Loi de 2014 sur la garde d'enfants et la petite enfance*. («authorized recreational and skill building programs», «child care», «child care centre», «child care provider»)

(13) L'annexe 7 du Règlement est modifiée par adjonction de l'article suivant :

21.1 Les entreprises offrant des logements locatifs de courte durée qui satisfont à la condition suivante

1. Les piscines intérieures, les bains de vapeur communs, les saunas ou les bassins d'hydromassage intérieurs, les centres de conditionnement physique intérieurs ou autres installations récréatives intérieures qui font partie des activités de ces entreprises sont fermés.

(14) La disposition 1 de l'article 22 de l'annexe 7 du Règlement est abrogée et remplacée par ce qui suit :

1. Les piscines intérieures, les bains de vapeur communs, les saunas ou les bassins d'hydromassage intérieurs, les centres de conditionnement physique intérieurs ou autres installations récréatives intérieures qui font partie des activités de ces entreprises sont fermés.

(15) L'article 22.1 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

22.1 (1) Les établissements qui sont exploités dans le but de donner accès à des caissons d'isolement sensoriel qui sont utilisés à des fins thérapeutiques prescrites ou administrées par un membre d'une profession de la santé réglementée et qui satisfont aux conditions suivantes

1. Les personnes qui fournissent des services dans l'entreprise doivent porter l'équipement de protection individuelle approprié.
2. Aucun membre du public ne peut être autorisé à entrer dans les lieux à moins d'avoir un rendez-vous.
3. Aucun membre du public ne peut être autorisé à se trouver dans les lieux, sauf au cours de la période durant laquelle il reçoit des services de caisson d'isolement sensoriel.
4. Le nombre total de clients autorisés à se trouver à l'intérieur de l'établissement doit être limité au nombre qui rend possible le maintien d'une distance physique d'au moins deux mètres par rapport à chaque autre personne dans l'établissement. Dans tous les cas, ce nombre ne peut pas dépasser le moins élevé des nombres suivants :
 1. cinq clients,
 11. 25 % de sa capacité d'accueil, calculée conformément au paragraphe 3 (3) de l'annexe 6.

(2) La disposition 3 du paragraphe (1) ne s'applique pas à un seul fournisseur de soins accompagnant un particulier qui reçoit des services de caisson d'isolement sensoriel ou à un seul enfant du particulier.

(16) L'article 23 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

23. Les terrains de camping qui satisfont à la condition suivante :

1. Les restaurants, les piscines intérieures, les bains de vapeur communs, les saunas ou les bassins d'hydromassage intérieurs, les salles de réunion, les centres de conditionnement physique intérieurs ou autres installations récréatives intérieures sur les lieux doivent être fermés au public, sauf toute partie de ces aires qui, selon le cas
 1. est utilisée pour fournir des services de premiers soins,
 - ii. est utilisée pour fournir un service de vente à emporter, de livraison ou de restauration à l'extérieur, conformément à l'article 3,
 - iii. comprend des salles de toilette,
 - iv. fournit l'accès à une aire visée à la sous-disposition i, ii ou iii.

(17) L'article 24.1 de l'annexe 7 du Règlement est abrogé.

(18) Le paragraphe 30 (2) de l'annexe 7 du Règlement est modifié par remplacement de «article 7» par «article 2» à la fin du paragraphe.

(19) La disposition 1 du paragraphe 34 (1) de l'annexe 7 du Règlement est abrogée et remplacée par ce qui suit :

1. Les pavillons, les restaurants, les piscines intérieures, les bains de vapeur communs, les saunas ou les bassins d'hydromassage intérieurs, les salles de réunion, les centres de conditionnement physique intérieurs ou autres installations récréatives intérieures sur les lieux doivent être fermés au public, sauf toute partie de ces aires qui, selon le cas :
 - i. est utilisée pour fournir des services de premiers soins,
 - ii. est utilisée pour fournir un service de vente à emporter, de livraison ou de restauration à l'extérieur, conformément à l'article 3,
 - iii. comprend des salles de toilette,
 - iv. fournit l'accès à une aire visée à la sous-disposition i, ii ou iii.

(20) Le paragraphe 45 (7) de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

(7) Une installation destinée aux sports de plein air ou aux activités de conditionnement physique récréatives de plein air, y compris une installation destinée aux sports d'intérieur et aux activités de conditionnement physique récréatives d'intérieur qui comporte des installations de plein air, peut ouvrir si elle satisfait aux conditions suivantes :

1. Les seules activités autorisées sur les lieux sont les cours de conditionnement physique de plein air, l'entraînement personnel de plein air et l'entraînement pour les sports d'équipe et sports individuels de plein air.
2. Aucun client n'est autorisé à se trouver dans les parties intérieures de l'installation sauf dans la mesure nécessaire pour, selon le cas :
 - i. utiliser les salles de toilette,
 - ii. accéder à une partie extérieure à laquelle on ne peut accéder que par une voie intérieure,
 - iii. lorsque cela est nécessaire à des fins de santé et de sécurité.
3. Au plus 10 clients peuvent participer, selon le cas :

- i. à un cours de conditionnement physique de plein air à tout moment,
 - ii. à un entraînement personnel ou à un entraînement pour des sports d'équipe ou individuels en tant que groupe.
- 4. Aucun spectateur n'est autorisé à se trouver à l'installation. Toutefois, toute personne âgée de moins de 18 ans qui participe à des activités dans l'installation peut être accompagnée d'un parent ou d'un tuteur.
- 5. Quiconque entre dans l'installation ou l'utilise doit maintenir une distance physique d'au moins trois mètres par rapport aux autres personnes qui utilisent l'installation.
- 6. Il est entendu que les sports d'équipe ne doivent pas être pratiqués à l'installation, exception faite des séances d'entraînement des membres d'une équipe sportive qui ne comprennent pas de matchs ou de matchs simulés.
- 7. Les activités susceptibles d'entraîner une distance physique de moins de trois mètres entre des particuliers ne doivent pas être pratiquées à l'installation.
- 8. La personne responsable de l'installation doit faire ce qui suit :
 - 1. consigner le nom et les coordonnées de chaque membre du public qui entre dans l'installation,
 - ii. conserver ces renseignements pendant au moins un mois,
 - iii. ne divulguer ces renseignements qu'à un médecin-hygiéniste ou à un inspecteur au sens de la *Loi sur la protection et la promotion de la santé*, sur demande, à une fin précisée à l'article 2 de cette loi ou que si la loi l'exige par ailleurs.
- 9. L'installation doit effectuer activement le contrôle sanitaire des particuliers, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant qu'ils n'accèdent à l'installation.

(21) Le paragraphe 45 (9) de l'annexe 7 est abrogé.

(22) L'article 45.1 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

Conditionnement physique personnel

45.1 Les entraîneurs personnels en conditionnement physique et les entraîneurs sportifs personnels qui satisfont aux conditions suivantes :

1. Les services doivent être fournis à l'extérieur.
2. Les services ne peuvent être fournis à plus de 10 clients en même temps.
3. Aucun spectateur n'est autorisé. Toutefois, toute personne âgée de moins de 18 ans qui participe à des activités de conditionnement physique ou d'entraînement sportif peut être accompagnée d'un parent ou d'un tuteur.
4. Quiconque participe à des activités de conditionnement physique ou d'entraînement sportif doit maintenir une distance physique d'au moins trois mètres par rapport aux autres personnes.
5. Les séances d'entraînement des membres d'une équipe sportive ne peuvent pas comprendre de matchs ou de matchs simulés.
6. Les activités susceptibles d'entraîner une distance physique de moins de trois mètres entre les personnes ne doivent pas être pratiquées.
7. L'entraîneur personnel en conditionnement physique ou l'entraîneur sportif personnel doit faire ce qui suit :
 - i. consigner le nom et les coordonnées de chaque membre du public à qui il fournit des services,
 - ii. conserver ces renseignements pendant au moins un mois,
 - iii. ne divulguer ces renseignements qu'à un médecin-hygiéniste ou à un inspecteur au sens de la *Loi sur la protection et la promotion de la santé*, sur demande, à une fin précisée à l'article 2 de cette loi ou que si la loi l'exige par ailleurs.
8. L'entraîneur personnel en conditionnement physique ou l'entraîneur sportif personnel doit effectuer activement le contrôle sanitaire des particuliers, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant qu'ils ne participent à des activités de conditionnement physique et d'entraînement sportif.

(23) L'article 46 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

Loisirs

46. (1) Sous réserve du paragraphe (2), les entreprises dont la fonction principale est d'exploiter une installation récréative de plein air dont l'ouverture est autorisée en vertu de l'article 4 de l'annexe 8.

(2) Les parcs d'attractions et les parcs aquatiques doivent être fermés.

(24) L'article 47 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

47. Les pistes de course des hippodromes et des autodromes et autres endroits semblables peuvent ouvrir pour tenir des entraînements et des courses s'ils satisfont aux conditions suivantes :

1. Aucun membre du public n'y est autorisé.
2. Seules les personnes qui sont essentielles à la tenue des entraînements ou des courses ou au fonctionnement de l'endroit y sont autorisées.

(25) L'annexe 7 du Règlement est modifiée par adjonction de l'article suivant :

50.1 Les praticiens en ostéopathie manuelle.

(26) L'annexe 7 du Règlement est modifiée par adjonction de l'article suivant :

Enseignement

57.1 Les entreprises qui ouvrent pour offrir de l'enseignement en personne et qui satisfont aux conditions suivantes :

1. L'aire d'enseignement en personne doit être en plein air.
2. Les étudiants doivent maintenir une distance d'au moins deux mètres par rapport à chaque autre personne dans l'aire d'enseignement, sauf dans la mesure nécessaire pour dispenser un enseignement qui ne peut être dispensé efficacement si la distance physique est maintenue.
3. Le nombre total d'étudiants autorisés à se trouver au même moment dans chaque aire d'enseignement doit être limité à 10 personnes.
4. Si l'enseignement comporte du chant ou l'usage d'instruments à vent ou de la famille des cuivres, l'une ou l'autre des conditions suivantes doit être respectée :
 - i. chaque personne qui chante ou qui joue d'un de ces instruments doit être séparée de chaque autre personne par une barrière de plexiverre ou une autre barrière imperméable,
 - ii. chaque personne dans l'aire d'enseignement doit maintenir une distance physique d'au moins trois mètres par rapport aux autres personnes dans l'aire.

5. Un contrôle sanitaire des étudiants doit être effectué activement, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant qu'ils n'entrent dans l'entreprise.
6. La personne responsable de l'entreprise doit faire ce qui suit :
 - i. consigner le nom et les coordonnées de chaque étudiant qui assiste à l'enseignement en personne,
 - ii. conserver ces renseignements pendant au moins un mois,
 - iii. ne divulguer ces renseignements qu'à un médecin-hygiéniste ou à un inspecteur au sens de la *Loi sur la protection et la promotion de la santé*, sur demande, à une fin précisée à l'article 2 de cette loi ou que si la loi l'exige par ailleurs.

(27) Le paragraphe 60 (1) de l'annexe 7 du Règlement est modifié par adjonction de la disposition suivante :

- 1.1 Pas plus de 50 artistes peuvent être autorisés à se trouver sur le plateau de tournage.

(28) La disposition 4 du paragraphe 60 (1) de l'annexe 7 du Règlement est abrogée.

(29) L'article 63 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

63. Les services de photographie commerciale et industrielle.

63.1 Les studios et services de photographie qui satisfont aux conditions suivantes :

1. Les services de photographie ne peuvent être fournis que sur rendez-vous.
2. Les services en personne, y compris la prise de photographies, doivent être fournis aux clients à l'extérieur.
3. Un contrôle sanitaire des clients doit être effectué activement, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant que les services de photographie ne soient fournis.

(30) L'article 65 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

Divertissement

65. (1) Les salles de concert, théâtres et cinémas qui satisfont aux conditions énoncées au paragraphe (2) ou (3).

(2) Les salles de concert, théâtres et cinémas peuvent ouvrir aux fins des répétitions ou de la présentation d'un concert, d'une manifestation artistique, d'une représentation théâtrale ou d'une autre représentation enregistrés ou diffusés s'ils satisfont aux conditions suivantes

1. Aucun spectateur ne peut être autorisé à se trouver où que ce soit sur les lieux.
2. Seules les personnes qui sont essentielles aux répétitions ou à la représentation sont autorisées à se trouver n'importe où sur les lieux.
3. Au plus 10 artistes peuvent être autorisés à participer aux répétitions ou à la représentation.
4. Tout artiste et toute autre personne qui exécute un travail pour la salle de concert, le théâtre ou le cinéma doit maintenir une distance physique d'au moins trois mètres par rapport à chaque autre personne.
5. Aucun artiste ni aucune autre personne qui exécute un travail pour la salle de concert, le théâtre ou le cinéma ne peut être autorisé à se trouver dans une partie intérieure de la salle de concert, du théâtre ou du cinéma, sauf dans l'une ou l'autre des situations suivantes :
 - i. pour utiliser, au besoin, les salles de toilette,
 - ii. pour accéder, au besoin, à une partie extérieure à laquelle on ne peut accéder que par une voie intérieure,
 - iii. si cela peut être par ailleurs exigé à des fins de santé et de sécurité.
6. La personne qui est responsable de la salle de concert, du théâtre ou du cinéma :
 - i. doit consigner le nom et les coordonnées de chaque artiste ou autre personne qui est présent aux répétitions ou à la représentation,
 - ii. doit conserver ces renseignements pendant au moins un mois,
 - iii. ne doit divulguer ces renseignements qu'à un médecin-hygiéniste ou à un inspecteur au sens de la *Loi sur la protection et la promotion de la santé*, sur demande, à une fin précisée à l'article 2 de cette loi ou que si la loi l'exige par ailleurs.
7. La personne responsable de la salle de concert, du théâtre ou du cinéma doit veiller à ce qu'un contrôle sanitaire des particuliers soit effectué activement, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant qu'ils n'entrent dans les lieux.

(3) Les salles de concert, théâtres et cinémas peuvent ouvrir s'ils satisfont aux conditions suivantes :

1. Le film, le concert, la manifestation artistique, la représentation théâtrale ou l'autre représentation doit être offert devant un public qui y assiste depuis un véhicule à l'arrêt ou en mouvement.
2. Chaque personne présente au ciné-parc ou au concert, à l'événement ou à la représentation présenté devant un public qui y assiste depuis un véhicule automobile à l'arrêt ou en mouvement, à l'exclusion des personnes qui y exécutent un travail, doit rester dans un véhicule automobile dont l'habitacle est conçu pour être entièrement fermé sauf dans l'une ou l'autre des situations suivantes :
 - i. pour acheter, au besoin, un billet d'entrée,
 - ii. pour utiliser, au besoin, les salles de toilette,
 - iii. si cela peut être par ailleurs exigé à des fins de santé et de sécurité.
3. Chaque véhicule automobile au ciné-parc ou au concert, à l'événement ou à la représentation présenté devant un public qui y assiste depuis un véhicule automobile à l'arrêt ou en mouvement ne peut contenir que les membres d'un même ménage, plus un maximum d'une autre personne qui n'en est pas membre et qui vit seule.
4. Le conducteur d'un véhicule automobile au ciné-parc ou au concert, à l'événement ou à la représentation présenté devant un public qui y assiste depuis un véhicule automobile à l'arrêt ou en mouvement doit veiller à ce que le véhicule soit stationné à une distance physique d'au moins deux mètres des autres véhicules automobiles.

66. Les entreprises qui offrent des services de guides touristiques et de guides itinérants en plein air, notamment les excursions de chasse, les dégustations et les visites guidées dans des établissements vinicoles, des brasseries ou des distilleries, les randonnées hors route, les randonnées pédestres et les randonnées à bicyclette, mais pas les excursions en véhicules motorisés ni les croisières en bateau, peuvent ouvrir s'ils satisfont aux conditions suivantes :

1. L'activité doit être organisée de manière à permettre à chaque personne qui y participe, y compris les guides touristiques, de maintenir une distance physique d'au moins deux mètres par rapport à chaque autre personne, sauf, au besoin :
 - i. soit pour faciliter le paiement,
 - ii. soit à des fins de santé et de sécurité.

2. Chaque personne qui participe à l'activité doit porter un masque ou un couvre-visage de manière à couvrir sa bouche, son nez et son menton pendant toute période où elle se trouve à moins de deux mètres d'une autre personne, sauf si elle peut invoquer l'une ou l'autre des exceptions énoncées au paragraphe 2 (5) de l'annexe 6.
3. Le nombre de membres du public qui participent à l'activité ne doit pas dépasser le nombre de personnes qui rendrait possible la conformité à la disposition 1 pendant qu'ils participent à l'activité et, dans tous les cas, ce nombre ne peut pas dépasser 10 personnes.
4. Un contrôle sanitaire de chaque membre du public ayant l'intention de participer à l'activité doit être effectué activement, conformément aux conseils, recommandations et instructions que donne le Bureau du médecin-hygiéniste en chef, avant leur participation à l'activité.
5. Les personnes qui participent à l'activité doivent demeurer à l'extérieur en tout temps, sauf si elles ont besoin d'utiliser les salles de toilette ou si cela peut être par ailleurs exigé à des fins de santé et de sécurité.
6. Le service de guides touristiques ou de guides itinérants doit faire ce qui suit :
 - i. consigner le nom et les coordonnées de chaque client qui participe à l'activité,
 - ii. conserver ces renseignements pendant au moins un mois,
 - iii. ne divulguer ces renseignements sur demande à un médecin-hygiéniste ou à un inspecteur au sens de la *Loi sur la protection et la promotion de la santé* qu'à une fin précisée à l'article 2 de cette loi ou que si la loi l'exige par ailleurs.

12. (1) Le titre de l'annexe 8 du Règlement est abrogé et remplacé ce qui suit :

ANNEXE 8
LIEUX QUI DOIVENT FERMER OU QUI SONT ASSUJETTIS À DES CONDITIONS À
L'ÉTAPE 1

(2) La disposition 5 du paragraphe 1 (1) de l'annexe 8 du Règlement est abrogée.

(3) La disposition 2 du paragraphe 2 (1) de l'annexe 8 du Règlement est abrogée et remplacée par ce qui suit :

2. Si l'enseignement en personne à l'établissement comporte du chant ou l'usage d'instruments à vent ou de la famille des cuivres, l'une ou l'autre des conditions suivantes doit être respectée :

- i. chaque personne qui chante ou qui joue d'un de ces instruments doit être séparée de chaque autre personne par une barrière de plexiverre ou une autre barrière imperméable,
- ii. chaque personne dans l'aire d'enseignement doit maintenir une distance physique d'au moins trois mètres par rapport aux autres personnes dans l'aire d'enseignement.

(4) L'article 3 de l'annexe 8 du Règlement est abrogé et remplacé par ce qui suit :

Écoles et écoles privées

3. (1) Les écoles et les écoles privées au sens de la *Loi sur l'éducation* ne doivent pas dispenser un enseignement en personne.

(2) Malgré le paragraphe (1), les écoles et les écoles privées au sens de la *Loi sur l'éducation* peuvent ouvrir :

- a) dans la mesure où cela est nécessaire pour faciliter l'exploitation d'un centre de garde au sens de la *Loi de 2014 sur la garde d'enfants et la petite enfance*;
- b) si le ministre de l'Éducation l'approuve, dans la mesure où cela est nécessaire pour faciliter le fonctionnement d'un programme de jour prolongé, au sens de la définition donnée à ce terme dans la *Loi sur l'éducation*, pour la fourniture de services de garde d'urgence pour les enfants des particuliers énumérés à l'annexe 10 pendant la période où les écoles ne sont pas autorisées à dispenser un enseignement en personne;
- c) pour permettre à leur personnel de dispenser un enseignement à distance ou un soutien aux élèves, à condition que l'école ou l'école privée fonctionne conformément à une directive de retour à l'école donnée par le ministère de l'Éducation et approuvée par le Bureau du médecin-hygiéniste en chef;
- d) dans la mesure où cela est nécessaire pour dispenser un enseignement en personne aux élèves qui ont des besoins en matière d'éducation à l'enfance en difficulté auxquels ne peut pas répondre l'apprentissage à distance, et qui désirent fréquenter une école ou leur école privée pour qu'un enseignement en personne leur soit dispensé, à condition que l'école ou l'école privée fonctionne conformément à une directive de retour à l'école donnée par le ministère de l'Éducation et approuvée par le Bureau du médecin-hygiéniste en chef;
- e) pour faciliter l'exploitation d'un camp de jour pour enfants visé à l'article 24 de l'annexe 7.

(3) Les paragraphes (1) et (2) ne s'appliquent pas aux écoles qui satisfont à la condition énoncée au paragraphe (4) et qui relèvent, selon le cas :

- a) d'une bande, du conseil d'une bande ou de la Couronne du chef du Canada;
- b) d'une commission indienne de l'éducation qui est autorisée par une bande, le conseil d'une bande ou la Couronne du chef du Canada;
- c) d'une entité qui participe au système d'éducation de la Nation anichinabée.

(4) Une école visée au paragraphe (3) peut ouvrir si elle satisfait à la condition suivante :

- 1. Si une personne qui détient un permis d'études délivré sous le régime de la *Loi sur l'immigration et la protection des réfugiés* (Canada) et qui est entrée au Canada le 17 novembre 2020 ou après cette date fréquente l'école, un enseignement en personne ne peut lui être dispensé que si l'école ou l'école privée satisfait aux exigences suivantes :
 - i. elle dispose d'un plan concernant la COVID-19 qu'a approuvé le ministre de l'Éducation,
 - ii. elle fonctionne en conformité avec le plan approuvé.

