



## Regular Council Meeting Agenda

September 16, 2019, 6:00 pm

Essex Civic Centre

360 Fairview Avenue West

Essex, Ontario

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

Pages

1. **Call to Order**
2. **Closed Meeting Report**
3. **Declarations of Conflict of Interest**
4. **Adoption of Published Agenda**
  - 4.1 **Regular Council Meeting Agenda for September 16, 2019**

Moved by  
Seconded by

**That** the published agenda for the September 16, 2019 Regular Council Meeting be adopted as presented / amended.
5. **Adoption of Minutes**
  - 5.1 **Regular Council Meeting Minutes for September 3, 2019** 1

Moved by  
Seconded by

**That** the minutes of the Regular Council Meeting held September 3, 2019 be adopted as circulated.
  - 5.2 **Special Council Meeting Minutes for August 6, 2019** 12

Moved by  
Seconded by

**That** the minutes of the Special Council Meeting held August 6, 2019 to provide background information and to obtain public input regarding proposed amendments to the Town of Essex Sign By-Law and additional proposed amendments in regard to accessible parking provisions in the General Zoning By-Law and Sign By-Law be adopted as circulated.
  - 5.3 **Special Council Meeting Minutes for August 14, 2019** 16

Moved by  
Seconded by

**That** the minutes of the Special Council Meeting held August 14, 2019 for the purpose of providing Council with an information session/workshop on the 2019 Development Charges Study be adopted

as circulated.

**5.4 Special Council Meeting Minutes for August 27, 2019 20**

Moved by  
Seconded by

**That** the minutes of the Special Council Meeting held August 27, 2019 for the purpose of receiving information on the Rural Economic Development Grant Application and consideration of the 2019 Development Charges proposed by-law be adopted as circulated.

**6. Public Presentations**

**7. Unfinished Business**

**8. Reports from Administration**

**8.1 Community Services Report 2019-033 24**

RE: New Sport Fields and Recreation Property Update

Moved by  
Seconded by

**That** Community Services Report 2019-033, entitled "New Sport Fields and Recreation Property Update" prepared and submitted by Doug Sweet, Director of Community Services, dated September 16, 2019, be received; and

**That** Council direct Administration to apply for the "Investing in Canada Infrastructure Program - Community, Culture, and Recreation Grant" prior to the November 12th deadline in the amount of \$20,650,000 which is the total cost of the proposed project; and further

**That** Council direct Administration to meet with current and future stakeholders on the proposed project to discuss future fundraising, sponsorship, and naming right opportunities for the complex; and further

**That** Council direct Administration to develop phase-in options and timelines to build the sports fields based on the results of the Investing in Canada Infrastructure Grant.

**8.2 Corporate Services Report 2019-05 72**

RE: Shoreline Assistance Loan Program

Moved by  
Seconded by

**That** Corporate Services Report 2019-05 , entitled "Shoreline Assistance Loan Program" prepared and submitted by Jeffrey Morrison, Director, Corporate Services, dated September 16, 2019, be received; and

**That** Council approve Administration to move forward with finalizing a Shoreline Assistance Loan Program using the structure identified under Scenario 1 of the report (local improvement) to replace the Shoreline Assistance Loan Program that was discontinued by the Provincial government effective April 1, 2010.

**8.3 Building Report 2019-08 77**

RE: August 2019 Building Report

- Development Overview August 2019

Moved by  
Seconded by

**That** Building Report 2019-08, dated August 30, 2019 providing Council with a summary of building activity in the Town of Essex and the Development Overview for the month of August 2019, be received.

**8.4      Municipal Drainage 2019-04** 81

RE: Appointment of a Drainage Engineer to prepare a Section 65 (4) Drainage Act Report : Subsequent Disconnection from Drainage Works

Moved by  
Seconded by

**That** the Municipal Drainage Report 2019-04, entitled "Appointment of a Drainage Engineer to Prepare a Section 65 (4) Report Subsequent Disconnect" prepared by Norman Nussio, Manager, Operations and Drainage, and submitted by Chris Nepszy, Chief Administrative Officer re received; and

**That** Council appoint the engineering firm of Rood Engineering Incorporated pursuant to the Drainage Act Revised Statutes of Ontario, 1990, to prepare a Drainage Report under Section 65 (4) of the Drainage Act for a subsequent disconnect from the White Drain.

**9.      Reports from Youth Members**

**10.     County Council Update**

**11.     Correspondence**

**11.1    Correspondence to be received**

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

**11.1.1      Court of Revision Minutes- August 6, 2019** 83

Re: West Townline Drain New Bridge for Union Gas (Part Lot 1, Con 3) and Updated Maintenance Schedule of Assessment

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

**11.2.1      Conseil Scolaire Catholique Providence** 87

RE: Franco-Ontarian Flag Day

Moved by  
Seconded by

**That** correspondence from the Conseil Scolaire Catholique Providence, dated June 28, 2019 inviting the Town of Essex to participate in the celebration of *Franco-Ontarian Day* on September 25, 2019 by holding a flag ceremony to honour the legacy of Franco-Ontarians in our communities be (received/received and supported).

RE: Resolution regarding single-use disposable wipes

Moved by

Seconded by

**That** correspondence sent from the City of Kitchener, dated September 5, 2019 advising that a resolution has been passed to lobby the Federal Government to review regulations related to consumer packaging on single-use wipes to remove the word flushable due to the lack of public awareness concerning the impact caused by non-flushable wipes being flushed down toilets, clogging sanitary sewer systems and costing municipalities hundreds of millions of dollars in additional repairs and maintenance costs each year be (received/received and supported); and

**That** if Council chooses to support the City of Kitchener resolution, a letter of support be sent to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario, the Minister of Environment, Tracey Ramsey MP, Taras Natyshak MPP and the City of Kitchener

**12. Committee Meeting Minutes**

**13. Financial**

**14. New Business**

**15. Notices of Motion**

**16. Reports and Announcements from Council Members**

**17. By-Laws**

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

**17.1.1 By-Law 1845**

90

Being a by-law to confirm the proceedings of the September 3, 2019 Regular Meeting of the Council of the Corporation of the Town of Essex.