(5) Une école ou une école privée peut permettre à des personnes, à l'exception des personnes qui peuvent entrer dans l'école ou l'école privée visée au paragraphe (2), d'y entrer temporairement dans la mesure nécessaire, selon le cas :

- a) pour se préparer en vue d'une cérémonie de célébration de fin d'année scolaire visée au paragraphe 1 (5) de l'annexe 9, si la personne est un membre du personnel ou un élève de l'école ou de l'école privée et qu'elle est tenue d'être à l'intérieur pour la préparation de la cérémonie;
- b) pour utiliser les salles de toilette ou si cela peut être par ailleurs exigé à des fins de santé et de sécurité pendant qu'elles assistent à la célébration de fin d'année scolaire;
- c) pour retourner des biens ou des fournitures ou récupérer des objets personnels.

(5) L'article 4 de l'annexe 8 du Règlement est abrogé et remplacé par ce qui suit :

Installations récréatives

4. (1) Chaque personne responsable d'une installation récréative intérieure ou de plein air qui n'est pas conforme au présent article et qui n'est pas une installation destinée aux sports d'intérieur ou de plein air et aux activités de conditionnement physique récréatives d'intérieur

ou de plein air dont l'ouverture est autorisée en vertu de l'article 45 de l'annexe 7 doit veiller à ce qu'elle soit fermée.

(2) Les installations récréatives de plein air suivantes peuvent ouvrir si elles sont conformes au paragraphe (3)

1. Les parcs et les aires récréatives.
2. Les terrains de baseball.
3. Les cages des frappeurs.
4. Les terrains de soccer, de football et de sports.
5. Les terrains de tennis, paddle-tennis, tennis de table et tennis léger.
6. Les terrains de basket-ball.
7. Les parcs de BMX.
8. Les planchodromes.
9. Les terrains de golf et terrains d'exercice de golf.
10. Les emplacements de disque-golf.
11. Les pistes cyclables.
12. Les sentiers.
13. Les installations d'équitation.
14. Les champs de tir, notamment ceux exploités par les clubs de chasse et de pêche.
15. Les terrains de jeux.
16. Les parties de parcs ou d'aires récréatives comportant des équipements pour l'exercice physique en plein air.
17. Les stands de tir à l'arc.
18. Les rampes de mise à l'eau pour bateaux et embarcations.

19. Les terrains de jeux sur gazon, y compris le jeu de boules sur pelouse, le bocce et les terrains de jeu de croquet.
20. Les jeux de fers à cheval.
21. Les piscines, les aires de jeux d'eau, les aires de jets d'eau, les bassins d'hydromassage, les pataugeoires et les glissoires d'eau situés à l'extérieur.

(3) Toute installation récréative de plein air visée au paragraphe (2) ne peut ouvrir que si les conditions suivantes sont remplies

1. Sous réserve de la disposition 2, chaque personne qui entre dans l'installation ou qui l'utilise doit maintenir une distance physique d'au moins deux mètres par rapport aux autres personnes qui l'utilisent.
2. Toute personne qui fait de l'exercice physique dans l'installation, notamment en participant à une séance d'entraînement, en pratiquant un sport ou en s'adonnant à un jeu, doit maintenir une distance physique d'au moins trois mètres par rapport aux autres personnes qui utilisent l'installation.
3. Les sports d'équipe ne doivent pas être pratiqués dans l'installation, exception faite des séances d'entraînement des membres d'une équipe sportive qui ne comprennent pas de matchs ou de matchs simulés.
4. Les autres sports ou jeux susceptibles d'entraîner une distance physique de moins de trois mètres entre des particuliers ne doivent pas être pratiqués dans l'installation.
5. Les pavillons sur les lieux de l'installation doivent être fermés, sauf dans la mesure où, selon le cas :
 - i. ils sont utilisés conjointement avec une piscine, une aire de jeux d'eau, une aire de jets d'eau, un bassin d'hydromassage, une pataugeoire ou une glissoire d'eau situé à l'extérieur,
 - ii. ils permettent l'accès aux placards d'équipement, aux salles de toilette ou à une partie de l'installation qui est utilisée pour fournir les premiers soins.

(4) Les dispositions 1 et 2 du paragraphe (3) ne s'appliquent pas à l'égard des personnes suivantes qui entrent dans une installation récréative de plein air ou qui l'utilisent :

1. Les participants aux sports adaptés et leurs accompagnateurs ou guides.
2. Les membres d'un même ménage.

(5) Les dispositions 1 à 4 du paragraphe (3) ne s'appliquent pas à l'égard d'une installation ou d'une aire particulière d'une installation pendant les périodes où l'installation ou l'aire est utilisée exclusivement par des personnes qui sont des athlètes, ou qui agissent en tant qu'entraîneurs ou arbitres, et qui s'entraînent ou qui sont en compétition pour faire partie d'Équipe Canada lors des prochains Jeux olympiques ou Jeux paralympiques d'été ou d'hiver si ces personnes sont, à la fois :

- a) sélectionnées par un organisme national de sport qui est financé par Sport Canada ou reconnu par le Comité olympique canadien ou le Comité paralympique canadien;
- b) autorisées à s'entraîner, à participer à une compétition ou à agir en tant qu'entraîneurs ou arbitres conformément aux protocoles de sécurité mis en place par l'organisme national de sport visé à l'alinéa a).

(6) Chaque personne responsable d'un bateau ou d'une embarcation veille à ce que les membres d'un groupe de personnes qui utilise ce bateau ou cette embarcation ensemble à des fins récréatives soient membres du même ménage, ou une autre personne qui n'est pas membre de ce ménage et qui vit seule ou un fournisseur de soins pour un membre quelconque du ménage.

(6) L'article 5 de l'annexe 8 du Règlement est abrogé et remplacé par ce qui suit :

Musées

5. (1) Sous réserve des paragraphes (2) et (3), les musées, les galeries, les aquariums, les zoos, les centres des sciences, les points d'intérêt, les sites historiques, les jardins botaniques et autres attractions semblables doivent être fermés aux membres du public.

(2) Une attraction visée au paragraphe (1) peut ouvrir pour offrir un accès au public depuis un véhicule à l'arrêt ou en mouvement s'il satisfait aux conditions énoncées à l'article 65 de l'annexe 7, sous réserve des adaptations nécessaires.

(3) Les attractions extérieures visées au paragraphe (1) peuvent ouvrir si elles satisfont aux conditions suivantes :

1. Le nombre de membres du public se trouvant sur les lieux de l'attraction doit être limité de sorte que le nombre total de membres du public se trouvant au même moment dans la zone extérieure de l'attraction qui est réservée aux détenteurs de billets ne dépasse pas 15 % de la capacité d'accueil de l'attraction, calculé en prenant la superficie totale en mètres carrés de cette zone extérieure qui est accessible au public se trouvant sur les lieux de l'attraction, en divisant ce nombre par 26,67 et en arrondissant le résultat à la baisse au nombre entier le plus près.
2. La personne responsable de l'attraction doit afficher bien en évidence dans un endroit visible du public un écriteau indiquant la capacité d'accueil maximale autorisée.

3. Aucun membre du public ne peut entrer dans les zones de l'attraction qui sont réservées aux détenteurs de billets, à moins d'avoir une réservation pour ce faire.
4. L'accès aux expositions interactives ou aux expositions qui présenteraient un risque élevé de contact personnel est interdit aux membres du public.
5. Aucun membre du public ne peut être autorisé à entrer dans les parties intérieures des lieux, sauf à l'une ou l'autre des fins suivantes :
 - i. pour accéder aux salles de toilette,
 - ii. pour accéder à une partie extérieure à laquelle on ne peut accéder que par une voie intérieure,
 - iii. lorsque cela est nécessaire à des fins de santé et de sécurité.
6. L'attraction ne peut faire fonctionner des manèges ni utiliser des véhicules touristiques.

13. (1) Le titre de l'annexe 9 du Règlement est abrogé et remplacé par ce qui suit :

ANNEXE 9
ÉVÉNEMENTS PUBLICS ORGANISÉS ET CERTAINS RASSEMBLEMENTS AYANT
LIEU À L'ÉTAPE 1

(2) Le paragraphe 1 (1) de l'annexe 9 du Règlement est modifié par adjonction de l'alinéa suivant :

- e) un rassemblement qui a lieu à l'extérieur dans le cadre d'un mariage, d'un service funéraire ou d'un service ou rite religieux ou d'une cérémonie religieuse lorsque le nombre de personnes assistant au rassemblement dépasse le nombre qui rend possible le maintien d'une distance physique d'au moins deux mètres par rapport à chaque autre personne dans l'espace où se tient le rassemblement.

(3) Le paragraphe 1 (4) de l'annexe 9 du Règlement est modifié par remplacement de «à l'alinéa (1) d)» par «aux alinéas (1) d) et e)» à la fin du paragraphe.

(4) Le paragraphe 1 (5) de l'annexe 9 du Règlement est abrogé et remplacé par ce qui suit :

- (5) L'alinéa (1) c) ne s'applique pas à une cérémonie extérieure de célébration de fin d'année scolaire organisée par une école ou une école privée au sens de la *Loi sur l'éducation*

qui est conforme à une directive donnée par le ministère de l'Éducation et approuvée par le Bureau du médecin-hygiéniste en chef.

(6) Toutes les personnes qui participent à une cérémonie de célébration de fin d'année scolaire visée au paragraphe (5) doivent demeurer à l'extérieur en tout temps, sauf dans les cas permis par le paragraphe 3 (5) de l'annexe 8.

(5) L'article 2 de l'annexe 9 du Règlement est abrogé et remplacé par ce qui suit :

Exception : même ménage

2. L'article 1 ne s'applique pas, selon le cas :

- a) à un rassemblement de membres d'un même ménage;
- b) à un rassemblement qui comprend les membres d'un ménage ainsi qu'une autre personne qui n'est pas membre de ce ménage et qui vit seule;
- c) à un rassemblement qui comprend les personnes visées à l'alinéa a) ou b) et un fournisseur de soins pour une de ces personnes.

Exception : maisons de retraite

2.1 L'article 1 ne s'applique pas à un rassemblement dans une maison de retraite au sens de la *Loi de 2010 sur les maisons de retraite* si celui-ci est conforme aux politiques ou aux orientations, le cas échéant, que donne l'Office de réglementation des maisons de retraite.

(6) L'annexe 9 du Règlement est modifiée par adjonction de l'article suivant :

Rassemblement à bord de véhicules automobiles dans le cadre d'un service ou rite religieux ou d'une cérémonie religieuse

4. (1) Le présent article s'applique à l'égard des rassemblements qui ont lieu dans le cadre d'un mariage, d'un service funéraire, d'un service ou rite religieux ou d'une cérémonie religieuse si les personnes qui assistent au rassemblement, à l'exception de celles qui dirigent le service, le rite ou la cérémonie, le font à bord d'un véhicule automobile.

(2) L'alinéa 1 (1) e) ne s'applique pas à une personne qui assiste à un rassemblement auquel s'applique le présent article si cette personne prend toutes les précautions suivantes

- 1. Chaque personne qui assiste au rassemblement, à l'exception des personnes qui dirigent le service, le rite ou la cérémonie, doit rester dans un véhicule automobile dont l'habitacle est conçu pour être entièrement fermé sauf si, selon le cas :
 - 1. elle a besoin d'utiliser les salles de toilette,
 - 11. cela peut être par ailleurs nécessaire à des fins de santé et de sécurité.

2. Le conducteur d'un véhicule automobile doit veiller à ce que celui-ci soit stationné à une distance d'au moins deux mètres des autres véhicules automobiles.
3. La personne qui utilise habituellement un véhicule non motorisé en raison de ses croyances religieuses et qui assiste au rassemblement doit rester dans son véhicule non motorisé, sauf si elle a besoin d'utiliser les salles de toilette ou si cela peut être par ailleurs exigé à des fins de santé et de sécurité, et la disposition 2 s'applique avec les adaptations nécessaires.

14. Le Règlement est modifié par adjonction de l'annexe suivante :

ANNEXE 10

PARTICULIERS ADMISSIBLES AUX SERVICES DE GARDE D'URGENCE

1. Un particulier qui, selon le cas :
 1. est un professionnel de la santé réglementé,
 11. est un professionnel de la santé non réglementé qui travaille, directement ou indirectement, dans la prestation de soins de santé.
2. Un particulier qui travaille pour un fabricant ou un distributeur de produits pharmaceutiques ou de fournitures médicales, y compris de médicaments, d'isotopes médicaux, de vaccins et d'antiviraux, d'appareils médicaux, d'agents assainissants et de désinfectants.
3. Un particulier qui effectue un travail en lien avec l'administration, la fabrication ou la distribution de vaccins contre la COVID-19 et dont le travail ne peut être effectué à distance.
4. Un particulier qui travaille dans une pharmacie, au sens de la définition donnée à ce terme dans la *Loi sur la réglementation des médicaments et des pharmacies*.
5. Un particulier qui travaille dans un établissement où des biens ou des services sont vendus ou mis en vente au public, si une pharmacie, au sens de la définition donnée à ce terme dans la *Loi sur la réglementation des médicaments et des pharmacies*, est située dans l'établissement.
6. Un agent de police au sens de la *Loi sur les services policiers*.
7. Un agent spécial nommé conformément à l'article 53 de la *Loi sur les services policiers*.

8. Un membre d'un corps de police autre qu'un agent de police au sens de la *Loi sur les services policiers*.
9. Un agent des Premières Nations nommé conformément à l'article 54 de la *Loi sur les services policiers* ou un membre d'un service de police dont la prestation des services policiers est assurée par des agents des Premières Nations.
10. Un agent des infractions provinciales au sens de la *Loi sur les infractions provinciales*.
11. Un particulier employé par le ministère du Procureur général ou une municipalité de l'Ontario, qui est tenu de travailler sur place pour soutenir l'administration de la Cour de justice de l'Ontario, de la Cour supérieure de justice ou de la Cour d'appel de l'Ontario, notamment :
 - i. les représentants des services relatifs aux tribunaux, les préposés aux services à la clientèle et aux tribunaux, les greffiers, les sténographes judiciaires, les agents d'exécution ainsi que les autres agents d'administration et employés jugés nécessaires à l'administration des tribunaux,
 - ii. le personnel de soutien et les procureurs de la Couronne de la Division du droit criminel,
 - iii. les employés du Programme d'aide aux victimes et aux témoins.
12. Un particulier qui fournit des services essentiels de première ligne liés à la justice à des Autochtones ayant des démêlés avec le système judiciaire et qui est employé par une collectivité autochtone ou un organisme autochtone dans le cadre d'un programme financé par le ministère du Procureur général ou le ministère du Solliciteur général, notamment :
 - i. le Programme d'assistance parajudiciaire aux Autochtones,
 - ii. le programme de vérification et de supervision des mises en liberté sous caution pour les Autochtones,
 - iii. le programme d'hébergement pour les Autochtones mis en liberté sous caution.
13. Un particulier qui intervient dans la prestation de services de première ligne aux victimes financés par le ministère du Procureur général dans le cadre du programme de Services aux victimes – Ontario.

14. Un particulier employé en tant que pompier au sens de la *Loi de 1997 sur la prévention et la protection contre l'incendie*.
15. Un particulier qui, selon le cas :
 - i. intervient dans la prestation de services de protection contre les incendies au sens de la *Loi de 1997 sur la prévention et la protection contre l'incendie*,
 - ii. est employé dans un service d'incendie au sens de la *Loi de 1997 sur la prévention et la protection contre l'incendie*,
 - iii. est employé au Bureau du commissaire des incendies.
16. Un auxiliaire médical au sens de la *Loi sur les ambulances*.
17. Un coroner au sens de la *Loi sur les coroners*.
18. Un travailleur d'un établissement correctionnel au sens de la *Loi sur le ministère des Services correctionnels* ou un entrepreneur indépendant qui fournit des services aux établissements correctionnels, notamment les employés de Trilcor.
19. Les agents de probation et de libération conditionnelle, tels qu'ils sont décrits dans la *Loi sur le ministère des Services correctionnels*, les agents de liaison avec les établissements, les agents de liaison avec les tribunaux, les particuliers employés comme chefs de secteur adjoints et chefs de secteur du personnel aux bureaux de probation et de libération conditionnelle, ainsi que le personnel administratif et de soutien à ces bureaux.
20. Un particulier employé à la Division des services en établissement du ministère du Solliciteur général, y compris une personne employée dans un établissement correctionnel au sens de l'article 1 de la *Loi sur le ministère des Services correctionnels*.
21. Un particulier qui est employé dans la Division du soutien opérationnel du Centre de formation et de recrutement pour les services correctionnels du ministère du Solliciteur général et qui, selon le cas :
 - i. fournit des installations ou des services d'entretien,
 - ii. est un agent principal de perfectionnement du personnel ou un chef de la formation sur mesure.

22. Un employé du Groupe Compass Canada Ltée qui travaille au Centre de production alimentaire utilisant les procédés de cuisson-refroidissement ou qui fournit des services s'y rapportant.
23. Un particulier employé au ministère du Solliciteur général qui exerce une ou plusieurs des fonctions suivantes pour la Division des services en établissement ou la Division des services communautaires :
 - i. Il fournit des services de surveillance électronique.
 - ii. Il effectue des recherches dans le CPIC.
 - iii. Il prépare des ordonnances de surveillance communautaire.
24. Un particulier employé par le ministère du Solliciteur général au Centre des sciences judiciaires qui est chargé d'effectuer des tests et analyses médico-légaux et d'apporter son soutien à ces activités.
25. Un particulier employé par le ministère du Solliciteur général à l'Unité provinciale de médecine légale.
26. Un particulier employé au Centre provincial des opérations d'urgence ou aux Centres des opérations d'urgence du ministère du Solliciteur général.
27. Un inspecteur du bien-être des animaux nommé en vertu de la *Loi de 2019 sur les services provinciaux visant le bien-être des animaux* ou un particulier employé par le ministère du Solliciteur général à la Direction des services relatifs au bien-être des animaux qui participe directement au soutien apporté aux inspecteurs du bien-être des animaux.
28. Un particulier qui participe au fonctionnement, selon le cas :
 - i. d'un lieu de garde en milieu fermé désigné en vertu de l'article 24.1 de la *Loi sur les jeunes contrevenants* (Canada), que ce soit conformément à l'article 88 de la *Loi sur le système de justice pénale pour les adolescents* (Canada) ou autrement,
 - ii. d'un lieu de détention provisoire en milieu fermé au sens du paragraphe 2 (1) de la *Loi de 2017 sur les services à l'enfance, à la jeunesse et à la famille*.
29. Les personnes, autres que les parents de famille d'accueil, qui dispensent des soins en établissement et des traitements et fournissent des services de surveillance aux enfants et aux adolescents qui résident dans un établissement résidentiel visé par un permis

délivré en vertu de la *Loi de 2017 sur les services à l'enfance, à la jeunesse et à la famille*, ou qui en soutiennent directement la prestation.

30. Un particulier employé par une société d'aide à l'enfance désignée en vertu de l'article 34 de la *Loi de 2017 sur les services à l'enfance, à la jeunesse et à la famille*, afin de fournir des services nécessaires à l'exercice des fonctions d'une telle société, tels qu'ils sont énoncés au paragraphe 35 (1) de cette loi.
31. Un particulier employé par un organisme de service au sens de la définition de ce terme donnée à l'article 1 de la *Loi de 2008 sur les services et soutiens favorisant l'inclusion sociale des personnes ayant une déficience intellectuelle*, afin de fournir des services et soutiens, au sens de l'article 4 de cette loi, aux adultes ayant une déficience intellectuelle.
32. Un particulier qui intervient dans la prestation de services financés par le ministère des Services à l'enfance et des Services sociaux et communautaires dans le cadre du programme lié aux services de soutien à la lutte contre la violence faite aux femmes ou du programme lié aux services de soutien communautaire à la lutte contre la traite des personnes.
33. Un membre du personnel d'un bénéficiaire d'un paiement de transfert financé par le ministère des Services à l'enfance et des Services sociaux et communautaires qui est engagé ou employé pour dispenser des services d'interprétation ou d'intervention aux personnes sourdes de naissance, devenues sourdes, malentendantes ou sourdes-aveugles.
34. Une personne employée à la Direction des établissements directement administrés du ministère des Services à l'enfance et des Services sociaux et communautaires.
35. Un particulier qui effectue un travail qui est essentiel à la prestation des services de base dans une municipalité ou une collectivité d'une Première Nation, tel qu'il est établi par la municipalité ou la Première Nation.
36. Un particulier qui effectue un travail de nature cruciale dans son aire de service ou sa communauté, tel qu'il est établi par le ministre de l'Éducation ou son délégué en consultation avec le gestionnaire de système de services ou la Première Nation concernés, au sens que la *Loi de 2014 sur la garde d'enfants et la petite enfance* donne à ces termes.
37. Un particulier qui travaille dans un centre de garde ou qui fournit autrement des services de garde conformément aux exigences du présent décret.
38. Un particulier nommé à titre d'inspecteur en application du paragraphe 28 (1) de la *Loi de 2014 sur la garde d'enfants et la petite enfance*.