Moved by

Seconded by

**That** By-law 1845, being a by-law to confirm the proceedings of the September 3, 2019 Regular Meeting of the Council of the Corporation of the Town of Essex be read a third time and finally passed on September 16, 2019.

**17.1.2 By-Law 1847**

92

Being a By-Law to provide that Part Lot Control shall not apply to certain lands within Registered Plan 12M-545 in Essex Centre.

Moved by



Seconded by

**That** By-Law 1847, being a by-law to provide Part Lot Control shall not apply to certain lands within Registered Plan 12M-545 in Essex Centre be read a third time and finally passed on the 16th day of September, 2019.

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

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

**17.3.1 By-Law 1851**

94

Being a by-law to confirm the proceedings of the September 16, 2019, Regular Meeting of Council of the Corporation of the Town of Essex.

Moved by  
Seconded by

**That** By-Law 1851, being a by-law to confirm the proceedings of the September 16, 2019 Regular Meeting of the Council of the Corporation of the Town of Essex be read a first, and a second time and provisionally adopted on September 16, 2019.

**18. Adjournment**

Moved by  
Seconded by

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

**19. Future Meetings**

**19.1 Monday, September 23, 2019 - 5:00 - 6:00 PM Special Council Meeting**

Council Orientation Session on Planning, Building and By-Law Enforcement

Location: Essex Municipal Office, Large Meeting Room, 33 Talbot Street South, Essex

**19.2 Monday, October 7, 2019 - 6:00 - 9:00 PM Regular Council Meeting**

Location: County of Essex Council Chambers, 360 Fairview Avenue West, Essex

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

September 3, 2019, 6:00 pm  
Essex Civic Centre  
360 Fairview Avenue West  
Essex, Ontario

Present: Mayor Snively  
Deputy Mayor Meloche  
Ward 1 Councillor Bowman  
Ward 1 Councillor Garon  
Ward 2 Councillor Verbeek  
Ward 3 Councillor Bjorkman  
Ward 3 Councillor Vander Doelen  
Ward 4 Councillor Bondy

Also Present: Chris Nepszy, C.A.O.  
Doug Sweet, Deputy C.A.O./Director, Community Services  
Lori Chadwick, Director, Development Services  
Jeff Morrison, Director, Corporate Services  
Jeff Watson, Policy Planner  
Nelson Silveira, Economic Development Officer  
Robert Auger, Town Solicitor/Clerk, Legal and Legislative Service  
Lynn Moroz, Administrative Assistant  
  
Youth Council Member Ehva Hoffman  
Youth Council Cameron Soucie

**1. Call to Order**

**2. Closed Meeting Report**

**3. Declarations of Conflict of Interest**

There were no declarations of conflict of interest.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for Tuesday, September 3, 2019**

Moved by Councillor Bjorkman  
Seconded by Councillor Garon

**(R19-09-360) That** the published agenda for the September 3, 2019 Regular Council Meeting, be adopted with a correction to Item 8.7 By-law 1834 to correct the reference to By-law 350 to By-law 1350.

**Carried**

**5. Adoption of Minutes**

**5.1 Regular Council Meeting Minutes for August 6, 2019**

Moved by Deputy Mayor Meloche  
Seconded by Councillor Bowman

**(R19-09-361) That** the minutes of the Regular Council Meeting held August 6, 2019, be adopted as circulated.

**Carried**

**6. Public Presentations**

**7. Unfinished Business**

**8. Reports from Administration**

**8.1 Economic Development Officer's Report 2019-08**

RE: Economic Development Website and Marketing

Moved by Councillor Bjorkman  
Seconded by Councillor Vander Doelen

**(R19-09-362) That** Economic Development Officer's Report 2019-08, entitled "Economic Development Website and Marketing", prepared by Nelson Silveira, Economic Development Officer and submitted by Lori Chadwick, Director, Development Services, dated September 3, 2019, be received; and

**That** Council approve \$30,000 in funding from the contingency reserve for projects related to economic development to cover the cost of the design and implementation of the new economic development website and marketing activities.

**Carried**

**8.2 Economic Development Officer's Report 2019-09**

RE: Downtown Walkabout 2019

Moved by Councillor Bowman  
Seconded by Councillor Verbeek

**(R19-09-363) That** Economic Development Officer's Report 2019-09, entitled "Downtown Walkabout 2019", prepared by Nelson Silveira, Economic Development Officer and submitted by Lori Chadwick, Director, Development Services, dated September 3, 2019, be received.

**Carried**

**8.3 Community Services Report 2019-032**

RE: Special Events Resource Team (SERT) September Update

Moved by Councillor Garon  
Seconded by Councillor Verbeek

**(R19-09-364) That** Community Services Report 2019-032, entitled "Special Events Resource Team (SERT) September Update", prepared and submitted by Doug Sweet, Director, Community Services, dated September 3, 2019, be received.

**Carried**

#### **8.4 Building Report 2019-07**

RE: July 2019 Building Report

- Development Overview July 2019

Moved by Councillor Bjorkman

Seconded by Councillor Verbeek

**(R19-09-365) That** Building Report 2019-07, dated August 9, 2019 providing Council with a summary of building activity in the Town of Essex and the Development Overview for the month of July 2019, be received.