39. Un particulier dont l'enfant était inscrit à un programme de services de garde d'urgence dispensé par une municipalité gestionnaire de services intégrés ou un conseil d'administration de district des services sociaux pendant la période qui commence le 6 avril 2021 et se termine le 16 avril 2021.
40. Un membre du personnel d'une école, au sens de la définition donnée à ce terme dans la *Loi sur l'éducation*, qui dispense un enseignement en personne dans une école aux élèves ayant des besoins en matière d'éducation à l'enfance en difficulté auxquels ne peut pas répondre l'apprentissage à distance ou qui appuie la prestation d'un tel enseignement.
41. Un membre du personnel d'une école, au sens de la définition donnée à ce terme dans la *Loi sur l'éducation*, qui, à la fois :
 - i. dispense un enseignement en personne dans une école autorisée à dispenser un enseignement en personne en vertu du présent décret ou appuie la prestation d'un tel enseignement,
 - ii. a un enfant inscrit dans une école n'étant pas autorisée à dispenser un enseignement en personne en vertu du présent décret et qui ne reçoit pas un enseignement en personne.
42. Un membre des Forces armées canadiennes ou un employé du ministère de la Défense nationale.
43. Toutes les personnes employées au ministère des Richesses naturelles et des Forêts qui participent :
 - i. soit à des activités de prévention, d'atténuation, de préparation, d'intervention ou de récupération, selon le cas, à l'égard de ce qui suit
 - A. des feux ou incendies au sens de la *Loi sur la prévention des incendies de forêt*,
 - B. des inondations,
 - C. des ruptures de barrage,
 - D. des situations d'urgence liées à la prospection ou à la production de pétrole et de gaz, au stockage souterrain d'hydrocarbures et à l'extraction de sel par solution,

11. soit à la prestation de services de soutien aux agents de protection de la nature dans le cadre des activités de l'Unité provinciale de communication du ministère.
44. La personne qui détient un permis d'agent de sécurité délivré en vertu de l'article 13 de la *Loi de 2005 sur les services privés de sécurité et d'enquête*.
45. Le personnel, au sens de la définition donnée à ce terme dans la *Loi de 2010 sur les maisons de retraite*.
46. Les titulaires de permis, au sens de la définition donnée à ce terme dans la *Loi de 2010 sur les maisons de retraite*, qui sont des particuliers et qui travaillent dans une maison de retraite ou y fournissent des services.
47. Le personnel, au sens de la définition donnée à ce terme dans la *Loi de 2007 sur les foyers de soins de longue durée*.
48. Un particulier qui est un inspecteur nommé en vertu de la *Loi de 2001 sur la qualité et la salubrité des aliments* ou un inspecteur itinérant ou fonctionnaire nommé en vertu de la *Loi sur le lait*.
49. Un particulier employé aux Services de radioprotection du ministère du Travail, de la Formation et du Développement des compétences.
50. Un particulier qui est employé par l'une ou l'autre des entités suivantes pour exécuter des travaux qui sont réputés par l'entité être cruciaux pour maintenir la production, le transport, la distribution et le stockage d'électricité, ou pour maintenir le raffinage, le transport, la distribution et le stockage de gaz ou d'un autre type d'hydrocarbure en quantité suffisante pour répondre à la demande de la province de l'Ontario
 1. La Société indépendante d'exploitation du réseau d'électricité.
 - ii. Un producteur, transporteur ou distributeur au sens de la *Loi de 1998 sur l'électricité*.
 - iii. Un distributeur de gaz ou un transporteur de gaz au sens de la *Loi de 1998 sur la Commission de l'énergie de l'Ontario*.
 - iv. Un distributeur, au sens de la définition donnée à ce terme au paragraphe 40 (3) de la *Loi de 2000 sur les normes techniques et la sécurité*, qui n'est pas déjà visé à la sous-disposition ii ou iii.
 - v. Une raffinerie de pétrole.

51. Un particulier qui effectue des travaux qui sont essentiels à l'exploitation, ou qui effectue de l'échantillonnage ou des analyses en lien avec la COVID-19 à l'égard de l'un ou l'autre de ce qui suit :
 - i. un réseau municipal d'eau potable au sens de la définition de ce terme donnée à l'article 2 de la *Loi de 2002 sur la salubrité de l'eau potable*,
 - ii. un réseau résidentiel toutes saisons non municipal au sens de la définition de ce terme donnée à l'article 1 du Règlement de l'Ontario 170/03 (Réseaux d'eau potable) pris en vertu de la *Loi de 2002 sur la salubrité de l'eau potable*,
 - iii. une installation de traitement des eaux usées ou une installation de collecte des eaux usées au sens de la définition des termes «wastewater treatment facility» et «wastewater collection facility» donnée à l'article 1 du Règlement de l'Ontario 129/04 (Licensing of Sewage Works Operators) pris en vertu de la *Loi sur les ressources en eau de l'Ontario* et auquel s'applique ce règlement.
52. Un particulier employé par le ministère de l'Environnement, de la Protection de la nature et des Parcs qui effectue un travail en lien avec ce qui suit et dont le travail ne peut être effectué à distance
 - i. Les services de laboratoire.
 - ii. La surveillance environnementale et la présentation de rapports à cet égard.
 - iii. L'intervention en cas d'incidents environnementaux.
 - iv. Le fonctionnement de Parcs Ontario.
53. Un particulier employé dans une entreprise chargée de la collecte, du transport, du stockage, du traitement, de l'élimination ou du recyclage de tout type de déchets.
54. Un employé d'un hôtel ou d'un motel qui sert de centre d'isolement, de centre de soins de santé, de clinique de vaccination ou qui héberge des travailleurs essentiels.
55. Un particulier qui travaille dans un refuge pour sans-abris ou qui fournit des services aux sans-abris.
56. Un particulier qui travaille pour une entreprise qui transforme, fabrique ou distribue des aliments ou des boissons.

57. Un particulier qui travaille dans un supermarché, une épicerie, un magasin de proximité, un marché fermier ou un autre magasin qui vend principalement des aliments, autre qu'un établissement visé à l'article 3 de l'annexe 7.
58. Un particulier qui travaille dans une entreprise qui produit des aliments, des boissons ou des produits agricoles, y compris des végétaux, notamment au moyen de l'agriculture, de la récolte, de l'aquaculture, de la chasse ou de la pêche.
59. Un particulier qui travaille dans une entreprise qui soutient la chaîne d'approvisionnement des aliments ou des produits agricoles.
60. Un particulier qui exerce un travail qui nécessite la conduite d'un véhicule automobile de la catégorie A ou D visé au Règlement de l'Ontario 340/94 (Permis de conduire) pris en vertu du *Code de la route*.
61. Un particulier employé par un organisme municipal de transport en commun, par Metrolinx ou par la Commission de transport Ontario Northland dont le travail ne peut être effectué à distance.
62. Un particulier qui travaille pour une entreprise visée à l'article 40 de l'annexe 7.
63. Les membres, officiers et gendarmes spéciaux nommés en application de la *Loi sur la Gendarmerie royale du Canada* qui travaillent en Ontario.
64. Les agents, au sens de la définition de ce terme donnée dans la *Loi sur les douanes* (Canada), qui travaillent en Ontario.
65. Les employés de la Société canadienne des postes qui travaillent en Ontario.

Entrée en vigueur

15. Le présent règlement entre en vigueur le jour de son dépôt.



June 14, 2021

MEMORANDUM TO: Municipal Chief Administrative Officers and Clerks

SUBJECT: Entering Step One of the Roadmap to Reopen

I am writing to you today to advise that at 12:01 a.m. on June 11, 2021, Ontario has moved into Step One of the Roadmap to Reopen (the “Roadmap”), the Government of Ontario’s three-step plan to safely and cautiously reopen the province and gradually lift public health measures.

Step One of the Roadmap

In order to reopen safely, Step One will initially focus on resuming outdoor activities and permitting retail with restrictions. Public health and workplace safety measures, including maintaining physical distance, capacity limits and wearing face coverings in indoor spaces and whenever physical distancing is a challenge continue to apply in Step One.

See below for a high-level overview of Step One of the Roadmap, which includes, but is not limited to, the following measures. Please refer to [O Reg 82/20](#) for precise requirements:

- outdoor dining up to 4 people per table;
- outdoor fitness classes, personal training and sports training up to 10 patrons. No games or practices permitted;
- essential retail at 25% capacity and discount and big box stores can sell all goods;
- non-essential retail at 15% capacity and can sell all goods;
- retail stores in malls closed unless the stores have a street facing entrance;
- indoor religious services, rites and ceremonies including weddings and funerals at 15% capacity of the room;
- outdoors religious services, rites and ceremonies including weddings and funerals are permitted with capacity limited to permit physical distancing of 2 metres;
- horse racing, motor speedways without spectators;
- outdoor pools and wading pools with capacity limited to permit physical distancing of 2 metres;

- outdoor zoos, landmarks, historic sites, and botanical gardens with capacity limited to 15% for ticketed areas;
- day camps;
- overnight camping at campgrounds and campsites, including Ontario Parks.

However, I understand that the Medical Officer of Health for the Porcupine Health Unit is implementing a tailored approach to address the unique circumstances occurring in this geography, where COVID-19 cases remain high, at this time. There is specific guidance for those located in the Porcupine Health Unit's jurisdiction, where a more gradual approach to reopening shall occur. For those municipalities in this area, please contact the [Health Unit](#) for more information.

Orders under the *Emergency Management and Civil Protection Act (EMCPA)* and the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*

Except for the closure of public lands for recreational camping which expired on June 11, 2021, as the Province moves into Step One, all other emergency orders currently under the EMCPA will remain in effect until June 16, 2021. Please note, the Lieutenant Governor in Council may further extend emergency orders under the EMCPA for up to 14 days at a time.

As of June 11, 2021, the full list of emergency orders in effect under the EMCPA, pursuant to O. Reg. 25/21, are as follows:

	Order in Council/Date Made	Current Revocation Date
1.	Order in Council filed as O. Reg. 8/21 (Enforcement of COVID-19 Measures), made on January 12, 2021	June 16, 2021
2.	Order in Council filed as O. Reg. 55/21 (Compliance Orders for Retirement Homes), made on February 5, 2021	June 16, 2021
3.	Order in Council filed as O. Reg. 271/21 (Work Redeployment for Local Health Integration Networks and Ontario Health), made on April 9, 2021	June 16, 2021
4.	Order in Council filed as O. Reg. 272/21 (Transfer of Hospital Patients), made on April 9, 2021	June 16, 2021
5.	Order of Council filed as O. Reg. 293/21 (Persons Entering Ontario from Manitoba or Quebec), made on April 16, 2021	June 16, 2021
6.	Order in Council filed as O. Reg. 304/21 (Work Redeployment for Independent Health Facilities), made on April 21, 2021	June 16, 2021
7.	Order in Council filed as O. Reg. 305/21 (Regulated Health Professionals), made on April 21, 2021	June 16, 2021
8.	Order in Council filed as O. Reg. 317/21 (Agreements Between Health Service Providers and Retirement Homes), made on April 23, 2021	June 16, 2021

In addition, orders made under the ROA will remain in force until June 19, 2021, with the possibility of further extension if approved by the Lieutenant Governor in Council.

Enforcement of Orders

For offences under the ROA and EMCPA, police and other provincial offences officers, including First Nation Constables, special constables, and municipal by-law officers, have discretion to either issue tickets to individuals for set fine amounts or issue a summons under Part I of the Provincial Offences Act (POA) or to proceed under Part III of the POA by laying an information.

Police officers and other provincial offences officers have the authority to disperse gatherings or organized public events that are not complying with gathering/event limits and can temporarily close premises where prohibited gatherings or organized public events are occurring and require individuals to vacate.

The ministry continues to work with enforcement ministries and municipalities to collaborate and information share, including through the dedicated 1-800 Enforcement Support Line and email resource at EssentialWorkplacesSupport.SolGen@ontario.ca.

The province will remain in Step One for at least 21 days to evaluate any impacts on key public health and health system indicators. If at the end of the 21 days the province has vaccinated 70 per cent of adults with one dose and 20 per cent of adults with two doses and there are continued improvements in other key public health and health system indicators, the province will move to Step Two of the Roadmap.

Thank you for your dedication and ongoing cooperative efforts to help keep our communities safe and healthy. We have achieved a great deal together against COVID-19 and your work has played a key role in ensuring we can move safely into Step One.

Yours truly,

A handwritten signature in black ink, appearing to read "K. Manson-Smith".

Kate Manson-Smith
Deputy Minister



The Corporation of
The Township of Brock
1 Cameron St. E., P.O. Box 10
Cannington, ON L0E 1E0
705-432-2355

May 19, 2021

Premier Doug Ford
Queen's Park,
Toronto, ON
M7A 1A1

Sent via email: doug.fordco@pc.ola.org

Dear Honourable Sir:

Re: Durham Dead-End Road Kids

Please be advised that the Committee of the Whole of the Township of Brock received a delegation at their meeting held on May 10, 2021 and adopted the following resolution:

Resolution Number 05-6

MOVED by Lynn Campbell

That Dead-End Road delegations be received from parents, video, site www.durhamdeadendroadkids.ca and attached correspondence and;

Whereas Dead-End Road Kids (cul-de-sacs, private roads) busing is being moved from long-time residential pick ups; percentages of 830,000 Ontario based students impacted as Student Transportation Services (STS) citing buses shouldn't access private roads, do 3-point turns, or back ups; kids are expected to walk 1-2 km twice daily (caregivers 4x) in the morning dark or narrow road shoulders, and with no "bus stop ahead" warning signage;

Whereas parents report employment/housing is at risk as they must leave work to drop off/pick up children to avoid safety hazards of kids walking on highways unsupervised; secondary school youth reporting education at risk as missing class/affecting grades; children with disabilities are not helped (eg. double amputee who needs bus stop moved 160 ft and parents were told it's their "responsibility to get kids to bus safely");

Whereas parents are being told busing policy is schoolboard's, but schoolboard say its STS, who say it is the Governance Committee of Ministry of Transportation, but Ministry of Education say it's "transportation consortia who administer the policy"; and trustee, governance say cannot change policies, so parents appealing to police, press and Councils with respect to the dangers; and that an oncoming car killed 12 year old Cormac and injured his sister while waiting at a newly relocated bus stop at the base of a hill, and;

Whereas STS have advised road improvements are the responsibility of municipalities, yet municipalities do not own the needed land, nor have millions of dollars to create 77m bus turnarounds, and;

Whereas Ontario Transportation Funding is \$1 billion: Jan 27/20 Ministry said they'd improve student transportation, review funding formula; and given STS gets their funding by scoring well in reviews, and given Ministry establishing "Student Transportation Advisory Group" to hear STS sector expertise experience, and ideas;

Now Therefore Be it Resolved that the Corporation of the Township of Brock requests;

1. Exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; and when not possible,
2. Exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; and when not possible,
3. "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to STS moving common stops to main roadway and,
4. STS be comprised of solutions like mini-buses, vans, taxis or public transit worked into funding formulas so that it does not negatively impact STS funding stats; and,
5. Kid Key Performance Indicator (KPI) be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive problem solving for kids & parents' busing concerns, and that this be an STS factor to receive funding; and,
6. That the Province provide a "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding; and,
7. That the Province have GPS tracking software to notify parents when children picked up/dropped off, and;

That this Motion be distributed to Premier Doug Ford; Honourable Stephen Lecce, Minister of Education; Honourable Caroline Mulroney, Minister of Transportation; Durham MPP Lindsey Park; Haliburton-Kawartha Lakes-Brock MPP Laurie Scott; all Durham MPP's; Durham Region; all Ontario Municipalities; Rural Ontario Municipal Association (ROMA); Ontario Good Roads Association (OGRA); and Association of Municipalities of Ontario (AMO)

MOTION CARRIED

Should you have any concerns please do not hesitate to contact the Clerk's Department, clerks@brock.ca.

Yours truly,

THE TOWNSHIP OF BROCK



Deena Hunt
Deputy Clerk



The Corporation of
The Township of Brock
1 Cameron St. E., P.O. Box 10
Cannington, ON L0E 1E0
705-432-2355

DH:ss

- cc. The Honourable Stephen Lecce, Minister of Education, Ontario –
stephen.lecce@pc.ola.org
The Honourable Caroline Mulroney, Minister of Transportation –
caroline.mulroney@pc.ola.org
Lindsey Park, MPP, Durham – lindsey.park@pc.ola.org
The Honourable Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock -
laurie.scottco@pc.ola.org
All Durham MPP'S
Ralph Walton, Regional Clerk, Durham Region – clerks@durham.ca
All Ontario Municipalities
Rural Ontario Municipal Association – roma@roma.on.ca
Ontario Good Roads Association - thomas@ogra.org
Association of Municipalities of Ontario – amopresident@amo.on.ca

Date:	30/04/2021
Refer to:	Not Applicable
Meeting Date:	May 10, 2021
Action:	Null
Notes:	Deputation
Copies to:	

BUS STOP NOTICE OF MOTION:

That Dead-End Road delegations be received: from parents, [video](#), site www.durhamdeadendroadkids.ca and attached correspondence and;

- **Whereas Dead-End Road kids (cul-de-sacs, private roads) busing being moved from long-time residential to highspeed (some 80km) common stop pickups;** percentage of 830,000 Ontario based students impacted as Student Transportation Services (STS) citing buses shouldn't access private roads, do 3-point-turns, or back up; kids expected to walk 1-2km twice daily (caregivers 4x) in morning dark, on narrow road shoulders, with no "bus stop ahead" warning signage,
- **Whereas Parents report employment/housing at risk. Must leave work to drop off/pick up children to avoid safety hazards of kids walking on highways unsupervised;** secondary school youth reporting education at risk as missing class/affecting grades; children with disabilities not helped like double amputee who needs stop moved 160ft; parents told it's their "responsibility to get kids to bus safely",
- **Whereas Parents being told busing policy is schoolboard's, but they say it's STS's, who say it's Governance Committee or Ministry of Transportation, but Ministry of Education say it's "transportation consortia who administer policy";** and trustee, governance say cannot change policies, so parents appealing to police, press, & councils re dangers then; oncoming car killed 12-yr-old Cormac and injured sister while waiting at newly relocated bus stop at the base of a hill, and
- **Whereas STS have advised road improvements are responsibility of municipalities,** yet municipalities don't own needed land, nor have \$ millions to create 77m bus turnarounds, meanwhile
- **Whereas Ontario Transportation Funding is \$1 billion; Jan 27/20 Ministry said they'd improve student transportation,** review funding formula; and given STS gets their funding by scoring well in reviews, and given Ministry establishing "Student Transportation Advisory Group" to hear STS sector expertise, experience and ideas,

Now therefore be it resolved that the Municipality of Scugog requests:

1. **Exceptions to allow 3-point turns or backing up where necessary,** to provide safer service to dead-end and private road kids, that policies be amended to reflect; when not possible,
2. **Exceptions to allow indemnification agreements** to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; when not possible,
3. **"Bus Stop Ahead" warning signage be required** to notify oncoming traffic, prior to STS moving common stop to main roadway, and
4. **STS be comprised of solutions like mini-buses, vans, taxis, or public transit,** worked into funding formula so doesn't negatively impact STS funding stats; and
5. **Kid KPI "Key Performance Indicator" be included** for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be an STS factor to receive funding; and
6. **That Province provide "Parent Portal" for ongoing busing feedback of their STS,** so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding; and
7. **That Province have GPS tracking software to notify parents** when children picked up/dropped off, and

Motion be distributed to Premier Doug Ford, Honorable Stephen Lecce (Minister of Education), Honorable Caroline Mulroney (Minister of Transport), Durham MPP Lindsey Park, Haliburton-Kawartha Lakes-Brock MPP Laurie Scott, all Durham MPPs, Durham Region, all Ontario Municipalities, Rural Ontario Municipal Association (ROMA), Ontario Good Roads Association (OGRA), and Association of Municipalities of Ontario (AMO).



There are approximately
178 Dead End Roads DSTS doesn't enter
with 386 students (as of Dec '20)

Durham Dead End Road Kids

Education Minister Stephen Lecce,
Who Will Help Us?

www.DurhamDeadEndRoadKids.ca

WHO WILL TAKE RESPONSIBILITY & KEEP OUR KIDS SAFE?
A STORY ABOUT PARENTS WHO FEEL ABANDONED IN A PANDEMIC



Update



Toronto Star by Kristen Rushowy, Jul 2/19

Honorable Stephen Lecce you told us,
“[You Are Listening to Parents](#)”. We need your help.

toronto.com

[CTV NEWS](http://CTVNews)

MuskokaRegion.com

[iHeartRADIO](http://iHeartRadio)

INQUISITR

TIMMINSTODAY.COM

CBC

YouTube

BRADFORDTODAY.CA

[TODAY'S NORTHUMBERLAND](http://TODAYS NORTHUMBERLAND)

1:46

Brendan Kerin

Today, the unthinkable for any parent - happened to our family. In a blink of an eye, our son is dead, and our daughter is fighting for her life at Sick Kids Hospital.

I can barely bring myself to write something legible at the moment. On behalf of Jennifer, Aishling and myself, the community response and support have been overwhelming. We cannot thank you enough.

Shea is alive because of the first responders' speedy and professional actions. We are grateful to the Cobourg OPP, the Northumberland Hills Hospital, and the Trauma team at Sick Kids have given our family a sliver of hope.

All I can say at the moment, Shea needs all of our prayers and thoughts. She is still very much in a precarious situation.

Cormac was the most beautiful boy a parent could wish for. The thing to know about Cormac was how much he cared about others. He loved his school, teachers, classmates, friends and teammates. Please know how much he loved you. I can't bring myself to say much more at the moment. It is too much.

We are aware of how far this is affected people and the pain and hurt this has caused. In particular, our concern for their school classmates and staff, teammates and friends.

We ask that you keep our bus driver and the innocent children on the bus at the time in your thoughts and prayers. Amy will need all the support we can give her.

Please help [Durham's Dead End Road Kids](#), and others around the Province!

Remember [Adam](#) & [Cormac](#). Kids Deserve Better. They Deserve to Live.

Help us Keep Busing as Safe as Possible; Keep Kids off Highspeed Roadways.

**Note: in this report, click on images/links to read more details or watch videos.*

April 15, 2021

The Honourable Stephen Lecce, Minister of Education

438 University Ave, 5th Floor, Toronto, ON M7A 1N3

Dear Minister Lecce:

Ontario School Busing is in the news... but not for the right reasons! UPS can do it, garbage trucks, snow plows, fire trucks, ambulances can provide driveway service, but schools can't?