**Carried**

#### **8.5 Finance and Business Services Report 2019-05**

RE: External Audit Services Extension

Moved by Councillor Vander Doelen

Seconded by Councillor Bowman

**(R19-09-366) That** Finance and Business Services Report 2019-05, entitled "External Audit Services Extension", prepared by Heather MacDonald, Manager, Finance and Business Services, and submitted by Jeffrey Morrison, Director, Corporate Services, dated September 3, 2019, be received; and

**That** Council awards the one year extension to BDO Canada LLP, in the amount of \$36,952 including HST.

**Carried**

#### **8.6 Clerk's Report 2019-023**

RE: Court of Revision for South Malden Road Drain (Bridge for David and Jamie Kendrick)

- By-Law 1849

Being a by-law to provide for South Malden Road Drain (Replacement Bridge for David and Jamie Kendrick), Part Lot 32, Concession SMR, Geographic Township of Colchester North, Project REI2018D025, Town of Essex, County of Essex

Moved by Deputy Mayor Meloche

Seconded by Councillor Bjorkman

**(R19-09-367) That** Clerk's Report 2019-023, entitled "Court of Revision for South Malden Road Drain (Bridge for David and Jamie Kendrick), Part of Lot 32, Concession SMR, Geographic Twp. of Colchester North, Project REI2018D025, Town of Essex, County of Essex as per report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd., dated July 12, 2019", prepared by Robert Auger, Town Solicitor/Clerk and submitted by Chris Nepszy, CAO, dated September 3, 2019, be received; and

**That** Dan Boudreau and Kirk Carter be appointed to sit as members of the Court of Revision to convene at 5:00 PM on October 7, 2019 in the County of

Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex, with a third member of the Court of Revision to be appointed by the Town of Kingsville, with respect to the South Malden Road Drain (Bridge for David and Jamie Kendrick), Part of Lot 32, Concession SMR, Geographic Twp. of Colchester North, Project REI2018D025; and

**That** By-Law 1849, being a by-law to provide for South Malden Road Drain (Bridge for David and Jamie Kendrick), Part of Lot 32, Concession SMR, Geographic Twp. of Colchester North, Project REI2018D025, Town of Essex, County of Essex, be read a first and a second time, and provisionally adopted on September 3, 2019.

**Carried**

**8.7 Planning Report 2019-44**

RE: Amendments to the Town of Essex Sign By-Law

- By-Law 1834  
Being a by-law to amend By-Law 1350, a by-law regulating the erection of signs in the Town of Essex

Mayor Snively asked Council to consider the adoption of By-law 1834 by giving the by-law a third reading at this meeting. By a show of hands Council showed their approval. None were opposed.

Moved by Councillor Vander Doelen  
Seconded by Councillor Verbeek

**(R19-09-368) That** Planning Report 2019-44, entitled "Amendments to the Town of Essex Sign By-Law", prepared by Jeff Watson, Policy Planner and submitted by Lori Chadwick, Director, Development Services, dated September 3, 2019, be received; and

**That** By-Law 1834, being a by-law regulating the erection of signs in the Town of Essex, be read a first, second and third time and passed on September 3, 2019.

**Carried**

**8.8 Planning Report 2019-45**

RE: Accessible Parking Provisions in the General Zoning By-Law and Sign By-Law

- By-Law 1848  
Being a by-law to amend By-Law 1037, The Comprehensive Zoning By-Law for the Town of Essex

Mayor Snively asked Council to consider the adoption of By-law 1848 by giving the by-law a third reading at this meeting. By a show of hands Council showed their approval. None were opposed.

Moved by Councillor Bowman  
Seconded by Councillor Garon

**(R19-09-369) That** Planning Report 2019-45, entitled "Accessible Parking Provisions in the General Zoning By-Law and Sign By-Law", prepared by Jeff Watson, Policy Planner and submitted by Lori Chadwick, Director, Development Services, dated September 3, 2019, be received; and

**That** By-Law 1848, being a by-law to amend By-Law 1037, The Comprehensive Zoning By-Law for the Town of Essex, be read a first, second and third time and passed on September 3, 2019.

**Carried**

**8.9 Planning Report 2019-47**

RE: Essex Town Centre Part Lot Control Exemption Application (Essex Centre)

- By-Law 1847

Being a by-law to provide that Part Lot Control shall not apply to certain lands within Registered Plan 12M-545 in Essex Centre

Moved by Councillor Bjorkman  
Seconded by Councillor Verbeek

**(R19-09-370) That** Planning Report 2019-47, entitled "Essex Town Centre Part Lot Control Exemption Application, Essex Centre", prepared by Jeff Watson, Planner and submitted by Lori Chadwick, Director, Development Services, dated September 3, 2019, be received; and

**That** Council authorizes Part Lot Control Exemption (PLCE) to permit the development of the first phase of the Essex Town Centre subdivision; and

**That** the Manager of Planning Services for the County of Essex be advised that the Town supports part lot control exemption for a period of three years for this development phase and accordingly recommends that the County approves the PLCE application; and

**That** By-Law 1847, being a by-law to provide that Part Lot Control shall not apply to certain lands within Registered Plan 12M-545 in Essex Centre, be read a first and a second time, and be provisionally adopted September 3, 2019.

**Carried**

**9. Reports from Youth Members**

There were no reports from the Youth Council Members.

**10. County Council Update**

Deputy Mayor Meloche advised that County Council was considering using the initiative grant that had been received on wireless traffic light controls. These controls allow better traffic flow as it detects upcoming traffic and allows the light to be longer or shorter as needed.

Mayor Snively reported that at the AMO conference information had been provided on a chemical that is being tried in the London area to combat phragmites. It currently is in use in the United States and is now being tried in Ontario.

## **11. Correspondence**

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

Moved by Councillor Bjorkman

Seconded by Councillor Bowman

**(R19-09-371) That** the correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

#### **11.1.1 Health Canada, Pest Management Regulatory Agency**

Response to Town of Essex's correspondence RE Resolution on Phragmites Control

- Copy of correspondence sent to the Prime Minister dated April 23, 2019

#### **11.1.2 Norfolk County**

RE: Request for Provincial Response to address Gas Well Issues

Copy of correspondence from Norfolk County to the Ministry of the Environment, dated August 13, 2019 requesting engagement with experts and stakeholders to advance the knowledge of the leaking gas wells and its impacts, and to demand funding for municipal extraneous costs of the air quality monitoring affecting the health and wellbeing of the residents and the remediation of the environmental impacts.

#### **11.1.3 Town of Bradford West Gwillimbury**

RE: Never Forgotten National Memorial, Cape Breton Island

Copy of correspondence to the Royal Canadian Legion, Bradford, Ontario, dated August 14, 2019 supporting the development and endorsement of the Never Forgotten National Memorial Program on Cape Breton Island.

#### **11.1.4 Municipality of Chatham-Kent**

Correspondence to the Attorney General of Ontario from the Municipality of Chatham-Kent, dated August 13, 2019, supporting the resolution from the Township of Warwick seeking stronger enforcement for safety on family farms.

#### **11.1.5 Town of Essex, Lakeshore, LaSalle, Tecumseh**

Dog Pound Committee Agenda - July 31, 2019

#### **11.1.6 Association of Municipalities of Ontario (AMO) 2019 Conference Update**

Provincial announcements affecting municipal governments

**Carried**

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

### **11.2.1 Joseph Lucas**

RE: Municipal Heritage Committee

Moved by Councillor Bjorkman

Seconded by Councillor Garon

**(R19-09-372) That** correspondence from Joseph Lucas, expressing continued interest in becoming a member of the Municipal Heritage Committee, be received and supported; and

**That** Mr. Lucas be advised that he has been appointed to the Municipal Heritage Committee to November 14, 2022 and that Schedule "A" to By-Law 1777, be updated accordingly.

**Carried**

## **12. Committee Meeting Minutes**

Moved by Deputy Mayor Meloche

Seconded by Councillor Vander Doelen

**(R19-09-373) That** the minutes listed in Agenda Item 12, together with any recommendations noted therein, be received, approved and adopted as circulated.

### **12.1 Committee of Adjustment - January 15, 2019**

### **12.2 Committee of Adjustment - April 16, 2019**

### **12.3 Committee of Adjustment - July 23, 2019**

### **12.4 Essex Police Services Board - May 2, 2019**

### **12.5 Essex Centre B.I.A. - March 19, 2019**

### **12.6 Personnel Committee Open Meeting - July 30, 2019**

**(PC-19-32) Recommendation to Council** that the Personnel Committee recommend to Council to approve the revision to the Hiring of Employees Policy (Addendum 1 to Hiring of Employees) and that the Addendum clearly states:

"That the Deputy CAO position will be posted internally only and filled by internal recruitment, providing qualified staff exist."

### **12.7 Court of Revision - July 2, 2019**

Sydenham Street Drain (East Side) and Bagot Street Drain (West Side) (Petition for Drainage)

Part of Lots 11,12,13, Registered Plan 18

Geographic Township of Colchester South, Project REI2015D036, Town of Essex, County of Essex



## **12.8 Drainage Board - August 19, 2019**

Consideration of Report Minutes

South Malden Road Drain (Bridge for David and Jamie Kendrick, Part of Lot 32,  
Concession SMR

Geographic Township of Colchester North, Project REI2018D025

Town of Essex, County of Essex

**Carried**

## **13. Financial**

### **13.1 2019 Operating Expense Budget Variance Report**

For month ending July 31, 2019

Moved by Councillor Garon

Seconded by Councillor Vander Doelen

**(R19-09-374) That** the 2019 Operating Expense Budget Variance Report for the month ending July 31, 2019, be received.

**Carried**

### **13.2 2020 Budget Initiation Memo**

2020 Budget and Five-Year Financial Plan

Moved by Councillor Vander Doelen

Seconded by Councillor Bondy

**(R19-09-375) That** the 2020 Budget Initiation Memo entitled "2020 Budget and Five-Year Financial Plan" prepared by Jeffrey Morrison, Director, Corporate Services, dated August 23, 2019, be received.

**Carried**

A discussion was held on the 2020 Budget. No direction was given by Council.

## **14. New Business**

## **15. Notices of Motion**

### **15.1 The following Notices of Motion were presented at the August 6, 2019 Regular Council Meeting and are being brought forward for consideration at this evening's meeting:**

#### **15.1.1 Councillor Bondy - Election Policy and By-Law Discussions**

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

**(R19-09-376) That** Council direct Administration to review and report on election policies, including the use of corporate resources and the sign by-law, but excluding the review and report on proxy voting.

Councillor Bondy requested a recorded vote.

<b>Recorded</b>	<b>Support</b>	<b>Oppose</b>
Deputy Mayor Meloche	X	
Councillor Bjorkman	X	
Councillor Bondy	X	
Mayor Snively	X	
Councillor Verbeek	X	
Councillor Garon	X	
Morley Bowman	X	
Councillor Vander Doelen	X	
<b>Results</b>	<b>8</b>	<b>0</b>

With a recorded vote of eight (8) in support and none opposed the motion was **Carried**.

#### 15.1.2 Councillor Bondy - Dog Pound Policy Review

RE: Animal running at large

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

**(R19-09-377) That** Council give direction to the Town of Essex's Animal Control Officer until a policy issue can be addressed by the Dog Pound Committee, that any animal running at large that is apprehended by the Animal Control Officer and in need of medical attention, the Animal Control Officer be authorized to release the animal to the owners or deliver it to the veterinarian within a reasonable time provided the owners are willing to cover the costs of the vet fees.