Remember when school children were picked up by school bus at their driveway? **Now private road, cul-de-sac and dead-end road kids are losing long-time neighbourhood school bus pickups.** Student Transportation Services (STS) citing “for safety” school buses cannot do, 3-point-turns, back-ups, or access private roadways even though they have been for years!

Children are being dropped on highspeed thoroughfares and high trafficked intersections and this is more-safe? Minister Lecce, [Adam died at a driveway highway pickup](#). [Cormac died just before](#)



Collision Kills 12-Yr-Old Waiting Common Stop
base of hill Dec 2/20. Keep Residential Road
Pickups!



READ NEWS STORY



WHY IS MY BUS DROPPING ME OFF ON HIGHSPEED ROADWAY?
WHO WILL PICK ME UP?
HOW IS THIS "MORE-SAFE"?

Parent Letter sent to Councillor Apr 14/21

"Why is an 8 yr old dropped off on highway from school bus?"

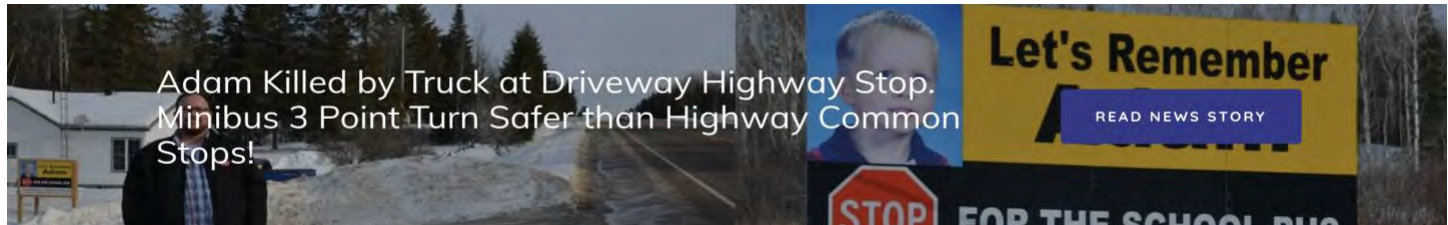
"Scary. Driving to Port Perry Hwy 2 saw child (8-10yrs) getting off school bus on side of highway, middle of nowhere. Walked alone to where? NOT ok for kids with zero road safety awareness to walk on highway. Where parents? Need safer bus stops + database so parents know where kids are." (Dad Aaron Mass Brock Township)

[Christmas '20 accessing his bus at the base of a hill](#) (see Dad's public facebook post above). Where bus stops are located is important. Parents around the province feel sick with fear and worry for their dead-end road kids whose bus stops are being moved to higher trafficked high-speed

roadways. Further, **Dead-End Road Kids are expected to walk upwards of 1-2km twice daily** (caregivers 4x), in morning dark, on narrow road shoulders (no sidewalks). **Parents reporting employment and housing at risk** due to losing senior caregivers who can't walk to new highspeed stops. Parents now having to beg off work daily to drop off/pick up children to avoid safety hazards of then walking alone on highways unsupervised. This puts their employment at risk. Secondary School Youth reporting long distance stops impacting their ability to log back in for afternoon classes, affecting grades.

STS advised parents road improvements are responsibility of municipalities, yet municipalities don't own land adjacent to roadways needed to create 77m bus turnarounds, nor have \$ millions necessary to create turnarounds, so STS keep moving long-time neighborhood pickups to highspeed common stops.

1) Parents request exceptions to allow 3-point turns or backing up where absolutely necessary to provide safer service to dead-end and private road kids, that policies be amended to reflect.



"Something good has to come from this and that something good would be: no child was killed and no more incidents happen," (Brother Pierre talking Feb 11/20 about 20 year agony of his little 5-yr old brother Adam's death on Highway Bus Stop.)
Don't let this be the life for Durham families. Let's do everything possible!



For Durham Region alone, this change in busing policy means 178 dead end roads are not accessed by Durham Student Transportation Services (DSTS), impacting 386 students and their families in Durham Region alone (DSTS letter Dec '20)! *How many children live on private cottage roads, dead end roads or cul-de-sacs around the province affected by this?*

Durham Dead End Road Kids' Video re: Durham District School Board Bus Stop Changes (Ajax, Brock, Clarington, Oshawa, Pickering, Scugog, Uxbridge, Whitby)

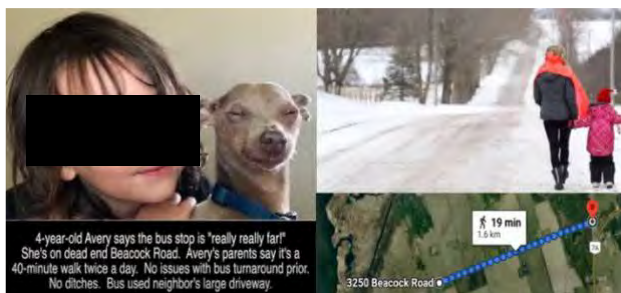
Watch Parents' Video Fearful of Trillium Lakelands District School Board's Bus Stop Change (Kawartha Lakes, Haliburton, Muskokas)

Police report filed when daughter was nearly hit by a car. Mother reports "being thrown around like a baton" trying to get answers. "I am looking for a voice who can help me show TLDSB, that it's common sense not to ask children to stand in an intersection, on an S bend of a busy high traffic area." Kids stand in snow covered ditch or on road shoulder to wait for bus. No other space. "I need a voice who understands that keeping your children safe is a mother's job... Help me fight to keep my children safe. I pray daily that our voices will be heard."
 (Mom Tammy Mitchell Lakelands School District).

"I'm afraid it will be too late before they do anything." News story reports family had one vehicle leaving mom with no choice but to walk 3 children (including baby

in stroller) to new dangerous bus stop. Bus used to pick up on private road since '09 but now TLDSB has denied request to keep safer private stop. "Every morning Katie walks with three young children to the bus stop... she fears they're going to get hit. "It's a blind corner and there's nowhere to go. It's so dangerous, especially with how busy this road is." (Mom Katie Morris, Huntsville)





"We don't take responsibility for children, they are the parents' responsibility up until they get to the bus stop and on the bus," says Catherine Shedden, District Manager, TLDSB

"The Governance Committee concluded that the DSTS Transportation Policy has been applied... the decision is final and not subject to further consideration. Accordingly, no further action will be taken on this matter," says Kelly Mechoulam, CAO of DSTS

(Response to Grandfather trying to get his 4-yr-old granddaughter's bus stop off 80km intersection and back to dead end road.)

2) Parents request exceptions to allow indemnification agreements to access private land for bus turnarounds, to keep bus stops safer and closer to prescribed 800m distance away.



Dad speaks to Council Dec '19 explaining "My kids have had 10 opportunities to be killed!" at new Highway 60 common stop. Used to be picked up on dead-end Millar Hill Road. Now bus passed by speeding cars potentially hitting kids in morning dark while boarding. **Even though Limberlost Forest and Wildlife Reserve has offered their entrance for a bus turnaround**, TLDSB says can't use private land unless they donate it for bus turnaround. (Dad Kevin Miller, Lake of Bays)



A tractor-trailer nearly plowed into the back of kids' bus stopped on highway. STSCO had moved bus stop to Highway 7 where speed limit is 80km, to avoid dead-end Leanne Avenue. "Buses don't typically go down dead-end roads... but with the...increased traffic, STSCO recognized change needed." "It was really traumatic watching (oncoming semi-truck) because there was nothing we could do." (Parents Lisa & Matt Couture, Peterborough)



3) Parents request "Bus Stop Ahead" warning signage be required to notify oncoming traffic prior to STS moving common stop to main roadway.

Durham parents on Dead-End Roads Jack Rabbit Run & William's Point, whose children being moved to base of hill on Regional Road 57, tried to get bus stop warning signage installed, but DSTS said not warranted.

➤ "Bus stop has been on Jack Rabbit Run for years...I have two small boys ages 4.5 and 6. I live over 1.5km from Reg Rd 57. There's no possible way we can walk that far twice daily! Multiple vehicles, parents, and children congregating... There's no parking, no shoulders... I'm a Registered Nurse in critical care. I know accidents can happen without warning! Please take residents' concerns seriously! I work shift work so my elderly mother takes children to bus, but now will not be impossible! How will I support my family (if I have to leave work to pick them up)?" (Mom Cara Tunney, Registered Nurse Critical Care, Scugog)

➤ "My work takes me around province. Puts all responsibility of taking kids (2- and 4-year-olds) to highway on my wife. **What drives me crazy is that it's been possible for a bus to make a three-point turn in the past... why isn't a smaller bus not a possibility?**" (Dad Steve Anning on Video, Hydro One Safety Officer, Scugog)



"How can this be safe? I am beyond upset that this continues to happen:

- * cars stopped on hill behind bus,
- * 1 car trying to turn right around bus,
- * 1 car honking because came over hill and cars stopped behind bus,
- * **ALL parents screaming because another car came around William's Point bend and almost ran over kids boarding! Kids scared... How can this be safe? Imagine if there were snow or ice on hill?"**

"Please explain Mrs. Mechoulam how you are going to deal with a child getting hit by a car and all of us parents have continued to tell DSTS how unsafe it is?"

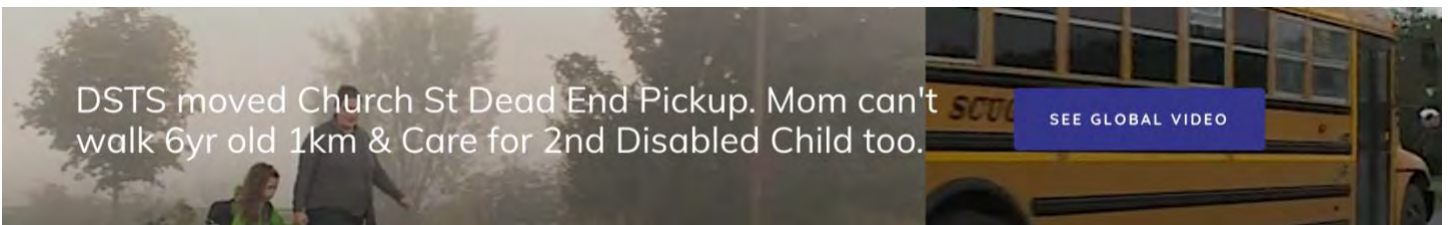
(Mom Laura Turnbull, Feb '21 Email to Trustee Morton & DSTS CAO Mechoulam)



4) Parents request STS be comprised of solutions like taxis, public transit, mini-buses or vans, worked into funding formula so doesn't negatively impact STS funding stats. Other options could be incorporated not just full-size buses that can't navigate dead-end roads. Why not use new [Durham Transit On-Demand?](#)

"We were informed Friday that the bus stop is again, at Cartwright and Church intersection. This is an unsafe stop for any child..." Vehicles are always speeding

(over 80km/hr) not to mention when there's a problem on 7A, they detour through that intersection. **Our neighbours are appalled DSTS refuses to send a bus down our road. All their children were picked up at the ends of their driveways. The road is in the best shape it's ever been. Wilma (Wotten Regional Councillor) had commented that she used to ride the bus that came down this**



road. In 2017, the town came out and met with DSTS to look at areas where the bus could turn around. Nothing ever came of it (don't own enough land there to build turnaround). **We now have 6 children who live on this road, ages 4-13. None of the families are okay with the current bus stop, only one is using it (while they fight DSTS)."** (Mom of Disabled Child, Krista Ormsby, Scugog)



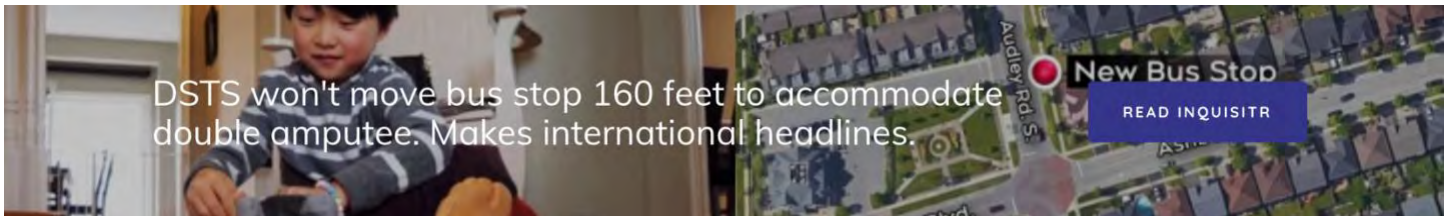
Parents being told busing policy is schoolboard's but they say it's STS's, but STS say busing changes are schoolboard governance & policy of Ministry of Transportation, meanwhile Ministry of Education says it's "transportation consortia that administer policies". Parents are spinning in circles trying to figure out who to talk to, since STS not responding to their concerns!

Parents reporting frightening near accidents/deaths to Trustees, School Boards, STS, but continue to be advised **"it's the parents' responsibility to get children to bus stop safely"**, and are forced to appeal to councils, press, make videos, yet appeals largely unresolved and unknown liabilities mounting.

5) Parents request Kid KPI "Key Performance Indicator" be included for future Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive problem solving for kids & parents' busing concerns, and this be a factor to receive funding. **Viktoria says DSTS, "senseless bureaucratic approach must change."** There's more to busing than business.

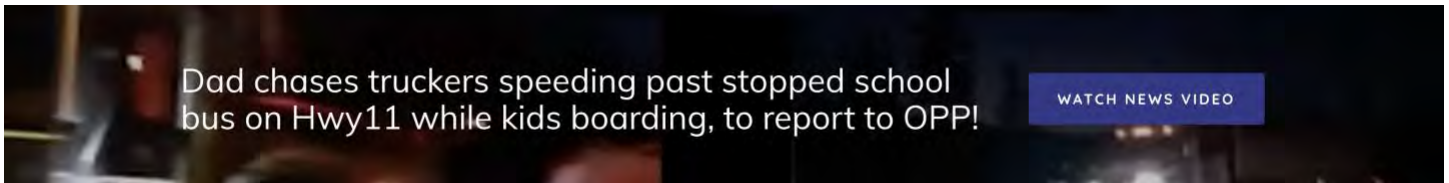
"DSTS picked a community stop but my kids only ones taking bus? ...which drives right by our house? How does 40-minute walk sound four times a day with a 2 and 4-year-old?"

(Mom Viktoria Brown, Scugog '17 Focus Magazine Appeal to DSTS)



DSTS won't move bus stop 160 feet to accommodate double amputee. Makes international headlines.

We need a "Kid" KPI, where high-level service is rewarded. Rui Webster who's lost both his legs, uses prosthetic limbs to walk, yet DSTS won't move bus stop 160 feet to accommodate. "[The bus stop was just a couple of houses down the street from him](#)...however busing contractor changed routes...Rui has to cross intersection to reach (new) bus stop (more traffic)... snow plows deposit large banks of snow... Twice last week, Rui slipped and fell... "We just want bus stop put back where it was or to assign Rui to another bus that still goes past our house – either of these things are easy to do," Kurt says. The busing contractor has steadfastly refused to change route. School district has refused to budge as well." (Parents Kurt & Melissa Webster, Ajax)



Dad chases truckers speeding past stopped school bus on Hwy11 while kids boarding, to report to OPP!

[Transports blowing by stopped school buses on area highways a regular occurrence](#). "It's so stressful. It's awful. Every morning I stress out and every afternoon when I know (transport trucks) are coming back." (Mom Cara Smetana, Martin River Nipissing)

Williams Point Cottagers Association advocating for Kids!



Williams Point Cottagers Association have advocated in every way possible to protect their kids from the highway stop at base of hill. If necessary they will give up part of their park to build a turnaround. They are stunned at DSTS to put 22 kids on Regional 57 Road shoulder to board bus.

6) Province provide "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding.

Provincial funding for student transportation is projected to be more than \$1 billion and Ministry routinely has "[Effectiveness and Efficiency Follow-Up Reviews](#)" of STS which is the vehicle of STS funding.

Ontario Government announced January 27, 2020 they'd improve student transportation experience by reviewing funding formula to achieve more efficient and accountable system, reviewing three goals of: 1) equity, 2) fiscal responsibility, accountability, and 3) evidence-based decision making.

Government is establishing a Student Transportation Advisory Group meeting with Parliamentary Assistant and Ministry staff, to hear from STS sector partners expertise, experience and ideas. Parents and children should be included in this review. **Given busing is supposed to be for the children, why not give parents and kids a say?**

7) Province have GPS tracking software to notify parents where children are when dropped off/picked up, giving evidence of safety.

On behalf of Durham Dead End Road Kids, and William's Point Cottager's Association, we hope our website, videos, and this report help explain. We welcome the opportunity to discuss this with you further.

Deborah Kiezebrink

[Deborah Kiezebrink](#), Scugog Ward 4 Councillor
dkiezebrink@scugog.ca



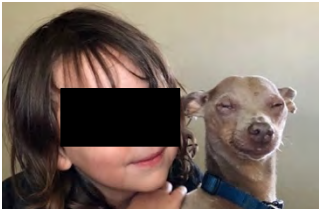
Brent Clemens, [WPCA](#) President
bclemmy@aol.com

and [Wilma Wotten](#), Scugog Regional Councillor & Deputy Mayor
wwotten@scugog.ca

M. Burg

and Michelle Burg, WPCA Board Director
michelle.j.burg@gmail.com

cc: Premier Doug Ford, Honorable Stephen Lecce (Minister of Education), Honorable Caroline Mulroney (Minister of Transport), Durham MPP Lindsey Park, Durham Region, all Ontario Municipalities, ROMA, OGRA, and AMO.



Nov. 4, 2020

Good Day,

This letter is to inform whomever can resolve this catastrophe.

My name is Curtis Sowards and live at [REDACTED] Beacock rd., [REDACTED] Ontario. L0B 1L0. I am being told that my granddaughter is to walk 1.4 km to highway 57 to the bus stop. My granddaughter is 4 and just started JK. Her mother has no car or drivers license, so both would have to walk. They would have

to leave about 45 minutes before pick up, which would be in the dark during the winter months. Beacock is a dirt road and has no sidewalks or lights. This is extremely dangerous for such a cute kid.

4 years ago, I was told a similar situation, which meant my grandson would have to walk the 1.2 km to the pick-up point. The reason was it was not safe for the bus to turn around. After taking measurements, the driveway beside mine is 25 feet wide and at least 50 feet long going to a work shop. I discussed this problem with my neighbor and he had absolutely no problem with the bus turning around.

The transportation safety inspector from the bus company came to my house and spoke with said neighbor and the bus started coming with no incidence for the 2 years my grandson was here. I have also had my own 2 children bused to school for their 14 years of public-school education.

Now I am being told someone has determined no bus should turn around on a private driveway? I am not sure where this came from but my house is on a public road well maintained and plowed. I might add the grader, snowplow and garbage trucks easily use Beacock rd. If the bus company is not allowed to send the big bus, send the small one but Avrie deserves an education.



November 2 2020

Curtis Sowards

L0B 1L0

Re: Email to Durham Student Transportation Services Governance Committee

Dear Mr. Sowards,

This letter is in response to your written request for reconsideration of transportation arrangements, received via email on September 30, 2020.

Your correspondence related to a request for a closer bus stop on Beacock Road was forwarded to Durham Student Transportation Services (DSTS) in accordance with Section 7.3 of the procedure outlined under the heading *Request for Reconsideration of Transportation Arrangements* within the DSTS Transportation Policy. Your request was reviewed at the most recent Durham Student Transportation Services Governance Committee meeting held on October 28, 2020.

The Governance Committee concluded that the DSTS Transportation Policy has been applied and administered appropriately in your situation. As outlined in the DSTS Transportation Policy, Section 3.5, "in circumstances where buses cannot gain access, students may be required to walk further to bus stops..." beyond the 800 meters. Additionally Section 7.2 outlines, "DSTS reserves the right to determine if the roadway is suitable for travel, given road conditions and necessary space requirements factoring turn radius of large school vehicles." DSTS has determined that Beacock Road where you reside does not have adequate roadway to safely turn around a school bus vehicle and the closest available school bus stop location is at Beacock Road on Regional Road 57.

As noted in the DSTS Transportation Policy, the decision of the Governance Committee is final and not subject to further consideration. Accordingly, no further action will be taken on this matter by DSTS or the Governance Committee.

Sincerely,

Kelly Mechoulam
Chief Administrative Officer, DSTS

cc: Chairperson and Trustee, DDSB
Director of Education, DCDSB
Director of Education, DDSB
Chairperson and Trustee, DCDSB

This is a problem created with the decision about bus turning, with no plan for the children. I was never consulted about the losing access to education for anyone living at my house. **Please solve this, do it for the kids!**

If any further information is required, I am always available.

Curtis Sowards



If you would prefer to use this bus stop location please let me know and DSTS staff will facilitate the change in bus stop location for your family.

Sincerely,
Kelly Mechoulan
Durham Student Transportation Services



From: Laura Turnbull <[REDACTED]>
Sent: Friday, February 26, 2021 3:20 PM
To: CAROLYN MORTON; Kelly Mechoulan; Deborah Kiezebrink
Subject: School bus incident at Williams point

Good afternoon Mrs. Mechoulan,
I am beyond upset that this continues to happen, this is the first time I finally got it on camera, unfortunately I did not get the car behind the bus because it was so unsafe I cared more for the kids then the pictures, the details of the drop off are as follows:

- parents waiting at the side of Williams point for the bus to arrive 2:54
- bus shows up lights on kids begin to come off bus
- two cars stopped on the hill behind the bus
- **as kids coming off bus, car comes around bend on Williams point road and almost runs them over!**
- all parents begin yelling "Stop, Stop!" so the kids stop, car stops...
- bus closes doors and carries on
- the first car behind the bus wants to turn right on to Williams point but has to wait for the children to clear so the second and then third car start hammering on their horns so they can get by because they just came up over the hill and a car is parked
- the kids all stop walking again because they don't know what's going on with all the horns and they are scared.