**Carried**

#### **15.2 The following Notice of Motion is being presented this evening and will be brought forward for Council's consideration at the September 16, 2019 Regular Council Meeting :**

Councillor Bondy

RE: Road Concerns

That Council have a public discussion at its regular Council meeting about continued concerns with the 8th Concession and Gore Road, including water puddling and damage.

#### **16. Reports and Announcements from Council Members**

Each of the Council members were provided an opportunity to discuss the latest news, upcoming events, and activities in the municipality.

## **17. By-Laws**

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

#### **17.1.1 By-Law 1837**

Being a by-law to provide for West Townline Drain New Bridge for Union Gas (Part Lot 1, Con. 3) and Updated Maintenance Schedule of Assessment, Geographic Township of Colchester South, Project REI2016D061, Town of Essex, County of Essex

Moved by Councillor Bjorkman  
Seconded by Councillor Bowman

**(R19-09-378) That** By-Law 1837, being a by-law to provide for West Townline Drain New Bridge for Union Gas (Part Lot 1, Con. 3) and Updated Maintenance Schedule of Assessment, Geographic Township of Colchester South, Project REI2016D061, Town of Essex, County of Essex, be read a third time and finally passed on September 3, 2019.

**Carried**

#### **17.1.2 By-Law 1844**

Being a by-law to confirm the proceedings of the August 6, 2019, Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Councillor Vander Doelen  
Seconded by Deputy Mayor Meloche

**(R19-09-379) That** By-Law 1844, being a by-law to confirm the proceedings of the August 6, 2019, Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on September 3, 2019.

**Carried**

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

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

##### **17.3.1 By-Law 1845**

Being a by-law to confirm the proceedings of the September 3, 2019 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Councillor Bowman  
Seconded by Deputy Mayor Meloche

**(R19-09-380) That** By-Law 1845, being a by-law to confirm the proceedings of the September 3, 2019 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a first and a second time and provisionally adopted on September 3, 2019.

**Carried**

18.     **Adjournment**

Moved by Councillor Vander Doelen  
Seconded by Councillor Garon

**(R19-09-381) That** the meeting be adjourned at 6:52 PM.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Special Council Meeting Minutes**

Tuesday, August 6<sup>th</sup>, 2019 5:00 PM  
Essex County Civic Centre  
Committee Room C  
360 Fairview Avenue West, Essex, Ontario

**1. Roll Call**

- Present:
- Mayor Larry Snively
- Deputy Mayor Richard Meloche
- Ward 1 Councillor Joe Garon
- Ward 1 Councillor Morley Bowman
- Ward 2 Kim Verbeek
- Ward 3 Councillor Chris Vander Doelen
- Ward 3 Councillor Steve Bjorkman
- Ward 4 Councillor Sherry Bondy
- Also Present:
- Chris Nepszy, Chief Administrative Officer
- Doug Sweet, Deputy CAO/Director, Community Services
- Lori Chadwick, Director, Development Services
- Jeff Watson, Policy Planner
- Rita Jabbour, Planner
- Robert Auger, Town Solicitor/Clerk
- Shelley Brown, Deputy Clerk

This public meeting was held for the purpose of providing background information and to obtain public input regarding proposed Amendments to the Town of Essex Sign By-Law and proposed amendments in regards to Accessible Parking Provisions in the General Zoning By-Law and Sign By-Law.

The Mayor called the meeting to order at 5:00 P.M.

**2. Declarations of Conflict of Interest**

No declarations were made

**3. Adoption of Published Agenda**

- August 6, 2019 Special Council Meeting Agenda
- Moved by Councilor Bjorkman
- Seconded by Councilor Bowman

**(SP19-08-001)** That the published agenda for the August 6<sup>th</sup>, 2019 Special Council Meeting be adopted as amended with the addition of a letter received from Richard Kokovai, Chair, Accessibility Advisory Committee, Town of Essex. **“Carried”**

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

- a) Jeff Watson, Policy Planner Planning Report 2019-34 Re: Amendments to the Town of Essex Sign By-Law

Mr. Watson provided Council with a summary of the proposed amendments outlined in his Report and informed council that this was a public designed to obtain public input into propose amendments to the Sign by-law to address abandoned signage. These amendments would require the owner of the land to remove an abandoned sign within 15 days f the giving of notice by the Town by-law enforcement Officer. Mr. Watson also reminded Council that under the current Community Improvement Program a grant under the Façade Improvement Grant Program would be available to assist with the removal of inappropriate, abandoned or outdated signage. Mr. Watson stated that this access to a possible grant could be an incentive to encourage compliance with the new proposed sign-by-law regulations.

Discussion ensued amongst Council on the proposed recommendation that Council authorize the giving of notice of Council’s intention to consider amendments to By-law 1350, the Town of Essex Sign By-law, to incorporate the proposed provisions for the removal of abandoned signs. Council further deliberated on the issue of whether CIP funds should be used in conjunction with encouraging compliance with these proposed sign-by-law amendments. Mr. Watson clarified that this option would not be available to owners who fail to make application within the 15 day period after being provided a notice by the By-law Enforcement Officer to remove said sign.

Moved by Councilor Bowman

Seconded by Councilor Vander Doelen

**(SP19-08-002)** That Planning Report 2019-34 entitled “Amendments to the Town of Essex Sign By-Law”, as prepared by Jeff Watson, Policy Planner, and submitted by Lori Chadwick, Director, Development Services dated June 17, 2019, be received.

Moved by Councilor Deputy Mayor Meloche

Seconded by Councilor Bowman

**(SP19-08-003)** That Administration move forward with the process for the proposed sign by-law amendments and the drafting of a proposed amending bylaw and further that Administration move forward on the recommendation or option to use the current available CIP program incentives to serve as the first step in encouraging business owners to remove signage relating to abandoned or former businesses and to at the same time encourage new signs as part of the process of improving that property. **“Carried”**

b) Jeff Watson, Policy Planner, Planning Report 2019-39

Re: Accessible Parking Provisions in the General Zoning By-Law and Sign By-Law

Mr. Watson provided a summary of Planning Report 2019-39 and noted its recommendations to incorporate into the Zoning and Sign by-laws the required amendments in order to comply with the regulations arising from the Accessibility for Ontarians with Disabilities Act (“AODA”) as it relates to the provision of off-street parking.