How can this be safe? If this bus stop continues, please explain to me Mrs. Mechoulan how you are going to deal with the situation when one of these kids gets hit by a car and all of us parents have continued to tell the bus transportation company how unsafe it is. This is completely unacceptable and please let me remind you it's a sunny dry day, I can't even imagine if it were raining or snowing or ice. I will continue to film and take pictures of this very concerning situation.

Laura

From: KELLY MECHOULAN <[REDACTED]>
Sent: Monday, March 1, 2021 6:04 PM
To: Laura Turnbull; CAROLYN MORTON; Deborah Kiezebrink
Cc: DAVID WRIGHT
Subject: RE: School bus incident at Williams point

Dear Ms. Turnbull,
Thank you for letting us know about the driver at the intersection. Although, DSTS has confirmed with the bus driver that no vehicle has gone through the bus flashing lights at the Regional Road 57 and Williams Point Road, our Safety Officer has reached out to Durham Regional Police to request surveillance in the area at the time of drop off and pick up at the bus stop location.

The car at the stop sign can not legally turn into the bus lights, and the bus driver has been instructed to block as much of the intersection at time of stopping as possible.

DSTS will continue to monitor the bus stop with the bus operator and driver. The current bus stop location is the closest available bus stop location, the next closest available bus stop location is on Regional Road 57 at Park Street.



AUG 7/20 Laura wrote to Durham District Schoolboard Trustee Carolyn Morton, who is also the Chair of the DDSB Governance Committee:

"Good morning, I might not be the first time you are hearing a complaint regarding this but I haven't heard of anything changing so I wanted to voice my concern as well.

My house received a letter from the Durham Bus Transportation (DSTS)... starting this school year the bus would no longer come down the road. I am located end of William's Point 2.4 km from Highway 57 the new pick up.

There is no possible way in good weather (let alone bad weather) my kids are going to be able to make it down there and back, so that leaves me no choice now but to drive them.

Due to Covid if I have to already drive them down the road I might as well drive them right to the school. However upon review of the back-to-school guidelines, I see that the board is discouraging parent drop offs as the area is not built for that many cars.

I can completely understand this, but honestly now that they took the bus away, I'll have no choice. I also would like to know what the guidelines are distance wise as a tax payer for children to receive a bus pick up?

There are kids even further past me down Jack Rabbit Run that also will no longer get bus service. Are we not entitled to bus service after a certain mileage away? Also I would like to complain that the bus has been travelling past my house for over 14 years that I've lived here with the same turn around so why now?

I understand times right now are challenging for all. I just can't sit back and say it's ok that they don't have a bus anymore knowing I pay my taxes and they had one every other year. Any guidance regarding this would be much appreciated."

Laura

From: Carolyn Morton (Trustee)

Sent: Friday, February 5, 2021 5:59 PM

I am sorry, but I have no authority to change decisions made by the CEO of DSTS. That would be out of my hands.

Sorry, Carolyn

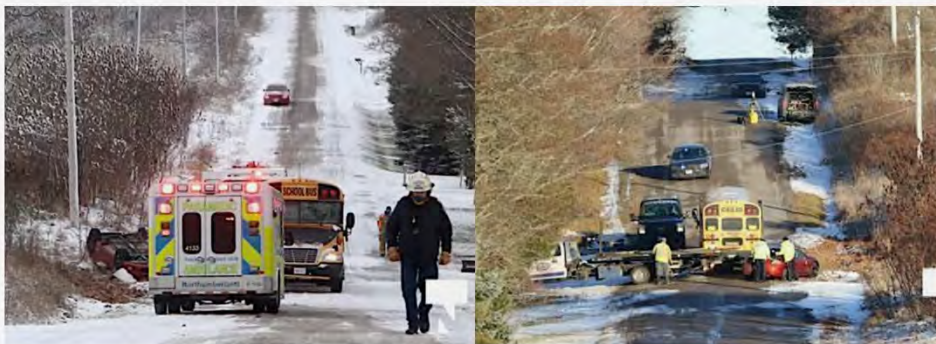
Minister Lecce, who should this mom and others like her go to, who have authority to help?

Minister Stephen Lecce Please Give Safe Stop - Not Highway 57!

February 18, 2021 | Durham Dead End Road Kids, Education Access, Parents Advocacy, School Bus Safety



I am writing on behalf of the deeply concerned parents and community members of Williams Point. Monday, February 8, 2021 was the first pick up and drop off at the new bus stop located on the highway. Most parents found alternative measures to get their children to school as they are not willing to risk their children's physical safety by having them congregate at the bottom of a blind hill with no signage, sidewalks, or designated waiting area. Those who did send their children by bus were frightened. Other families have decided to move their children to online schooling, being forced to make a choice between their children's physical safety and their mental health. Our parents are losing sleep regarding this ongoing dispute particularly following the death of a student in Port Hope December 2/2020. [Read news story.](#) [Support the Kerin family here.](#)



Toronto Sun Reports: Cormac Kerin, 12, along with his sisters, Aishling and Shea, 10. Cormac was killed and Shea critically injured after they were struck by a vehicle while waiting for their school bus on Dec. 2/20 in Port Hope.

The parallels that can be drawn between the two bus stops are uncanny and downright terrifying to the parents of 22 kids who are expected to stand in the middle of an intersection on a highway at the base of a hill in winter to board the bus...



New Durham Highway 57 Common Stop where school bus stopping isn't visible until reaching crest of hill. Dangerous for Scugog Dead End Road Kids. Keep safer side road stops until turnaround can be built.

I would like to share with you direct quotes and feedback we have received from our community to better illustrate:

* "There is no stop sign here and the bus is stopping on the bottom of a blind hill where visibility is impossible. The snow and ice makes this dangerous spot even more dangerous. There are no sidewalks and cars are speeding in this area. As a critical care nurse, I am very concerned that this change was made and ultimately puts our children's lives at risk."

* "Pick up and drop off spot at the HWY 57 and William's Point Intersection is not an appropriate alternative. It isn't safe, it's not

suitable for family routines and not good for overall community. The proposed stop is on the downhill side of a blind hill, where vehicles are often travelling well over the posted speed limit. This is very similar to the spot in Northumberland County where a boy tragically lost his life at a school bus stop just this school year. Again, add snow, ice or slippery conditions to this situation and it becomes even more unsafe."

* We made the difficult decision to move our daughter to online. We cannot take this risk for something that should be as simple as getting to school safely. The impacts this will have on her mental health keep me up at night."

We understand that representatives from the Township of Scugog have subcontracted engineers to survey and create a design for a 77 metre turnaround for the bus at the location where it previously did a 3-point-turn, at Jack Rabbit Run and William's Point intersection. This is a very private and safe location and close for families who's children have disabilities to access. Our community has rallied together offering to donate land from our park if need to be construct a bus turnaround, to start a fundraising campaign, volunteer time, and some have even offered to build the bus turnaround themselves if need be, anything to keep our children safe.

We have requested that DSTS explore alternatives that could be available such as committing to send the mini-buses like before, having a parent or a second bus driver act as a spotter for the bus driver to turn around safely. We are aware that Councillor Kiezebrink sent letters to DSTS, our School Board Trustee Carolyn Morton, and Norah Marsh, Director of Education just last week, requesting that the bus stop remain in place in our community until the end of the school year so we can work tougher towards providing a suitable solution and allocate the appropriate amount of time and resources to have the solutions executed.

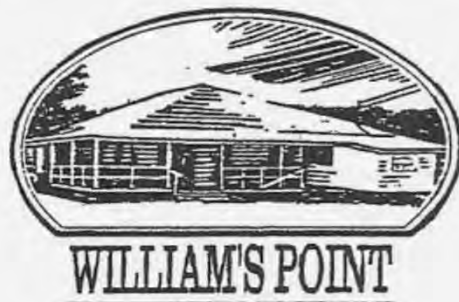
Each of our solutions, letters, and requests, have been dismissed as not possible. DSTS actions have made it clear that there is no intention to collaborate, have open dialogue or to work to resolve our very valid concerns. They have only restated what the policy is, in any email, meeting, or letter; that it's the parents' responsibility to get the children to the bus stop safely, that roadways are the municipality's responsibility, that it's not a hill, not a highway, that sight lines are met and "bus stop ahead" signage is not required (but we wonder where the measurements were taken from because the bus driver stopped mid-hill as it's the only place to stand for the students).

Parents and community members are asking when will DSTS be open and transparent with us? When will our concerns be responded to? Some parents have written letters or emails only to still receive no reply. How is this an acceptable practice of a Tax Funded Agency to simply ignore the very people who pay their taxes that provide the funding? Our families and members feel abandoned and ignored due to our rural status.

Minister Stephen Lecce, our elected Councillors (Ward Councillor Deborah Kiezebrink and Regional Councillor Wotten) have done everything they can think of to assist us. We are now asking that they engage you to investigate not only our concerns for our children's safety but how unfairly this community feels this matter has been handled by DSTS.

We wish to thank you in advance for your assistance and advocacy both on our behalf and on behalf of every Dead-End Road Child in Durham facing this same circumstance. Thank you for taking our concerns seriously and thank you to our Councillors for being safety ambassadors within Scugog Township.

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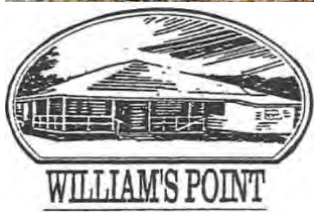
Sincerely,

Michelle Burg, WPCA Director

cc. Brent Clemens, WPCA President

READ BLOG POST:

<https://durhamdeadendroadkids.ca/blog-to-minister/f/minister-stephen-lecce-please-give-safe-stop---not-highway-57>



April 21, 2021

To Whom It May Concern:

We are deeply concerned about there no longer being a bus route on our dead-end street with the safety concerns that it raises for the future of our two children. My wife and I have two young children, a daughter starting school in September and a son who will be starting 2 years behind her. We're not

the only ones impacted... The Williams Point Cottagers Association is quickly growing and the number of children on the street is steadily increasing. These concerns only multiply the further away the residence is down the street from the new bus stop.

The loss of the long-time bus route on William's Point Road will force my wife to walk our daughter to the top of our street and will also force her to bring our son along 2.2km (twice daily) as my work requires that I am often on the road very early or on call while working around the province for the Ministry of Labour, Training and Skills Development and there would be no supervision for him in that time period. You can imagine the difficulties this would present for her. Tying into this, if the snowplow is no longer coming down the street early enough to accommodate for the bus route, you can envision how difficult it would be for two young children walking through unplowed streets with no sidewalk in the morning dark, as well as sharing roads with commuters on their way to work.

Though it breaks our hearts, we will have to consider leaving our beautiful community as this once proposed bus stop change has now become reality.

The challenges and safety concerns this presents for what seems like a minor issue of a three-point turn for the bus as compared to the frightful alternative of children walking up to 2.2 kilometres to reach a bus stop that impedes live traffic coming down a blind hill should really be reconsidered.

If you force parents to drive their children to the bus stop, not only will it congest narrow roadways during commuting hours, but it will also increase emissions from idling vehicles. In many cases this is not even a possibility for parents who would be unable to modify their hours of work to accommodate this. The possible economic impact of having to put off working to accommodate an amended bus route seems very inconsiderate to taxpayers who I guarantee will see no decrease in their taxation in response to the change.

I hope I have provided enough information to allow for thorough debate into this issue and I do hope that the safety of the children residing on Williams Point Road is considered the paramount concern by the school board and the Durham Student Transportation Services. I strongly urge you to reconsider this change.

We are available to discuss our concerns further at [REDACTED] and [REDACTED] or by phone at [REDACTED] and [REDACTED]. We hope you reach out.

Sincerely,

Concerned Parents Residing at [REDACTED] Williams Point Road,
Steven and Kayla Anning

June 2, 2021

Via email: clerks@leamington.ca

Municipality of Leamington
Attention: Brenda Percy, Clerk
111 Erie Street North
Leamington, ON
N8H 2Z9

Dear Ms. Percy:

**RE: Correspondence – Municipal Freedom of Information and Protection of
Privacy Act (MFIPPA)**

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on June 1, 2021, and the following was passed.

“Resolution #7(b)/06/01/21

WHEREAS the Council of the Corporation of the Township of Lake of Bays hereby receives the correspondence from Brenda Percy, Clerk for the Municipality of Leamington requesting support for the Ministry of Government and Consumer Services to review the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), dated May 5, 2021;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the Municipality of Leamington resolution requesting that the Ministry of Government and Consumer Services to review the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and to consider the recommendations outlined in the Municipality of Leamington's resolution;

... 2

Page 2

AND FURTHER THAT this resolution be forwarded to the Municipality of Leamington, the Ministry of Government and Consumer Services, and all Ontario municipalities.

Carried.”

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC,*
Director of Corporate Services/Clerk.
CS/cw

Encl.

Copy to:

Hon. Lisa Thompson, Minister of Government and Consumer services
All Ontario Municipalities



SENT VIA EMAIL

May 5, 2021

**Re: Advocacy for Reform
Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**

Please be advised that the Council of The Corporation of the Municipality of Leamington, at its meeting held Tuesday, April 27, 2021 enacted the following resolution:

No. C-119-21

Re: Advocacy for Reform - MFIPPA Legislation

BE IT RESOLVED that the Council of the Municipality of Leamington has received Clerk's Department Report LLS-15-21 regarding Advocacy for Reform of Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"); and

That that the following motion be passed in support of a request to review and reform of MFIPPA:

WHEREAS MFIPPA dates back 30 years;

AND WHEREAS municipalities, including the Municipality of Leamington, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the municipal clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated

technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS MFIPPA fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the municipal clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;

7. That administrative practices implied or required under MFIPPA, including those of the Information and Privacy Commissioner, be reviewed and modernized;
8. That the integrity of MFIPPA be maintained to protect personal privacy and transparent governments.

Carried

Sincerely,
Brenda M. Percy, Clerk

cc: Rick Nicholls, MPP Chatham Kent - Leamington
Dave Epp, MP Chatham Kent - Leamington
Minister of Consumer Services
Information and Privacy Commissioner of Ontario
Association of Municipalities of Ontario
Association of Clerks and Treasurers of Ontario
Ontario Clerks

June 2, 2021

Via email: schofield@forterie.ca

Town of Fort Erie
Attention: Carol Schofield, Manager, Legislative Services/Clerk
1 Municipal Centre Drive
Fort Erie, ON
L2A 2S6

Dear Ms. Schofield:

**RE: Correspondence – Township of The Archipelago – Road Management
Action on Invasive Phragmites**

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on June 1, 2021, and the following was passed.

“Resolution #7(a)/06/01/21

WHEREAS the Council of the Corporation of the Township of Lake of Bays hereby receives the correspondence from Carol Schofield, Manager, Legislative Services/Clerk for the Town of Fort Erie requesting support for the Ontario Ministry of Transportation (MTO) to Communicate the Strategy on Mapping and Controlling Invasive Phragmites on Provincial Highways, dated April 27, 2021;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Township of The Archipelago requesting the Ontario Ministry of Transportation (MTO) to communicate the strategy on mapping (detecting site) and controlling invasive Phragmites on provincial highways, the specific highway management plans and results by each MTO region, and each highway in the region and work in collaboration with the Township of The Archipelago and requests all levels of government to consider funding support to aid the Township of The Archipelago in managing invasive Phragmites.

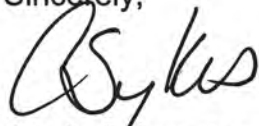
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Page 2

AND FURTHER THAT this resolution be forwarded to the Town of Fort Erie, Township of The Archipelago, Ontario Ministry of Transportation, Minister of Environment, Conservation and Parks, Minister of Environment and Climate Change Canada, MPP Norm Miller, and all Ontario Municipalities.

Carried.”

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,
Director of Corporate Services/Clerk.
CS/cw

Encl.

Copy to:

Township of The Archipelago
Hon. Caroline Mulroney, Minister of Transportation
Hon. Jeff Yurek, Minister of Environment, Conservation and Parks
Hon. Jonathan Wilkinson, Minister of Environment and Climate Change Canada
Hon. Norm Miller, MPP, Parry Sound-Muskoka
All Ontario Municipalities



Community Services

Legislative Services

April 27, 2021

File #120203

Sent via email: caroline.mulroney@pc.ola.org

The Honourable Caroline Mulroney, Minister of Transportation
5th Floor, 777 Bay Street
Toronto, ON M7A 1Z8

Honourable and Dear Madam:

Re: Township of The Archipelago - Road Management Action on Invasive Phragmites

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of April 26, 2021 received and supported correspondence from the Township of The Archipelago dated April 9, 2021 requesting the Ontario Ministry of Transportation (MTO) to communicate the strategy on mapping (detecting sites) and controlling invasive Phragmites on provincial highways, the specific highway management plans and results by each MTO region and each highway in the region and work in coordination with the Township of The Archipelago and requests all levels of government to consider funding support to aid the Township of The Archipelago in managing invasive phragmites.

Attached please find a copy of the Township of The Archipelago's correspondence dated April 9, 2021.

Thank you for your attention to this matter.

Yours very truly,

Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

Attach

c.c.

The Honourable Jeff Yurek, Minister of Environment, Conservation and Parks jeff.yurekco@pc.ola.org

The Honourable Jonathan Wilkinson, Minister of Environment and Climate Change Canada ec.ministre-minister.ec@canada.ca

Christopher Balasa, Manager, Maintenance Management Office Christopher.balasa@ontario.ca

Wayne Gates, MPP, Niagara Falls wgates-co@ndp.on.ca

MPP Norman Miller. Norm.miller@pc.ola.org

Maryann Weaver, Municipal Clerk, Township of The Archipelago mweaver@thearchipelago.on.ca

Ontario Municipalities

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca



Township of The Archipelago

9 James Street, Parry Sound ON P2A 1T4

Tel: 705-746-4243/Fax: 705-746-7301

www.thearchipelago.on.ca

April 9, 2021

21-073

Moved by Councillor Barton
Seconded by Councillor Manner

RE: Road Management Action On Invasive Phragmites

WHEREAS *Phragmites australis* (*Phragmites*) is an invasive perennial grass that continues to cause severe damage to wetlands and beaches in areas around the Great Lakes including Georgian Bay; and

WHEREAS *Phragmites australis* grows and spreads rapidly, allowing the plant to invade new areas and grow into large monoculture stands in a short amount of time, and is an allelopathic plant that secretes toxins from its roots into the soil which impede the growth of neighboring plant species; and

WHEREAS *Phragmites australis* results in loss of biodiversity and species richness, loss of habitat, changes in hydrology due to its high metabolic rate, changes in nutrient cycling as it is slow to decompose, an increased fire hazard due to the combustibility of its dead stalks, and can have an adverse impact on agriculture, particularly in drainage ditches; and

WHEREAS invasive *Phragmites* has been identified as Canada's worst invasive plant species by Agriculture and AgriFood Canada; and

WHEREAS the Ontario government has made it illegal to import, deposit, release, breed/grow, buy, sell, lease or trade invasive *Phragmites* under the Invasive Species Act; and

WHEREAS *Phragmites* occupy over 4,800 hectares of land around Lake St. Clair alone, while 212 hectares of *Phragmites* occupy land along the St. Lawrence River. The Georgian Bay Area is particularly affected by *Phragmites australis*, with more than 700 stands along the shorelines and multiple visible stands on the highways and roads that threaten valuable infrastructure and wetland areas; and

WHEREAS volunteers, non-governmental organizations, and various municipalities have invested tens of thousands of dollars in investments and labour annually for more than eight years in executing managements plans to control invasive *Phragmites* on roads, coasts, shorelines and in wetlands; and

WHEREAS roads and highways where *Phragmites* that are left untreated become spread vectors that continually risk new and treated wetlands and coastal shoreline areas; and

WHEREAS according to “Smart Practices for the Control of Invasive Phragmites along Ontario’s Roads” by the Ontario Phragmites Working Group, best road management practices for Phragmites australis include early detection, herbicide application, and cutting; and

WHEREAS these best management practices are most effective when used in a multi-pronged approach as opposed to when used as stand-alone control measures; and

WHEREAS mother nature does not recognize political boundaries. Therefore, it is imperative that Municipalities, Districts, the Province, and the Federal government work together in collaboration to eradicate Canada’s worst invasive plant species Phragmites australis;

NOW THEREFORE BE IT RESOLVED that Council for the Corporation of the Township of The Archipelago directs its staff to implement best management practices to promote early detection of invasive Phragmites, and to implement best management practices for invasive Phragmites, and to join the Ontario Phragmites Working Group to collaborate on the eradication of Phragmites in Ontario.

BE IT FURTHER RESOLVED that Council for the Corporation of the Township of The Archipelago directs staff to insert clean equipment protocols into tenders and that there is oversight that the protocols are followed; and

BE IT FURTHER RESOLVED that Council for the Corporation of the Township of The Archipelago requests the Ontario Ministry of Transportation to map and treat invasive Phragmites annually on all its highways; and

BE IT FURTHER RESOLVED that the Ontario Ministry of Transportation (MTO) communicates the strategy on mapping (detecting sites) and controlling invasive Phragmites on provincial highways, the specific highway management plans and results by each MTO region and each highway in the region and work in coordination with the Township of The Archipelago; and

BE IT FURTHER RESOLVED that Council for the Corporation of the Township of The Archipelago directs its staff to send this resolution to all municipalities that are part of the Georgian Bay watershed, to all municipalities in the Great Lakes watershed, to the Minister of Transportation, Christopher Balasa the Manager, Maintenance Management Office, and MPP Norman Miller.

BE IT FINALLY RESOLVED that Council for the Corporation of the Township of The Archipelago requests all levels of government to consider funding support to aid the Township of The Archipelago in managing invasive phragmites; and directs staff to send a copy of this resolution to the Ontario Minister of Environment, Conservation and Parks and the Minister of Environment and Climate Change Canada.

Carried.



Community Services

Legislative Services

June 1, 2021

File #120203

Sent via email: premier@ontario.ca

The Honourable Doug Ford, Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Honourable and Dear Sir:

Re: Support of the Corporation of the Town of Perth's Resolution - Provincial Hospital Funding of Major Capital Equipment

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of May 31, 2021 received and supported correspondence from the Corporation of the Town of Perth dated April 30, 2021 requesting that further consideration be given to having the Province be financially responsible for the replacement costs associated with all major capital equipment in hospitals or alternatively assume full responsibility for funding local hospitals completely.

Attached please find a copy of the Corporation of the Town of Perth's correspondence dated April 30, 2021.

Thank you for your attention to this matter.

Yours very truly,

Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

Attach

c.c.

Ontario Municipalities

AMO@amo.on.ca

John Fenik, Mayor of Perth adminclerk@perth.ca

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca



**THE CORPORATION OF
THE TOWN OF PERTH**

80 Gore Street East
Perth, Ontario K7H 1H9
Phone: (613) 267-3311
Fax: (613) 267-5635

April 30, 2021

Honourable Premier Doug Ford
Premier of Ontario
Legislative Building
Queens Park
Toronto, ON M7A 1A1

Dear Premier Ford:

Sent via Email: premier@ontario.ca

Re: Provincial Hospital Funding of Major Capital Equipment

The Town of Perth is requesting that further consideration be given to having the province be financially responsible for the replacement costs associated with all major capital equipment in hospitals, as municipalities across the province are facing major shortfalls in meeting their financial obligations. As set out in their asset management plans and cannot afford to directly absorb the financial responsibility for the replacement costs of the hospitals' major capital equipment without jeopardizing their financial sustainability.

As well, if the province is unwilling to assume the full responsibility for funding local hospitals completely, the Town of Perth requests that the province must develop a legislative framework as to how counties and municipalities should best address the financial shortfalls facing hospitals throughout Ontario, specifically the funding of major capital equipment;

Sincerely,


John Fenik
Mayor of Perth

cc: Ontario Municipalities
AMO – amo@amo.on.ca

Received by
MAY 31, 2021
COUNCIL

Aged to Perfection!



Rideau Lakes

1439 County Road 8, Delta, ON K0E 1G0
T. 613.928.2251 | 1.800.928.2250 | F. 613.928.3097
rideaulakes.ca

At the Regular E-Meeting of the Council of The Corporation of the Township of Rideau Lakes held Monday, June 7, 2021, the following Resolution was passed:

RESOLUTION #68-2021

Moved By: Councillor Livingston
Seconded By: Deputy Mayor Maxwell

To pass a Resolution that;

WHEREAS at the Municipal Heritage Advisory Committee Meeting held May 20, 2021, Resolution #12-2021 was passed regarding cemetery funding;

AND WHEREAS Municipalities in Ontario have been made responsible for abandoned cemeteries within their boundaries, and are required by the *Funeral, Burial and Cremation Services Act, 2002* "to ensure that the cemetery grounds, including all lots, structures, and markers, are maintained to ensure the safety of the public and to preserve the dignity of the cemetery;

AND WHEREAS cemeteries are not only symbols of respect, preserving the memory of families, prominent citizens, and local history; some cemeteries are landmarks in themselves and hold great historical value worldwide;

AND WHEREAS preservation repairs to older cemeteries are very costly, requiring the specialized services of stonemasons and archeologists;

AND WHEREAS the care and maintenance funds of abandoned cemeteries are generally non-existent or so small as to produce insufficient annual interest to cover even the cost of lawn care at the site;

NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes hereby Urges the Government of Ontario to immediately provide funding sources for Municipalities for the ongoing maintenance and preservation repair of abandoned cemeteries in their care;

AND FURTHER that this Resolution be forwarded to the Bereavement Authority of Ontario, the Minister of Government and Consumer Affairs, the Rural Ontario Municipal Association (ROMA), and MPP Steve Clark.

Certified to be a true copy of the original

Date: June 8, 2021

Signature: M. E. Sullivan

Title: Clerk, The Corporation of the
Township of Rideau Lakes

Carried:

Signed: Arie Hoogenboom, Mayor

June 11, 2021

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

Re: Lyme Disease Awareness Month
Our Files: 35.31.99/35.23.12

Dear Premier Ford,

At its meeting held on May 31, 2021, St. Catharines City Council approved the following motion:

“WHEREAS May is Lyme Disease National Awareness Month; and

WHEREAS the City of St. Catharines Strategic Plan includes improving livability for all; and

WHEREAS Niagara Region is a high-risk area for ticks and Lyme Disease, and cases continue to increase; and

WHEREAS Ontario health does not cover treatment and testing for all strains of Lyme Disease; and

WHEREAS Lyme Disease is a crippling disease if not diagnosed and treated appropriately;

THEREFORE BE IT RESOLVED the City of St. Catharines call on the Ontario government to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with this crippling disease; and

BE IT FURTHER RESOLVED the Premier of Ontario, Ontario Minister of Health, local MPPs, Niagara Health, Niagara Region Public Health, all Ontario municipalities, and the Association of Municipalities of Ontario be sent correspondence of Council's decision; and

BE IT FURTHER RESOLVED the Mayor bring this matter to the attention of the Niagara Region and request that the Region build an awareness campaign with on-line resources for families with Lyme Disease.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:mb

cc: Ontario Minister of Health
Niagara Area MPPs
Niagara Health
Niagara Region Public Health
Niagara Region
Ontario Municipalities
Association of Municipalities of Ontario, amo@amo.on.ca
Melissa Wenzler, Government Relations Advisor



**THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN**

May 7, 2021

Premier Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Dear Premier Ford:

At the meeting held on April 7, 2021, the Council of the Corporation of the Township of Matachewan passed Resolution 2021-064 requesting that the Province of Ontario reverse their decision on the closure of Youth Justice Facilities in Northeastern communities.

A copy of Resolution 2021-064 is attached. Your consideration and support of this resolution would be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Knauth", is written over a horizontal line.

Barbara Knauth
Deputy Clerk Treasurer

Cc: Honourable Todd Smith, Minister of Children, Community and Social Services
Honourable Sylvia Jones, Minister of Indigenous Affairs
All Municipalities with the Province of Ontario



THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

P.O. Box 177, Matachewan, Ontario P0K 1M0

DATE: April 7, 2021

RESOLUTION #: 2021-064

Moved by:

Adam Costello

Seconded by:

Guy Dubé

WHEREAS the MeeQuam Youth Residence in Cochrane is one of the facilities that will be closing effective April 30; and

WHEREAS children aged 12 to 17 from the northeastern communities will be impacted by this closure. These are children who have increased needs yet limited access to much needed set of services and support that assist them with their transition to productive and flourishing adulthood; and

WHEREAS with the closure of the MeeQuam Youth Residence, these vulnerable children will find themselves in a facility hundred and thousands of kilometers away from their community and their families; and

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Matachewan requests that the Province of Ontario reverse their decision to close the youth justice facility in Cochrane, known as MeeQuam Youth Residence, as these vulnerable children need to be as close as possible to their families and communities.

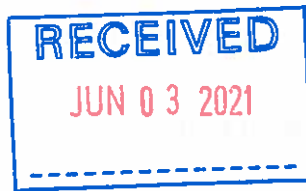
BE IT FURTHER RESOLVED THAT this Resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Todd Smith, Minister of Children, Community and Social Services; Honourable Sylvia Jones, Minister of Indigenous Affairs; and all municipalities within the Province of Ontario.

	COUNCILLOR	YEA	NAY	PID
CARRIED	Ms. A. Commando-Dubé Mayor			
AMENDED	Mr. N. Costello Deputy Mayor			
DEFEATED	Mr. G. Dubé Councillor			
TABLED	Ms. S. Ruck Councillor			
	Mr. A. Durand Councillor			

Certified to be a true
copy of the original.

Anne Commando-Dubé
Anne Commando-Dubé
Mayor

Barbara Knauth
Barbara Knauth
Deputy Clerk Treasurer



May 27, 2021

Town of Tecumseh
917 Lesperance Rd.
Tecumseh, ON
N8N 1W9

Attn: Laura Moy, Director of Corporate Services, Clerk

Dear Ms. Moy:

RE: Support for Two Police Services Boards System and Submission to the Solicitor General

At its meeting held on May 25, 2021 the Council of the Municipality of Lakeshore passed the following resolution:

178-05-2021

Support the creation of two police services boards for the Essex OPP Detachment with 1 board comprised of the Town of Tecumseh and Municipality of Lakeshore and a 2nd board comprised of the Town of Kingsville, Municipality of Leamington and the Township of Pelee Island;

Support the inclusion of the Town of Essex in the Board of its choice; and,

Direct the Clerk to send this resolution to the Clerk of the Town of Tecumseh to include in its submission to the Solicitor General on behalf of all of the local municipalities, all of which is further described in the Council report at the May 25, 2021 Council meeting.

Carried Unanimously

Should you require any additional information with respect to the matter above, please contact the undersigned.

Sincerely,



Kristen Newman
Director of Legal & Legislative Services (Clerk)



May 27, 2021

Mr. Chris Lewis, M.P.
316 Talbot St. N.
Essex, ON
N8M 2E1

Dear Mr. Lewis:

RE: Support for National Suicide Prevention Hotline

At their meeting held May 25, 2021 the Council of the Municipality of Lakeshore passed the following resolution:

173-05-2021

Whereas the Federal government has passed a motion to adopt 988, a National three-digit suicide and crisis hotline;

And whereas the ongoing COVID-19 pandemic has increased the demand for suicide prevention services by 200 percent;

And whereas existing suicide prevention hotlines require the user to remember a ten-digit number and go through directories or be placed on hold;

And whereas in 2022 the United States will have in place a national 988 crisis hotline;

And whereas the Municipality of Lakeshore recognizes that it is a significant and important initiative to ensure critical barriers are removed to those in a crisis and seeking help;

Now therefore be it resolved that the Council of the Municipality of Lakeshore endorses this 988 crisis line initiative; and
Direct Administration to send a letter indicating such support to the local MP, MPP, Federal Minister of Health, the CRTC and local area municipalities to indicate support.

Carried Unanimously



Municipality of Lakeshore

419 Notre Dame Street, Belle River, ON N0R 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca



Should you require any additional information with respect to the matter above, please contact the undersigned.

Sincerely,

Brianna Coughlin
Manager of Legislative Services

cc: MPP Tara Natyshak
Federal Minister of Health
CRTC
County of Essex municipalities



The Corporation of the Township of Huron-Kinloss

P.O. Box 130
21 Queen St.
Ripley, Ontario
N0G2R0

Phone: (519) 395-3735

Fax: (519) 395-4107

E-mail: info@huronkinloss.com

Website: <http://www.huronkinloss.com>

The Honourable Patty Hajdu
Federal Minister of Health
House of Commons
Ottawa, ON K1A 0A6
Patty.Hajdu@parl.gc.ca

June 1, 2021

Dear Honourable Patty Hajdu;

Re: Copy of Resolution #374

Motion No. 374

Moved by: Ed McGugan Seconded by: Carl Sloetjes

THAT the Township of Huron-Kinloss Council hereby supports The Town of Caledon in endorsing the Federal governments initiative to adopt 988, a National three-digit suicide and crisis hotline AND further direct staff to forward a copy of this resolution to Honourable Patty Hajdu, Federal Minister of Health, the Canadian Radio-television and Telecommunications (CRTC) and all municipalities in Ontario.

Sincerely,

Kelly Lush
Deputy Clerk

c.c Ian Scott, Chairperson and Chief Executive Officer, Canadian Radio-Television and Telecommunications Commission (CRTC), iscott@telesat.com All Ontario Municipalities



The Corporation of the Township of Huron-Kinloss

P.O. Box 130
21 Queen St.
Ripley, Ontario
N0G2R0

Phone: (519) 395-3735

Fax: (519) 395-4107

E-mail: info@huronkinloss.com

Website: <http://www.huronkinloss.com>

June 1, 2021

Re: Copy of Resolution #371

Motion No. 371

Moved by: Ed McGugan Seconded by: Carl Sloetjes

THAT the Township of Huron-Kinloss Council hereby support South Bruce Peninsula in requesting that the Province of Ontario give consideration to instituting an additional level of lottery licencing which would enable small organizations to obtain a lottery licence AND further direct staff to forward a copy of this resolution to all Ontario Municipalities and the Alcohol and Gaming Commission of Ontario.

Sincerely,

Kelly Lush
Deputy Clerk

c.c: All Ontario Municipalities and the Alcohol and Gaming Commission of Ontario



June 3, 2021

The Honourable Doug Ford, Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1Y7
premier@ontario.ca

Via Email

Dear Premier Ford:

Re: Resolution – Continuous Increases of Cost for Municipal Insurance

At the Regular Council Meeting of the Township of Havelock-Belmont-Methuen Council received the resolution sent by the Municipality of Grey Highlands on January 28, 2021 in regards to the continuous increases of cost for municipal insurance and passed the following resolution:

R-047-21 Moved by Deputy Mayor Gerow
 Seconded by Councillor Pomeroy

That staff are hereby directed to send correspondence supporting the resolution from the Municipality of Grey Highlands regarding continuous increases of cost for municipal insurance.
Carried.

A copy of the above noted resolution from the Municipality of Grey Highlands is attached for your reference. Your consideration of this matter is respectfully requested.

Sincerely,

Bianca Boyington

Bianca Boyington
Deputy Clerk

Copy: Honourable Peter Bethlenfalvy, Minister of Finance
Honourable Doug Downey, Attorney General of Ontario
Dave Smith, MPP Peterborough-Kawartha
Maryam Monsef, MP Peterborough-Kawartha
All Ontario Municipalities

January 22, 2021

RE: Insurance Rates Resolution

Please be advised that the Council of the Municipality of Grey Highlands, at its meeting held January 20, 2021, passed the following resolution:

2021-39

Moved by Tom Allwood, Seconded by Aakash Desai

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 nonprofit insurance reciprocals.**
- 6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims and deductible limit changes which support its own 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;

Now therefore be it resolved that the Council for the Municipality of Grey Highlands 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

**Be it further resolved that this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Peter Bethlenfalvy, Minister of Finance, the Honourable Doug Downey, Attorney General of Ontario, the Honourable Bill Walker, MPP for Bruce - Grey - Owen Sound, and all Ontario municipalities.
CARRIED.**

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,



Jerri-Lynn Levitt
Deputy Clerk
Council and Legislative Services
Municipality of Grey Highlands



June 3, 2021

The Honourable Doug Ford, Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1Y7
premier@ontario.ca

Via Email

Dear Premier Ford:

Re: Resolution – Support of the Use of Automatic Speed Enforcement (Photo Radar)

At the Regular Council Meeting of the Township of Havelock-Belmont-Methuen Council received the resolution sent by the Township of South-West Oxford on January 11, 2021 in regards to municipalities using Automatic Speed Enforcement, and passed the following resolution:

R-046-21 Moved by Councillor Pomeroy
Seconded by Councillor Webb

That staff are hereby directed to send correspondence supporting the resolution from the Township of South-West Oxford regarding the use of Automatic Speed Enforcement.
Carried.

A copy of the above noted resolution from the Township of South-West Oxford is attached for your reference. Your consideration of this matter is respectfully requested.

Sincerely,

Bianca Boyington

Bianca Boyington
Deputy Clerk

Copy: Dave Smith, MPP Peterborough-Kawartha
Maryam Monsef, MP Peterborough-Kawartha
The Association of Municipalities of Ontario
All Ontario Municipalities

January 11, 2021

Premier Doug Ford
Legislative Building, Queens Park
Toronto, ON M7A 1A1

Dear Premier Ford:

Speeding on provincial, county and municipal roadways continues to put the lives of Ontarians at risk. While we have access to several tools to help mitigate speeding traffic, the one tool that is currently not fully available to us is Automatic Speed Enforcement (ASE) (aka Photo Radar). Over the past decade, in South West Oxford the vast majority of charges laid are for drivers travelling well in excess of the posted speed limit. The cost of providing police time for something that could be done through the use of technology is disturbing to our council. The Council feels that it would be far more effective to have police concentrate on other problems such as Break and Enters, illegal drugs and domestic problems.

We need a way to address the poor behaviours and habits that are putting our citizens at risk and tying up much needed first responder resources that could be better utilized to improve the well-being of our communities. Speeding, particularly through our small villages, creates community concerns for the safety and wellbeing of our children and other vulnerable members. We need your help.

In keeping with this The Council of the Township of South-West Oxford duly moved and carried the following resolution at the regular meeting held on January 5, 2021:

...RESOLVED that the Council of the Township of South-West Oxford provide direction to the Clerk to send a letter to the Premier, MPP Ernie Hardeman, AMO and all Ontario municipalities in support of the use of Automatic Speed Enforcement (photo radar) by municipalities.

Please help municipalities in the Province by passing the necessary regulations for municipalities to use ASE (if they choose) that will bring about the driving behavioural changes we need.

We look forward to your help with this issue.

Yours truly,

A handwritten signature in cursive script that reads 'Mary Ellen Greb'.

Mary Ellen Greb, CAO

c.c. AMO, Honourable Ernie Hardeman, Ontario Municipalities



Via Email

Dear Premier Ford:

Re: Drainage Matters and the Canadian National Railway

At the Regular Council Meeting of the Township of Havelock-Belmont-Methuen Council received the resolution sent by the Municipality of Southwest Middlesex on December 7, 2020 in regards to drainage matters and the current working relationship with the Canadian National Railway (CNR) and passed the following resolution:

R-009-21 Moved by Deputy Mayor Gerow
Seconded by Councillor Ellis

That staff are hereby directed to send correspondence supporting the resolution from the Municipality of Southwest Middlesex regarding drainage matters on Canadian National Railway lands.

Carried

While the Township of Havelock-Belmont -Methuen does not have dealings with CN Rail, but rather with the Canadian Pacific Railway (CPR), the Township has experienced similar delays with drainage projects and agree that the situation with the major railway companies and municipalities needs to improve. Council directed staff to send correspondence in support for your resolution.

A copy of the above noted resolution from the Municipality of Southwest Middlesex is attached for your reference. Your consideration of this matter is respectfully requested.

Sincerely,

Bianca Boyington

Bianca Boyington
Deputy Clerk

Copy: The Honourable Marc Garneau, Minister of Transport
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
Dave Smith, MPP Peterborough-Kawartha
Maryam Monsef, MP Peterborough-Kawartha
The Association of Municipalities of Ontario
All Ontario Municipalities



Municipality of Southwest Middlesex

December 7, 2020

Please be advised that the Council of Southwest Middlesex passed the following resolution at it's November 25, 2020 Council meeting:

Drainage Matters: CN Rail

Moved by Councillor McGill

Seconded by Councillor Vink

“WHEREAS municipalities are facilitators of the provincial process under the *Drainage Act* providing land owners to enter into agreements to construct or improve drains, and for the democratic procedure for the construction, improvement and maintenance of drainage works; and

WHEREAS municipal drain infrastructure and railway track infrastructure intersect in many areas in Ontario; and

WHEREAS coordination with national railways is required for the construction or improvement of drains that benefit or intersect with national railways; and

WHEREAS the national railways have historically participated in the process for construction, improvement and maintenance of drainage works; and

WHEREAS currently municipalities are experiencing a lack of coordination with national railways on drainage projects; and

WHEREAS the lack of coordination is resulting in projects being significantly delayed or cancelled within a year; and

WHEREAS municipal drains remove excess water to support public and private infrastructure and agricultural operations;

THEREFORE be it resolved that the Province of Ontario work with the Federal Minister of Transportation to address concerns regarding municipal drainage matters and need for coordination with the national railways; and

THAT Council circulate the resolution to the Provincial Ministers of Agriculture, Food, and Rural Affairs, and Municipal Affairs and Housing, and the Federal Minister of Transportation, the local MP and MPP, the Association of Municipalities of Ontario, and all municipalities.”

Sincerely.