Discussion ensued amongst Council including consideration of the correspondence received by the Chair of the Accessibility Advisory Committee, Town of Essex, which correspondence suggested that Council consider more stringent regulations or increasing the standard than those currently required under the AODA.

Mr. Watson noted that the standards that Council adopts need to be defensible and that the current AODA standards would be clearly defensible.

Moved by Councilor Bowman

Seconded by Councilor Vander Doelen

**(SP19-08-004)** That Planning Report 2019-39 entitled “Accessible Parking Provisions in the General Zoning By-Law and Sign By-Law”, as prepared by Jeff

Watson, Policy Planner, and submitted by Lori Chadwick, Director, Development Services dated June 15, 2019, be received. **“Carried”**

## 5. Public Presentations

No public presentations were present or made.

## 6. Adjournment

Moved by Councilor Bowman

Seconded by Councilor Vander Doelen

**(SP19-08-005)** That the meeting be adjourned at 5:52 P.M.

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Mayor

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Deputy Clerk



# **Special Council Meeting Minutes**

Wednesday, August 14, 2019

5:00 PM

Essex Municipal Building

Large Meeting Room

33 Talbot Street South, Essex, Ontario

## **1. Roll Call**

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

Regrets: Ward 2 Councillor Kim Verbeek

Also Present: Chris Nepszy, Chief Administrative Officer  
Doug Sweet, Deputy CAO/Director, Community Services  
Jeffrey Morrison, Director, Corporate Services  
Rita Jabbour, Planner  
Robert Auger, Town Solicitor/Clerk  
Shelley Brown, Deputy Clerk

The purpose of this Special Meeting of Council was to provide Council with an additional information session /workshop on the 2019 Development Charges Proposal.

The Mayor called the meeting to order at 5:05 P.M.

## **2. Declarations of Conflict of Interest**

## **3. Adoption of Published Agenda**

Special Council Meeting Agenda  
Moved by Councilor Bowman  
Seconded by Councilor Garon

**(SP19-08-006)** That the published agenda for the August 14, 2019 Special Council Meeting: Development Charges Proposal: Review and Workshop be adopted as presented. **“Carried”**

#### **4. Public Presentations**

The Chair, with Council consent, directed the two delegates at the meeting to present first before hearing from Mr. Scandlan.

a) Murray Van Wieringen, President Durobyte Inc.

Mr. Van Wieringen spoke to Council and inquired as to if the development charge exemption currently applying to his Essex Motel project (at 263 Talbot Street North), a multiple residential dwelling unit development, would still apply after the passing of a new Development charge by-law at the end of August 2019.

Discussion ensued amongst Council and the consensus from Council was that the exemption would still apply.

Moved by Councilor Vander Doelen

Seconded by Councilor Bowman

**(SP19-08-007)** That the delegation from Murray Van Wieringen, President of Durobyte Inc. be received. **“Carried”**

(b) Walter Brenko, Noah Homes

Mr. Brenko spoke to Council and advocated for eliminating development charges in order to help facilitate development especially in the Ward 4 Harrow area.

Discussion ensued amongst Council and Mr. Brenko concerning the effect that eliminating development charges may or may not have with respect to facilitating development in the Harrow area.

Moved by Councilor Bjorkman

Seconded by Councilor Garon

**(SP19-08-008)** That the delegation from Walter Brenko of Noah Homes be received. **“Carried”**

c) **Gary Scandlan, Watson & Associates Economists Ltd.**

In conjunction with the Development Charges Background Study June 20, 2019 (with proposed By-law) and its Addendum Number 1 dated July 4, 2019 and Addendum Number 2 dated July 11, 2019, Mr. Scandlan, the retained consultant for the Town of Essex 2019 Development Charges

Review, provided a power point presentation together with discussion concerning the Town of Essex 2019 Development Charges ("D.C.") Proposal.

The Presentation and discussion focused on:

- a review of the process and timelines
- A general overview of development charges;
- funding of exemptions/discounts;
- Policy considerations for a DC By-law;
- Alternative funding sources;
- The calculated proposed development charges rates and a comparison of the proposed Essex charges with other Municipalities
- Discussion of next steps

Mr. Scandlan emphasized that whatever Council decides to do with respect to the adoption of a new DC By-law, if Council does decide to impose Development charges it could always decide to re-visit the exemption of a development charge rate during the five year period of the new by-law. There would need to be public consultation and certain steps to re-visit a subsequent exemption but it would be possible. The key Mr. Scandlan stated was to find the appropriate mix or balancing act between what should be the appropriate development charges versus finding the revenue from taxes or other sources as it relates to servicing new growth in the Municipality. Mr. Scanlan also emphasized that even if Council decides that there should be development charges, Council could always decide to impose phase in of those rates and/or a phase in of the payment of those costs over time. The phase-in could be municipal wide or could only apply to certain areas of the municipality or could be limited to specific types of development in the Municipality.

In providing a comparison of the DC rates proposed in the draft by-law, Mr. Scandlan noted that the 2019 calculated rates were nominal and fairly consistent with the 2014 rates. He also noted that comparatively the town's rates were lower than many of the other local Municipalities.

Discussion ensued amongst the Council members as to the various options before it.

Moved by Councilor Bjorkman

Seconded by Councilor Vander Doelen

**(SP19-08-009)** That the presentation and/or information presented by Gary Scandlan, Watson & Associates Economists Ltd, be received: and

That Council provide Administration with Direction to prepare and come back on August 27, 2019 with a development charges by-law for Council’s consideration at the rates and with the exemptions noted in the draft proposed by-law located in Appendix G of the Development Charge Background Study of June 20, 2019 (as amended) but with the additional or further amendment which provides that the current 100% exemption for the Harrow Primary Settlement Area residential charges be continued and/or extended under the new by-law for an additional period from August 28, 2019 until December 31, 2021 and thereafter the residential charges for the Harrow Primary Settlement Area shall be phased in with a 25% phase-in commencing January 1, 2022, a 50% phase-in commencing January 1, 2023, and a 75% phase-in commencing January 1, 2024.

**“Carried”**

## 5. Adjournment

Moved by Councilor Bjorkman

Seconded by Councilor Garon

**(SP19-08-009)** That the meeting be adjourned at 6:35 P.M. **“Carried”**

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Mayor

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Deputy Clerk

## **Special Council Meeting Minutes**

Tuesday, August 27, 2019 5:00 PM

Essex Municipal Building

Large Meeting Room

33 Talbot Street South, Essex, Ontario

### **1. Roll Call**

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

Regrets: Ward 4 Councillor Sherry Bondy

Also Present: Doug Sweet, Deputy CAO/Director, Community Services  
Jeffrey Morrison, Director, Corporate Services  
Lori Chadwick, Director, Development Services  
Rita Jabbour, Planner  
Nelson Silveira, Economic Development  
Robert Auger, Town Solicitor/Clerk  
The Mayor called the meeting to order at 5:00 P.M.

### **2. Declarations of Conflict of Interest**

No declarations were made.

### 3. Adoption of Published Agenda

Special Council Meeting Agenda

Moved by Councilor Vander Doelen

Seconded by Councilor Bowman

**(SP19-08-008)That** the published agenda for the August 27, 2019 Special Council Meeting be adopted as presented. **Carried**

### 4. Reports from Administration

i) Nelson Silveira, Economic Development Officer

- Rural Economic Development Program Grant

Mr. Silveira provided a summary of Report EDO 2019-07 entitled “Rural Economic Development Program Grant” and asked Council to support a cost-sharing grant application submission to the Ministry of Agriculture, Food and Rural Affairs. Mr. Silveira advised council that there as an impending deadline of September 9 for the application and that the proposed application was for the purpose of possibly obtaining financial support to assist with the implementation of capital improvements as outlined in the Essex Centre and Harrow Centre streetscape plans. With respect to the remaining funding for these capital improvements Mr. Silveira advised that further discussion would be brought to Council at a future special meeting in which Administration would seek Council direction on the remaining funding, project stages and schedule.

Moved by Councillor Bowman

Seconded by Deputy Mayor Meloche

**(SP19-08-011)That** Economic Development Officer Report 2019-07 entitled “Rural Economic Development Grant”, be received; and

**That** Council support a Rural Economic Development grant application to the Ministry of Agriculture, Food and Rural Affairs for up to \$250,000 for capital improvements to streetscapes in Essex Centre and Harrow Centre. **“Carried”**

ii) Rita Jabbour, Planner

RE: Adoption of Development Charge By-Law

Ms. Jabbour provided a summary of Planning Report 2019-48 entitled “Adoption of Development Charge By-Law” which report provided a summary of the development charge process and proposed By-law 1850, being a by-law for the imposition of development charges in the Town of Essex. In particular it was noted that the proposed by-law had been amended to incorporate the phase in of the Harrow Primary Settlement Area over the next five years as previously directed by Council at its August 14 Special Council meeting.

During Council’s discussion it was further noted that the Harrow Primary Phase-in of development charges should properly reflect the fact that the phase-in would not actually begin until January 1, 2022 such that from August 28, 2019 until December 31, 2021 such development charges would remain at the zero rate. Administration noted that the proposed by-law would be amended accordingly to reflect that previous direction given by Council.

Moved by Councillor Vander Doelen

Seconded by Councillor Bjorkman

**(SP19-08-012)**That Planning Report Planning2019-48 “Adoption of Development Charge By-Law”, be received; and

**That** By-Law 1850, Being a By-Law for the Imposition of Development Charges receive three readings and be adopted as proposed but with the Harrow Primary Settlement Area chart relating to residential charges as located in section 3.11.2 of the proposed by-law to be amended to reflect a zero rate from August 28, 2019 until December 31, 2021. **“Carried”**

## **5. Adjournment**

Moved by Councillor Bjorkman

Seconded by Councillor Garon

**(SP19-08-013)** That the meeting be adjourned at 5:13 P.M. **“Carried”**

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Mayor

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Deputy Clerk





## Report to Council

Department: Community Services

Date: September 16, 2019

Prepared by: Doug Sweet, Director, Community Services

Submitted by: Doug Sweet, Director, Community Services

Report Number: Community Services Report 2019-033

Subject: New Sport Fields and Recreation Property Update

Number of Pages: 48

### Recommendation(s)/Conclusion(s)

The following four (4) recommendations are provided for Council's consideration:

1. That Community Services Report 2019-033 entitled "New Sport Fields and Recreation Property Update" **be received**; and
2. Council **direct** Administration to apply for the "Investing in Canada Infrastructure Program – Community, Culture, and Recreation Grant" prior to the November 12<sup>th</sup> deadline in the amount of \$20,650,000 which is the total cost of the proposed project; and further
3. Council **direct** Administration to meet with current and future stakeholders on the proposed project to discuss future fundraising, sponsorship, and naming right opportunities for the complex; and further
4. Council **direct** Administration to develop phase-in options and timelines to build the sports fields based on the results of the Investing in Canada Infrastructure Grant.

## **Reason for Report**

To update Council on the draft concept and costs for the sports fields and recreation property in Essex Centre.