Jillene Bellchamber-Glazier
CAO-Clerk

Cc: The Honorable Marc Gardeau, Minister of Transport
The Honorable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
Monte McNaughton, MPP Lambton-Middlesex-London
Lianne Rood, MP Lambton-Kent-Middlesex
The Association of Municipalities of Ontario
All Ontario Municipalities

From: Brian McGinty <brianmcginty535@hotmail.com>

Sent: Wednesday, June 2, 2021 9:34 PM

To: Sweet, Doug <dsweet@essex.ca>; Brian McGinty <brianmcginty@buckinghamrealty.ca>

Subject: proposal for high quality commercial binoculars in colchester park

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

Hi Doug ,Just a quick note to follow up on our phone conversation this morning.I would like to propose installing commercial viewing binoculars capable of 40 X the human eye sight capacity, These high quality viewing machines are located throughout USA and CANADA. They are in use in niagara falls , new york harbour, San francisco and hopefully Colchester bluff and harbour, We would propose starting with two viewers located in park on bluff area. Adults and kids alike will enjoy views of passing ships , the middle islands, put in bay, Pelee island , the twin nuclear plant and list goes on.This is a win win situation with a very small footprint of land required and a huge bonus to the town and public, a real learning and family fun opportunity for everyone . this is a preliminary outline of proposal but would love the opportunity to discuss with town council and answer any questions present a video style presentation. this addition to the best park in all of essex/windsor could happen very quickly . installation and operation set up time is minimal.thankyou for bringing this idea forward to proper decision makers

Brian McGinty
Sales Representative
Buckingham Realty Ltd

Cell: 519-796-5282

Fax: 519-948-7190

brianmcginty@buckinghamrealty.ca

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Community Services

Legislative Services

June 1, 2021
File #120203

The Right Honourable Justin Trudeau
Prime Minister
House of Commons
Ottawa, ON K1A 0A6
Justin.trudeau@parl.gc.ca

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1
premier@ontario.ca

Honourable and Dear Sirs:

Re: Capital Gains Tax on Primary Residence

The Municipal Council of the Town of Fort Erie at its meeting of May 31, 2021 passed the following resolution:

Whereas primary residences are currently exempt from a capital gains tax, and

Whereas currently secondary and additional non-primary properties are subject to capital gains, and

Whereas the Federal Government is currently looking into a primary residence capital gains tax as they have recognized that affordable housing has become a serious issue in Canada, and

Whereas smaller communities including the Town of Fort Erie are seeing unprecedented higher selling prices that are outpacing prices in larger cities, and

Whereas many hard-working Canadians who have only a primary residence with no additional non-primary homes count on their home equity as financial aid to apply to upsizing or downsizing their home depending on their personal situation, and

Whereas a change in taxation to primary residences would be a significant financial blow to Canadians and would create an unfair, two-tiered taxation which could lead to depleted savings, inter-generational disparities, disparities among diverse groups such as seniors who may have a significant portion of their savings vested in their primary residence, as well as, reducing the ability of home ownership thereby a further, higher need for rentals, and

Whereas the Federal government could look at other means to slow down the rapidly escalating housing costs to improve housing affordability;

...2

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

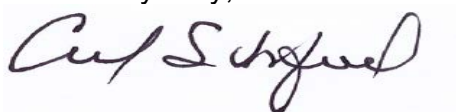
Now therefore be it resolved,

That: The Federal Government cease further consideration of eliminating capital gains tax exemptions on primary residences, and further

That: A copy of this resolution be circulated to The Right Honourable Justin Trudeau, The Honourable Doug Ford, Premier of Ontario, All Members of Parliament, All Members of Provincial Parliament, The Regional Municipality of Niagara, and all Municipalities, for their support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

c.c. All Members of Parliament
All Members of Provincial Parliament
The Regional Municipality of Niagara
Ontario Municipalities



Arts, Culture and Tourism Committee Meeting Minutes

May 12, 2021, 4:30 PM

Location: Electronic Meeting

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

Present: Anthony Paniccia, Chair
Jeannette Kervoelen, Vice Chair
Tracy Armstrong
Councillor Steve Bjorkman
Grant Maguire
Diane Quinn-Ouellette

Also Present: Cynthia Cakebread, Manager, Recreation and Culture
Trevor Martin, Recording Secretary

Regrets: Patti Oshar

1. Call to Order

The Chair called the meeting to order at 4:32 PM.

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 Arts, Culture and Tourism Committee Meeting Agenda for May 12, 2021

ACT21-05-001

Moved by Jeannette Kervoelen
Seconded by Tracy Armstrong

That the published agenda for the May 12, 2021 Arts, Culture and Tourism Committee Meeting be adopted as presented.

[Carried]

4. Adoption of Minutes

4.1 Arts, Culture and Tourism Committee Meeting Minutes for April 14, 2021

ACT21-05-002

Moved by Diane Quinn-Ouellette
Seconded by Tracy Armstrong

That the minutes of the Arts, Culture and Tourism Committee Meeting held April 14, 2021 be adopted as circulated.

[Carried]

5. Unfinished Business

5.1 Tune Up the Parks 2021

Cynthia Cakebread noted a media release announcing the Call for Performers went out today and past performers were also contacted directly. She added that eight past performers have already expressed interest in participating today and Cynthia remarked there is a lot of excitement to have opportunities to perform.

Cynthia added that an online form has been created for performers to submit their interest and performers are asked if they are willing to submit a virtual performance if public gathering is not permitted.

5.2 Art Installation Funding for 2021 & 2022

Cynthia shared two updates:

1. Downtown Harrow Banner Program

Nelson Silveira, Economic Development Officer, has shared examples of banners and locations as part of the Harrow Streetscape project and Cynthia displayed those for the Committee. She noted that the Administration is awaiting pricing information before proceeding further. Once Administration has a design plan for the banners the Committee will be consulted for input.

2. Rotary Mural

Cynthia shared an overlay of the mural on the wall at Schinkels' Meat Market. She informed the Committee that an artist has been selected and is working on pricing and a plan to fill in any gaps in mural, hide mechanical elements of the building artistically etc. The cost of project will be funded by the Committee.

The Committee discussed possibilities for better promoting the location of murals to encourage tourists to visit them. Grant Maguire and Chair Tony Paniccia agreed to investigate whether there is a possibility of having murals added to Google Streetview/Google Maps.

Trevor Martin shared some examples of what other communities have done with public art installations to encourage tourism for the Committee to consider for 2022 art installation projects.

6. New Business

None.

7. Adjournment

ACT21-05-003

Moved by Grant Maguire
Seconded by Tracy Armstrong

That the meeting be adjourned at 5:08 PM.

[Carried]

Chair

Recording Secretary



Co-An Park Committee Meeting Minutes

May 12, 2021, 5:00 PM

Location: Electronic Meeting

Accessible formats or communication supports are available upon request by contacting the Co-An Park office at 519-726-5434

Present: Jim Meloche - Co-Chair Town of Essex Committee Member
Kim Verbeek – Town of Essex Ward 2 Councillor
Leo Meloche – Deputy Mayor Town of Amherstburg
Jennie Lajoie – Town of Amherstburg Committee Member
Vacancy -Town of Amherstburg

Also Present: Joanne Bissonnette – Secretary Treasurer for the Co-An Park
Doug Sweet – Town of Essex Director of Community Services and Deputy CAO

Regrets: Christine McAgy – Chair -Town of Essex Committee Member

Absent: Jonathon Little – Town of Essex Committee Member
Murray Sellars – Town of Amherstburg Committee Member

1. Call to Order

The Co-Chair called the meeting to order at 5:00 PM

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 Co-An Park Committee Meeting Agenda for May 12, 2021

CAP 21-03-008

Moved by Amherstburg Deputy Mayor Leo Meloche

Seconded by Essex Ward 2 Councillor Kim Verbeek

That the published agenda for the May 12, 2021 Co-An Park Committee Meeting be adopted as presented with the following amendments:

1. Add under Unfinished Business #5.4 Entrances at Co-An park
2. Add under Correspondence #7.2 Preceding Covid

Carried

4. Adoption of Minutes

4.1 Co-An Park Committee Meeting Minutes for February 10, 2021

CAP 21-03-009

Moved by Essex Ward 2 Councillor Kim Verbeek

Seconded by Amherstburg Deputy Mayor Leo Meloche

That the minutes of the Co-An Park Committee Meeting held February 10, 2021 be adopted as circulated.

Carried

5 Unfinished Business

5.1 Capital Projects – Perimeter fence on western border of park

Discussion took place, more specifics need to be added to RFQ, to confer with Doug Sweet at the Town of Essex for past specs used.

5.2 Concession Stand Lease 2021

With the present lock down and the cancellation of some major events the fate of the concession stand for 2021 has been set in stone, it will not be financially feasible to open

Co-An Park Committee CAP 21-03-010

Moved by Essex Ward 2 Councillor Kim Verbeek

Seconded by Jennie Lajoie

That the Co-An Concession Stand remain closed for the 2021 season and the Lease be offered to Tricia Meloche in 2022

- **5.3 Bookings 2021**

- All events have cancelled up to July 17, 2021; some functions following this date are hoping to hold their event
- Minor baseball and soccer have cancelled their 2021 seasons
- Adult leagues are hoping to have a shorter season adapting to covid restrictions
- Tennis Courts have been closed during lockdown; orange fence has been put up and nets taken down; persons have cut barricades and are bringing in their own nets; committee suggests calling the Essex By-Law officer Mike Deemer

Committee agrees that we must wait to see Provincial guidelines before making any decisions and 5.3 Bookings should be revisited in June.

- **5.4 Park Entrances**

Discussion took place that when the park is not in operation, the park gates at both ends of property will remain closed. Doug will look into matching keys for Essex Steam and Gas Engine Museum, Co-An Park and the police department

6. Reports from Administration

6.1 Costing Report

CAP-21-03-011

Moved by Amherstburg Deputy Mayor Leo Meloche

Seconded by Jennie Lajoie

That the 2020 Year End Financial Report listed in Agenda Item 7 be received and approved for distribution.

Carried

7. Correspondence

7.1 Why Not McGregor News Article – Capital Funds

Leo Meloche has made it a concern with Amherstburg Council and noted McGregor should be on Master plan and is pushing to have direction as to why not and what has to be done to make it happen

Doug Sweet confirmed Co-An park was part of the Town of Essex 2016 Master Plan but co-ownership between the Town of Essex and the Town of Amherstburg has played a part as to why nothing to date has happened on major capital projects for the park. It was also noted in the Town of Essex 2022 forecast \$88,000 has been slated for storm water management plan for the Co-An parking lot and improved lighting within the park but these proposed projects will be discussed at 2022 Essex budget deliberations..

Presently both towns have Co-An park on their radar and allocate \$15,000 each year towards Capital and \$20,000 towards Operating. Doug would like to see an improved system and has been speaking to Amherstburg's new Director Heidi Baillargeon and has requested that they meet possibly with the Co-An Committee to discuss layers of projects that they have been requesting, like a Splash Pad and get a commitment from both Councils, as well meet yearly possibly in August to discuss next season's projects. Present protocols on capital items are that the Co-An Committee contract the project, Town of Essex remits the bill, recaptures HST and then bills 50% to the Town of Amherstburg.

Leo Meloche agrees system needs to be amended and stated that when he was first appointed to council that there were councillors from Amherstburg that had no idea they were co-owners to the Co-An Park and needed to pay 50% and he understands the park is given \$30,000 jointly annually which covers the little stuff but larger capital items need addressing as well and why not have the same as the rest of the town, but

Co-An has been the low end of the priority scale, and Essex may be thinking of drainage for the park but it's not on Amherstburg's radar at all.

Kim Verbeek states Co-An has been low priority historically and since she's been looking into this matter she's been fighting for improvements for McGregor and will continue to advocate for capital funding into Co-An park and bring it up to par with other parks in the municipality. Co-An Park is such a gem and needs the support of both the Town of Essex and the Town of Amherstburg. Kim states Doug Sweet has been extremely helpful and is excited that he will be meeting with Heidi and pushing forward, it is a start to get a discussion going with residents on both sides of Walker Road and develop a 5-year plan

Kim also noted there is a LED lighting project underway in the Town of Essex and asked if the Co-An could be incorporated, Doug was not familiar with this project and will contact Richard Beausoleil.

7.2 Preceding Covid

Committee suggests when Co-Vid restrictions allow that we invite all Councillors to the Co-An Park for a park tour and show off our beautiful park

8. Adjournment

CAP 21-03-012

Moved by Amherstburg Deputy Mayor Leo Meloche

Seconded by Jennie Lajoie

That the meeting be adjourned at 6:10 PM

9. Future Meetings

Next meeting June 9, 2021 at 5:00 PM

Location: Electronic Teams Meeting



Jim Meloche Co-Chair



Joanne Bissonnette - Secretary Treasurer



Corporation of the Town of Essex

Operating Variance

Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)
Revenues				
Amounts Added to Taxes and Special Levies	2,603,045	1,211,375	1,391,670	46.54%
Conditional and Unconditional Grants	6,380,474	1,670,133	4,710,341	26.18%
Contributions from Developers	1,242,229	101,402	1,140,827	8.16%
Fines and Penalties	312,224	52,818	259,406	16.92%
Interfund Transfers - Revenue	3,834,557	65,613	3,768,944	1.71%
Internal Allocations - Revenue	567,252	-	567,252	0.00%
Investment and Other Income	265,608	42,579	223,029	16.03%
Payments in Lieu of Taxation	157,126	322	156,805	0.20%
Property Taxation	15,937,059	7,858,214	8,078,845	49.31%
Supplementary Taxation	242,000	-	242,000	0.00%
License and Permit Fees	476,638	156,595	320,043	32.85%
User Fees and Service Charges	12,634,972	2,547,283	10,087,688	20.16%
Total Revenues	44,653,184	13,706,334	30,946,850	30.70%
Expenses				
Amortization Expense	90,982	-	90,982	0.00%
Contracted Services	7,746,158	1,467,432	6,278,727	18.94%
Debt Servicing	3,086,018	849,529	2,236,489	27.53%
External Transfers	678,989	118,101	560,888	17.39%
Interfund Transfers - Expense	13,233,566	570,188	12,663,378	4.31%
Internal Allocations - Expense	638,683	16,280	622,403	2.55%
Materials and Supplies	2,514,387	565,388	1,948,999	22.49%
Miscellaneous Services	785,523	62,424	723,099	7.95%
Professional Fees	346,243	9,947	336,296	2.87%
Rents and Financial Services	303,931	46,222	257,709	15.21%
Repairs and Maintenance	911,388	107,342	804,045	11.78%
Salaries, Wages, Benefits and Personnel Expenses	11,563,629	2,319,707	9,243,923	20.06%
Taxation Adjustments	172,000	11,670	160,330	6.78%
Uncollectible Taxes and Accounts Receivable	12,525	-	12,525	0.00%
Utilities, Insurance and Property Taxes	2,569,162	208,360	2,360,802	8.11%
Total Expenses	44,653,183	6,352,589	38,300,594	14.23%
Net Total	0	7,353,744	(7,353,744)	



Office of the CAO
Operating Variance
Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Managers Comments
Revenues					
Conditional and Unconditional Grants	-	441,468	(441,468)	No Budget	Covid Resiliency Grant Funding
Fines and Penalties	60,000	-	60,000	0.00%	
Interfund Transfers - Revenue	110,000	-	110,000	0.00%	
Internal Allocations - Revenue	58,523	-	58,523	0.00%	
Investment and Other Income	36,139	1,612	34,528	4.46%	
License and Permit Fees	19,124	1,218	17,906	6.37%	
Total Revenues	283,786	444,298	(160,512)	156.56%	
Expenses					
Contracted Services	-	2,860	(2,860)	No Budget	Covid related - New Door and power to vaccine freezer
External Transfers	122,500	76,252	46,248	62.25%	Yearly Community Partnership Grants, given in Q1
Interfund Transfers - Expense	519,764	-	519,764	0.00%	
Materials and Supplies	33,696	33,173	523	98.45%	Memberships and Publication/Periodicals one time fees paid at beginning of the year
Miscellaneous Services	230,325	7,754	222,571	3.37%	
Professional Fees	76,910	8,404	68,506	10.93%	
Total Professional Fees	76,910	8,404	68,506	10.93%	
Rents and Financial Services	5,995	-	5,995	0.00%	
Repairs and Maintenance	4,504	-	4,504	0.00%	
Salaries, Wages, Benefits and Personnel Expenses	1,312,082	288,778	1,023,304	22.01%	
Utilities, Insurance and Property Taxes	6,513	785	5,728	12.05%	
Total Expenses	2,312,289	418,005	1,894,284	18.08%	
Net Total	(2,028,503)	26,293	(2,054,796)	-1.30%	



Corporate Services

Operating Variance

Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Manager's Comments
Revenues					
Amounts Added to Taxes and Special Levies	935,960	471,695	464,265	50.40%	
Conditional and Unconditional Grants	5,915,398	1,145,450	4,769,948	19.36%	
Fines and Penalties	250,000	52,693	197,307	21.08%	
Interfund Transfers - Revenue	303,705	-	303,705	0.00%	Transfers are completed in 3rd/4th quarter
Internal Allocations - Revenue	82,329	-	82,329	0.00%	Transfers are completed in 3rd/4th quarter
Investment and Other Income	93,168	32,824	60,344	35.23%	
Payments in Lieu of Taxation	157,126	322	156,805	0.20%	
Property Taxation	15,937,059	7,858,214	8,078,845	49.31%	Taxes are collected through the Interim (April/July) and final billing (October/December)
Supplementary Taxation	242,000	-	242,000	0.00%	Captured after the final tax billing
User Fees and Service Charges	95,274	24,645	70,629	25.87%	
Total Revenues	24,012,020	9,585,842	14,426,178	39.92%	
Expenses					
Amortization Expense	90,982	-	90,982	0.00%	ELK amortization of premium captured in 4th quarter as part of year end
Contracted Services	5,500	6,782	(1,282)	123.31%	Repairs and inspections related to Town Hall Building
Debt Servicing	8,847	4,423	4,423	50.00%	
Interfund Transfers - Expense	3,883,865	-	3,883,865	0.00%	Transfers are completed in 3rd/4th quarter
Materials and Supplies	305,265	47,333	257,932	15.51%	
Miscellaneous Services	62,731	3,322	59,409	5.30%	
Professional Fees	48,558	227	48,331	0.47%	
Rents and Financial Services	131,538	35,415	96,123	26.92%	
Repairs and Maintenance	10,525	1,665	8,860	15.82%	
Salaries, Wages, Benefits and Personnel Expenses	1,622,137	384,947	1,237,190	23.73%	
Taxation Adjustments	170,000	11,670	158,330	6.86%	
Uncollectible Taxes and Accounts Receivable	250	-	250	0.00%	
Utilities, Insurance and Property Taxes	107,301	12,400	94,900	11.56%	
Total Expenses	6,447,499	508,184	5,939,315	7.88%	
Net Total	17,564,521	9,077,658	8,486,863	51.68%	



Community Services

Operating Variance

Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Managers Comments
Revenues					
Conditional and Unconditional Grants	30,000	-	30,000	0.00%	
Interfund Transfers - Revenue	335,427	-	335,427	0.00%	
Investment and Other Income	104,526	2,302	102,224	2.20%	
User Fees and Service Charges	2,441,363	195,746	2,245,617	8.02%	
Total Revenues	2,911,316	198,048	2,713,268	6.80%	
Expenses					
Contracted Services	359,039	37,062	321,977	10.32%	
Debt Servicing	1,146,205	462,383	683,822	40.34%	Debt payments come due in various quarters
External Transfers	4,000	1,336	2,664	33.40%	
Interfund Transfers - Expense	85,000	-	85,000	0.00%	
Materials and Supplies	539,298	38,686	500,612	7.17%	
Miscellaneous Services	177,289	2,060	175,229	1.16%	
Professional Fees	32,000	-	32,000	0.00%	
Rents and Financial Services	126,282	9,053	117,229	7.17%	
Repairs and Maintenance	230,000	21,223	208,777	9.23%	
Salaries, Wages, Benefits and Personnel Expenses	3,515,932	553,368	2,962,564	15.74%	
Uncollectible Taxes and Accounts Receivable	2,775	-	2,775	0.00%	
Utilities, Insurance and Property Taxes	994,870	56,611	938,259	5.69%	
Total Expenses	7,212,692	1,181,783	6,030,909	16.38%	
Net Total	(4,301,376)	(983,735)	(3,317,642)	22.87%	



Development Services

Operating Variance

Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Manager's Comments
Revenues					
Amounts Added to Taxes and Special Levies	166,865	74,949	91,915	44.92%	Funds received from interim tax levy
Conditional and Unconditional Grants	8,000	-	8,000	0.00%	Final grant not yet received for 2 month Climate Change position
Contributions from Developers	15,000	1,250	13,750	8.33%	Parkland dedication in line with lot creation for Q1
Interfund Transfers - Revenue	73,163	-	73,163	0.00%	Transfers are completed in 3rd/4th quarter
Internal Allocations - Revenue	192,128	-	192,128	0.00%	Transfers are completed in 3rd/4th quarter
Investment and Other Income	5,000	210	4,790	4.20%	
User Fees and Service Charges	102,926	24,350	78,576	23.66%	
Total Revenues	563,082	100,759	462,322	17.89%	
Expenses					
Contracted Services	4,000	-	4,000	0.00%	
Debt Servicing	26,864	-	26,864	0.00%	
External Transfers	320,000	-	320,000	0.00%	
Interfund Transfers - Expense	15,000	-	15,000	0.00%	
Internal Allocations - Expense	215,124	-	215,124	0.00%	
Materials and Supplies	89,500	3,283	86,217	3.67%	BIA Special Events not typically held in Q1
Miscellaneous Services	42,500	908	41,592	2.14%	BIA Advertising not used during Q1
Professional Fees	17,500	1,241	16,259	7.09%	ERCA Fees not typically invoiced during Q1
Salaries, Wages, Benefits and Personnel Expenses	742,101	184,824	557,277	24.91%	
Taxation Adjustments	2,000	-	2,000	0.00%	
Utilities, Insurance and Property Taxes	58	12	46	20.96%	
Total Expenses	1,474,646	190,269	1,284,377	12.90%	
Net Total	(911,565)	(89,510)	(822,055)	9.82%	



Infrastructure Services

Operating Variance

Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Manager's Comments
Revenues					
Amounts Added to Taxes and Special Levies	1,366,904	664,730	702,174	48.63%	Garbage Levy
Interfund Transfers - Revenue	2,764,943	65,613	2,699,330	2.37%	
Investment and Other Income	250	-	250	0.00%	
User Fees and Service Charges	9,483,862	2,137,545	7,346,317	22.54%	
Total Revenues	13,615,959	2,867,888	10,748,071	21.06%	
Expenses					
Contracted Services	3,222,366	720,767	2,501,599	22.37%	
Debt Servicing	946,714	272,214	674,501	28.75%	
External Transfers	34,500	-	34,500	0.00%	
Interfund Transfers - Expense	7,440,573	468,382	6,972,191	6.29%	
Internal Allocations - Expense	234,050	16,280	217,771	6.96%	
Materials and Supplies	162,310	6,127	156,183	3.78%	
Miscellaneous Services	40,160	682	39,478	1.70%	
Repairs and Maintenance	346,300	27,666	318,634	7.99%	
Salaries, Wages, Benefits and Personnel Expenses	468,249	109,742	358,508	23.44%	
Uncollectible Taxes and Accounts Receivable	2,000	-	2,000	0.00%	
Utilities, Insurance and Property Taxes	718,735	99,144	619,591	13.79%	
Total Expenses	13,615,959	1,721,003	11,894,956	12.64%	
Net Total	(0)	1,146,885	(1,146,885)	Will close to zero using Reserves	



**Health Services
Operating Variance
Budget vs Actual**

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Manager's Comments
Revenues					
Conditional and Unconditional Grants	163,356	41,364	121,992	25.32%	
Interfund Transfers - Revenue	7,000	-	7,000	0.00%	
Investment and Other Income	-	630	(630)	No Budget	Cemeteries - Revenue for etching fees. Offset by expense
License and Permit Fees	3,705	2,183	1,522	58.93%	
User Fees and Service Charges	76,227	27,220	49,007	35.71%	Cemeteries - JE done to reallocate \$500 to headstone moving account
Total Revenues	250,288	71,397	178,891	28.53%	
Expenses					
Contracted Services	302	-	302	0.00%	
External Transfers	4,000	-	4,000	0.00%	
Interfund Transfers - Expense	13,675	-	13,675	0.00%	
Materials and Supplies	2,060	565	1,495	27%	Cemeteries - Work required on Frost Pan (maintenance)
Miscellaneous Services	123,006	30,575	92,431	24.86%	Cemeteries - Offsetting expense to etching revenue. Will be budgeted in 2022
Professional Fees	4,000	-	4,000	0.00%	
Rents and Financial Services	10,000	-	10,000	0.00%	
Salaries, Wages, Benefits and Personnel Expenses	154,016	36,877	117,139	23.94%	
Utilities, Insurance and Property Taxes	2,293	262	2,031	11.43%	
Total Expenses	313,351	68,278	245,072	21.79%	
Net Total	(63,063)	3,118	(66,181)	-4.94%	



Protection to Persons and Property

Operating Variance

Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Manager's Comments
Revenues					
Conditional and Unconditional Grants	210,400	-	210,400	0.00%	High levels of construction not typical during Q1, and as seen in Building Summary Reports, COVID restrictions impacted construction levels. Fire - Donation for Defibs
Contributions from Developers	1,227,229	100,152	1,127,077	8.16%	
Fines and Penalties	2,224	125	2,099	5.62%	
Interfund Transfers - Revenue	124,707	-	124,707	0.00%	
Internal Allocations - Revenue	6,681	-	6,681	0.00%	
Investment and Other Income	15,500	4,911	10,589	31.69%	
License and Permit Fees	450,749	149,500	301,249	33.17%	
User Fees and Service Charges	40,236	19,588	20,648	48.68%	Building - First invoice for contracting services not received in Q1. Building - Software cost for Cloudpermit to be expensed following successful integration, anticipated in Q3.
Total Revenues	2,077,726	274,277	1,803,449	13.20%	
Expenses					
Contracted Services	3,183,036	531,033	2,652,003	16.68%	
Debt Servicing	542,684	109,055	433,629	20.10%	
External Transfers	193,989	40,513	153,476	20.88%	
Interfund Transfers - Expense	1,275,688	94,324	1,181,364	7.39%	
Internal Allocations - Expense	124,552	-	124,552	0.00%	
Materials and Supplies	219,166	45,114	174,052	20.58%	
Miscellaneous Services	94,755	13,152	81,603	13.88%	
Professional Fees	31,775	75	31,700	0.24%	
Rents and Financial Services	9,700	1,584	8,116	16.33%	
Repairs and Maintenance	130,558	21,098	109,460	16.16%	
Salaries, Wages, Benefits and Personnel Expenses	1,664,707	321,743	1,342,964	19.33%	
Utilities, Insurance and Property Taxes	160,383	12,623	147,760	7.87%	
Total Expenses	7,630,993	1,190,314	6,440,679	15.60%	
Net Total	(5,553,267)	(916,037)	(4,637,229)	16.50%	



Public Works
Operating Variance
Budget vs Actual

January 2021 To March 2021 (Quarter 1)

	Budget	YTD Actual Cost	Unused Budget Amount (\$)	Percentage of Budget Used (%)	Director/Manager's Comments
Revenues					
Amounts Added to Taxes and Special Levies	133,316	-	133,316	0.00%	
Conditional and Unconditional Grants	53,320	41,851	11,469	78.49%	Grant payment received from the Province
Interfund Transfers - Revenue	115,613	-	115,613	0.00%	
Internal Allocations - Revenue	227,590	-	227,590	0.00%	
Investment and Other Income	11,025	90	10,935	0.82%	
License and Permit Fees	3,060	5,247	(2,187)	171.47%	Increase in culvert permits
User Fees and Service Charges	395,084	118,190	276,894	29.92%	Internal equipment allocations
Total Revenues	939,008	165,378	773,630	17.61%	
Expenses					
Contracted Services	971,915	168,928	802,987	17.38%	
Debt Servicing	414,704	1,454	413,250	0.35%	
Interfund Transfers - Expense	-	7,482	(7,482)	No Budget	
Internal Allocations - Expense	64,957	-	64,957	0.00%	
Materials and Supplies	1,163,092	391,106	771,986	33.63%	Majority of winter control expenses are spent in Q1 annually
Miscellaneous Services	14,757	3,972	10,785	26.92%	Annual subscription fees are paid in Q1 annually
Professional Fees	135,500	-	135,500	0.00%	
Rents and Financial Services	20,416	170	20,246	0.83%	
Repairs and Maintenance	189,500	35,690	153,810	18.83%	
Salaries, Wages, Benefits and Personnel Expenses	2,084,405	439,428	1,644,977	21.08%	
Uncollectible Taxes and Accounts Receivable	7,500	-	7,500	0.00%	
Utilities, Insurance and Property Taxes	579,009	26,523	552,486	4.58%	
Total Expenses	5,645,755	1,074,753	4,571,002	19.04%	
Net Total	(4,706,747)	(909,375)	(3,797,372)	19.32%	

The Corporation of the Town of Essex

By-Law Number 2027

Being a by-law to confirm the proceedings of the June 7, 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 June 7, 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 June 7, 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 June 7, 2021.

Mayor

Clerk

Read a third time and finally adopted on June 21, 2021.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 2024

**Being a by-law to Amend By-law 2010 Being
a by-law to establish tax rates and
additional charges for Municipal, County
and Education purposes for the year 2021**

Whereas on April 19, 2021, the Council of The Corporation of the Town of Essex did pass By-Law 2010 being a by-law to establish tax rates and additional charges for Municipal, County and Education purposes for the year 2021;

And Whereas on or about May 12, 2021 the Corporation of the Town of Essex did receive notification from the County of Essex that the decision was made to use prior year Business Education Tax Rates on Business Payment in Lieu (PIL) property classes rather than the reduced rate of .8888, and that Schedule "A" to By-law 2010 requires amendment to reference these revised tax rates;

And now therefore the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. That Schedule "A" to By-law 2010 be deleted in its entirety and replaced by Schedule "A" attached hereto with such rates referenced therein to be applied on the ratable assessment in the municipality for general municipal purposes, county purposes and education purposes.
2. That this bylaw shall come into force and take effect on the date of its passing thereof by Council.

Read a first, a second time and a third time and finally passed on June 21, 2021.

Mayor

Clerk

Schedule "A" to By-Law Number 2024

Town of Essex

2021 Property Tax Rates by Ward and Property Class

Ward and Property Class	Town of Essex - Base Municipal Tax Rate	Town of Essex - Urban or Rural Tax Rate	Town of Essex - Garbage Collection and Disposal Tax Rate	Essex Centre Business Improvement Area Tax Rate	Total Town of Essex Municipal Tax Rate	County and Library Board Tax Rate	Education Tax Rate	Total Tax Rate
Ward 1								
Residential (RT)	0.007871	0.000792	0.000769	-	0.009432	0.004894	0.001530	0.015856
Multi-Residential (MT)	0.013707	0.001380	0.001340	-	0.016427	0.008524	0.001530	0.026481
Farmland (FT)	0.001968	0.000198	-	-	0.002166	0.001224	0.000383	0.003772
Farmland Awaiting Development (R1)	0.001968	0.000198	-	-	0.002166	0.001224	0.000383	0.003772
Commercial - Occupied (CT)	0.008516	0.000858	0.000832	0.001709	0.011916	0.005296	0.008800	0.026012
Commercial - Excess Land (CU)	0.005961	0.000601	-	0.001196	0.007758	0.003707	0.008800	0.020266
Commercial - Vacant Land (CX)	0.004585	0.000461	-	0.000898	0.005944	0.002851	0.006335	0.015129
Commercial - Small Scale on Farm (C7)	0.008516	0.000858	-	-	0.009374	0.005296	0.002200	0.016870
Commercial - New Construction (XT)	0.008516	0.000858	0.000832	0.001709	0.011916	0.005296	0.008800	0.026012
Commercial - New Construction - Excess Land (XU)	0.005961	0.000601	-	0.001196	0.007758	0.003707	0.008800	0.020266
Commercial - New Construction - Small Scale on Farm (X7)	0.008516	0.000858	-	-	0.009374	0.005296	0.002200	0.016870
Shopping Centre (ST)	0.008516	0.000858	0.000832	0.001709	0.011916	0.005296	-	0.017212
Shopping Centre - Excess Land (SU)	0.005961	0.000601	-	0.001196	0.007758	0.003707	-	0.011466
Parking Lot (GT)	0.004585	0.000461	-	0.000898	0.005944	0.002851	0.006335	0.015129
Office Building (DT)	0.008516	0.000858	0.000832	0.001709	0.011916	0.005296	0.008800	0.026012
Industrial - Occupied (IT)	0.015289	0.001539	-	0.001709	0.018537	0.009507	0.008800	0.036844
Industrial - Excess Land (IU)	0.009938	0.001000	-	0.001196	0.012134	0.006180	0.008800	0.027113
Industrial - Vacant Land (IX)	0.009938	0.001000	-	0.000898	0.011836	0.006180	0.008800	0.026815
Industrial - Small Scale on Farm (I7)	0.015289	0.001539	-	-	0.016828	0.009507	0.002200	0.028535
Industrial - New Construction (JT)	0.015289	0.001539	-	0.001709	0.018537	0.009507	0.008800	0.036844
Industrial - New Construction - Excess Land (JU)	0.009938	0.001000	-	0.001196	0.012134	0.006180	0.008800	0.027113
Industrial - New Construction - Small Scale on Farm (J7)	0.015289	0.001539	-	-	0.016828	0.009507	0.002200	0.028535
Large Industrial (LT)	0.021141	0.002129	-	-	0.023270	0.013147	0.008800	0.045217
Large Industrial - New Construction (KT)	0.021141	0.002129	-	-	0.023270	0.013147	0.008800	0.045217
Pipeline (PT)	0.010255	0.001033	-	-	0.011288	0.006377	0.008800	0.026466
Managed Forest (TT)	0.001968	0.000198	-	-	0.002166	0.001224	0.000383	0.003772
Landfill (HF)	0.008241	0.000830	-	-	0.009071	0.005125	0.011226	0.025422
*Note: Education for eligible Retained PIL's (CF, CH & IH) will use 2020 education rates (0.0125) per Ministry of Finance								

Schedule "A" to By-Law Number 2024

Town of Essex

2021 Property Tax Rates by Ward and Property Class

Ward and Property Class	Town of Essex - Base Municipal Tax Rate	Town of Essex - Urban or Rural Tax Rate	Town of Essex - Garbage Collection and Disposal Tax Rate	Essex Centre Business Improvement Area Tax Rate	Total Town of Essex Municipal Tax Rate	County and Library Board Tax Rate	Education Tax Rate	Total Tax Rate
Wards 2 and 3								
Residential (RT)	0.007871	0.000223	0.000769	-	0.008863	0.004894	0.001530	0.015287
Multi-Residential (MT)	0.013707	0.000387	0.001340	-	0.015434	0.008524	0.001530	0.025488
Farmland (FT)	0.001968	0.000055	-	-	0.002023	0.001224	0.000383	0.003629
Farmland Awaiting Development (R1)	0.001968	0.000055	-	-	0.002023	0.001224	0.000383	0.003629
Commercial - Occupied (CT)	0.008516	0.000241	0.000832	-	0.009590	0.005296	0.008800	0.023686
Commercial - Excess Land (CU)	0.005961	0.000169	-	-	0.006130	0.003707	0.008800	0.018638
Commercial - Vacant Land (CX)	0.004585	0.000129	-	-	0.004714	0.002851	0.006335	0.013899
Commercial - Small Scale on Farm (C7)	0.008516	0.000241	-	-	0.008757	0.005296	0.002200	0.016253
Commercial - New Construction (XT)	0.008516	0.000241	0.000832	-	0.009590	0.005296	0.008800	0.023686
Commercial - New Construction - Excess Land (XU)	0.005961	0.000169	-	-	0.006130	0.003707	0.008800	0.018638
Commercial - New Construction - Small Scale on Farm (X7)	0.008516	0.000241	-	-	0.008757	0.005296	0.002200	0.016253
Shopping Centre (ST)	0.008516	0.000241	0.000832	-	0.009590	0.005296	-	0.014886
Shopping Centre - Excess Land (SU)	0.005961	0.000169	-	-	0.006130	0.003707	-	0.009838
Parking Lot (GT)	0.004585	0.000129	-	-	0.004714	0.002851	0.006335	0.013899
Office Building (DT)	0.008516	0.000241	0.000832	-	0.009590	0.005296	0.008800	0.023686
Industrial - Occupied (IT)	0.015289	0.000432	-	-	0.015721	0.009507	0.008800	0.034028
Industrial - Excess Land (IU)	0.009938	0.000281	-	-	0.010219	0.006180	0.008800	0.025198
Industrial - Vacant Land (IX)	0.009938	0.000281	-	-	0.010219	0.006180	0.008800	0.025198
Industrial - Small Scale on Farm (I7)	0.015289	0.000432	-	-	0.015721	0.009507	0.002200	0.027428
Industrial - New Construction (JT)	0.015289	0.000432	-	-	0.015721	0.009507	0.008800	0.034028
Industrial - New Construction - Excess Land (JU)	0.009938	0.000281	-	-	0.010219	0.006180	0.008800	0.025198
Industrial - New Construction - Small Scale on Farm (J7)	0.015289	0.000432	-	-	0.015721	0.009507	0.002200	0.027428
Large Industrial (LT)	0.021141	0.000598	-	-	0.021739	0.013147	0.008800	0.043686
Large Industrial - New Construction (KT)	0.021141	0.000598	-	-	0.021739	0.013147	0.008800	0.043686
Pipeline (PT)	0.010255	0.000290	-	-	0.010545	0.006377	0.008800	0.025723
Managed Forest (TT)	0.001968	0.000055	-	-	0.002023	0.001224	0.000383	0.003629
Landfill (HF)	0.008241	0.000233	-	-	0.008474	0.005125	0.011226	0.024825
*Note: Education for eligible Retained PIL's (CF, CH & IH) will use 2020 education rates (0.0125) per Ministry of Finance								

Schedule "A" to By-Law Number 2024

Town of Essex

2021 Property Tax Rates by Ward and Property Class

Ward and Property Class	Town of Essex - Base Municipal Tax Rate	Town of Essex - Urban or Rural Tax Rate	Town of Essex - Garbage Collection and Disposal Tax Rate	Essex Centre Business Improvement Area Tax Rate	Total Town of Essex Municipal Tax Rate	County and Library Board Tax Rate	Education Tax Rate	Total Tax Rate
Ward 4								
Residential (RT)	0.007871	0.000792	0.000769	-	0.009432	0.004894	0.001530	0.015856
Multi-Residential (MT)	0.013707	0.001380	0.001340	-	0.016427	0.008524	0.001530	0.026481
Farmland (FT)	0.001968	0.000198	-	-	0.002166	0.001224	0.000383	0.003772
Farmland Awaiting Development (R1)	0.001968	0.000198	-	-	0.002166	0.001224	0.000383	0.003772
Commercial - Occupied (CT)	0.008516	0.000858	0.000832	-	0.010207	0.005296	0.008800	0.024303
Commercial - Excess Land (CU)	0.005961	0.000601	-	-	0.006562	0.003707	0.008800	0.019070
Commercial - Vacant Land (CX)	0.004585	0.000461	-	-	0.005046	0.002851	0.006335	0.014231
Commercial - Small Scale on Farm (C7)	0.008516	0.000858	-	-	0.009374	0.005296	0.002200	0.016870
Commercial - New Construction (XT)	0.008516	0.000858	0.000832	-	0.010207	0.005296	0.008800	0.024303
Commercial - New Construction - Excess Land (XU)	0.005961	0.000601	-	-	0.006562	0.003707	0.008800	0.019070
Commercial - New Construction - Small Scale on Farm (X7)	0.008516	0.000858	-	-	0.009374	0.005296	0.002200	0.016870
Shopping Centre (ST)	0.008516	0.000858	0.000832	-	0.010207	0.005296	-	0.015503
Shopping Centre - Excess Land (SU)	0.005961	0.000601	-	-	0.006562	0.003707	-	0.010270
Parking Lot (GT)	0.004585	0.000461	-	-	0.005046	0.002851	0.006335	0.014231
Office Building (DT)	0.008516	0.000858	0.000832	-	0.010207	0.005296	0.008800	0.024303
Industrial - Occupied (IT)	0.015289	0.001539	-	-	0.016828	0.009507	0.008800	0.035135
Industrial - Excess Land (IU)	0.009938	0.001000	-	-	0.010938	0.006180	0.008800	0.025917
Industrial - Vacant Land (IX)	0.009938	0.001000	-	-	0.010938	0.006180	0.008800	0.025917
Industrial - Small Scale on Farm (I7)	0.015289	0.001539	-	-	0.016828	0.009507	0.002200	0.028535
Industrial - New Construction (JT)	0.015289	0.001539	-	-	0.016828	0.009507	0.008800	0.035135
Industrial - New Construction - Excess Land (JU)	0.009938	0.001000	-	-	0.010938	0.006180	0.008800	0.025917
Industrial - New Construction - Small Scale on Farm (J7)	0.015289	0.001539	-	-	0.016828	0.009507	0.002200	0.028535
Large Industrial (LT)	0.021141	0.002129	-	-	0.023270	0.013147	0.008800	0.045217
Large Industrial - New Construction (KT)	0.021141	0.002129	-	-	0.023270	0.013147	0.008800	0.045217
Pipeline (PT)	0.010255	0.001033	-	-	0.011288	0.006377	0.008800	0.026466
Managed Forest (TT)	0.001968	0.000198	-	-	0.002166	0.001224	0.000383	0.003772
Landfill (HF)	0.008241	0.000830	-	-	0.009071	0.005125	0.011226	0.025422

***Note: Education for eligible Retained PIL's (CF, CH & IH) will use 2020 education rates (0.0125) per Ministry of Finance**

The Corporation of the Town of Essex

By-Law Number 2036

Being a by-law to require downspout disconnection in designated areas for the purpose of regulating stormwater drainage

WHEREAS Section 9 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, affords a municipality the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 (3) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, affords a municipality the authority to pass by-laws respecting matters pertaining to drainage and flood control;

AND WHEREAS the mandatory downspout disconnection is recommended for the better regulation of sewerage and drainage;

NOW THEREFORE be it resolved that the Council of the Corporation of the Town of Essex hereby enacts as follows:

1. Downspout Disconnection shall be mandatory in areas of the community of McGregor, in the Town of Essex, where sanitary sewer servicing is provided by the Corporation of the Town of Amherstburg.
2. Council from time to time may add by amendment hereto further Downspout Disconnection Areas where known basement flooding has occurred or the proposed disconnection area is known to have increased sanitary sewer flows during rain events.
3. Those who own or occupy property within designated Town of Essex downspout disconnection areas shall:
 - a. Not construct, install, or maintain – nor permit another to construct, install, or maintain – an underground drainage system on his or her property connecting a roof water leader or downspout to a sewer for the purpose of stormwater drainage. This includes direct or indirect connection, whereby runoff from a roof water leader or downspout is considered a form of prohibited connection with a sewer.
 - b. Ensure that stormwater is discharged at a grade away from any building in such a manner that the water will not accumulate at or near the building and will not adversely affect adjacent properties.
4. Duly authorized employees of the Town bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspecting, observing, measuring, sampling, and testing in accordance with the provision of this By-Law.
5. Duly authorized employees of the Corporation of the Town of Amherstburg bearing proper credentials and identification, shall be granted the authority to act as agents on behalf of the Corporation of the Town of Essex while and in carrying out duties pursuant to the provisions of this By-Law in respect to the McGregor Downspout Disconnection area.
6. The Town may disconnect any building drainage system within a designated Downspout Disconnection Area from a municipal sewer – or any sewer system

tributary thereto – and no such disconnection shall be subsequently reconnected except with the written consent of the Town.

- 7. Where there has been subsequent reconnection without the Town’s written consent, the Town will disconnect the building drainage system from any municipal sewer – or any sewer system tributary thereto – with all associated costs, fees and charges for the disconnection being borne by the owner of the respective property. The costs will be added to the tax roll for the respective property and collected in the same manner as taxes.
- 8. Notwithstanding any other provisions of this By-Law, where compliance with this By-Law would have hazardous repercussions, the owner of property in the mandatory downspout disconnection areas may request temporary exemption from this By-Law’s provisions in the form and manner specified by the Town.
- 9. Every person who contravenes any provision of this By-Law is guilty of an offence and shall, upon conviction, be subject to a penalty under the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.
- 10. This By-Law shall come into full force and take effect on the day of the final passing thereof.
- 11. This By-Law may be cited as the Downspout Disconnection By-Law.

Read a first, a second and a third time and finally passed on June 21, 2021.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 2037

Being a by-law to confirm the proceedings of the June 21, 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 June 21, 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 June 21, 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 June 21, 2021.

Mayor

Clerk

Read a third time and finally adopted on July 5, 2021.

Mayor

Clerk