## **Background**

The Town of Essex for a number of years had been exploring land options to be able to accommodate the outdoor sport field shortage in Essex Centre. A number of the main user groups (Essex Minor Baseball, Essex Minor Soccer, Essex Ravens, and Adult Slo-Pitch leagues) have presented to Essex Council in the past requesting that the Town create additional fields to accommodate their current and future needs. The Town has also received a number of requests over the past years to host more adult slo-pitch leagues, a minor football program and additional soccer leagues in the Essex Centre area but the Town has not been able to accommodate the requests due to lack of fields.

In 2015, a Parks, Recreation, and Culture Master Plan was conducted and the plan recommended that the Town look at purchasing property to be able to add outdoor sport fields to accommodate the current needs and potential growth of the community. For example, Essex Centre previously had 9 baseball diamonds and currently there are only four diamonds. The reduction in baseball diamonds occurred when two new elementary schools were built in Essex Centre and the new schools were built where the current sport fields were located.

Essex Centre is also lacking in soccer fields for all ages and sizes as there are currently only four soccer fields (2 full size and 2 mini fields) which does not meet the demand of current leagues (youth league, 18+ league, and 30+ league) and requests for new leagues in the Essex Centre area. In addition, the Essex Ravens football program at one time called Essex Centre their home location but they also had to relocate as there was no fields available for their practices or games.

Upon direction from Town Council, Administration explored a number of property options to purchase land for future Essex Centre Sport Fields and on August 30, 2016, the Town closed a deal to purchase seventy (70) acres of property at the corner of Highway 3 and North Malden Road. This property will allow the Town to meet current outdoor sport field needs and have space for potential sport field growth.

To start the process on consulting with stakeholders on their needs as well as develop an overall cost for the project the Town hired Bezaire Partners Architects to provide a conceptual layout with enough technical review to ensure a buildable result and reliable cost estimate by:

- Consulting with stakeholders and preparing a report outlining user group requirements;
- Prepare a site service strategy for electrical service and site distribution;
- Prepare a site serve service strategy for storm, sanitary, water and possibly natural gas;
- Prepare a Park Development Report incorporating the results, an overall development strategy and phasing recommendations for site furnishings, backstops, lighting, seating, etcetera (Appendix A Report); and
- Prepare a preliminary overall cost estimate.

Bezaire Partners arranged a series of stakeholder meetings which included the Raven's Football Club, Men's Slo-Pitch, Senior Baseball, Essex High School, Essex Minor Baseball, and Soccer organizations. From these meetings and base needs required by the Town, Bezaire Partners developed a concept plan (Appendix A – page 11) which included:

- 9 soccer fields (4 senior, 2 junior, and 3 intermediate);
- 5 baseball diamonds (3 multi-use, 1 hardball only, 1 pee wee diamond);
- 1 multiuse stadium and ammenities for football and soccer (includes turf field);
- 3 washroom/concession/storage buildings;
- Multi-use trails throughout the complex;

- 3 designated play equipment areas;
- 2 entrances off of Batten Side Road with parking on site for up to 625 vehicles; and
- 1 maintenance building.

During the consultation process Town Administration and Bezaire Partners also met numerous times with the Ministry of Transportation (MTO) representatives to ensure the Town received the MTO's concurrence on the plan, layout, location, and etcetera. Through these discussions and meetings there were a number of revisions to the plan to meet MTO requirements as well as ensure the sport field lands are not developed on future MTO property for the expansion of Highway 3.

Administration and Bezaire Partners have included in the report a sample phase-in plan for the project but the phase-in plan will need to consider a number of factors such as:

- Funding – How much funding is available and from what sources
- Loss of Facilities - With the recent announcement of the final phase of the Highway 3 expansion to start in 2021, these works would include the Hanlan Street extension to County Road 23 (Arner Townline). When the Hanlan Street expansion begins the plans have Hanlan Street going through the current soccer field location and this would eliminate the current soccer fields;
- Current/Future Needs – Utilizing the Master plan recommendations in conjunction with current league needs and potential for new or expanding league.

## **Financial Impact**

Depending on the overall cost of the project, it is anticipated the development of the property may occur in phases. The timeline to develop the property will depend on a variety of funding sources which will include grants, fundraising dollars, sponsorships, naming rights and Town capital funding. Beginning in 2017, the Town started setting aside funds annually in a reserve account to assist in the design and construction of the property.

Based on the concept plan and required site servicing, Bezair Partners estimates the total project cost to be just under \$20,650,000 based on trade pricing during the 2018 third quarter.

The Federal Government announced on September 3, 2019 “The Investing in Canada Infrastructure Program (ICIP)” a cost-sharing infrastructure funding program between the federal government, provinces, and municipalities. The program will see up to \$30 billion in combined federal, provincial and other partner funding, under four priority areas, including Community, Culture, and Recreation. Approximately \$407 million in federal funding and \$320 million in provincial funding will be available for the Community, Culture, and Recreation stream over 10 years starting in 2019-20. This is the first time since 1967 the upper tiers of government are offering grant funding for recreational infrastructure projects. If successful in the grant funding the following breakdown defines the maximum cost-share percentages of total eligible costs.

	<b>Percentage</b>
<b>Federal Contribution</b>	40.00
<b>Provincial Contribution</b>	33.33
<b>Applicant Contribution</b>	26.67

Administration is recommending the Town submit an application for the grant for the full project amount as the Essex Centre Sport Field project meets all criteria listed in the grant and it is an opportunity to get 73.33% of the project covered by other levels of government. The deadline for all applications is November 12, 2019 and if successful, the projects must be completed by March 31, 2027.

In addition to applying for grants, Administration will develop a business plan and meet with current and future stakeholders to discuss funding opportunities such as fundraising, sponsorships, and potential naming rights to help offset the Town’s portion of the project. In

regards to a business plan, Administration would recommend any funds from sale of current sport field properties (i.e. Soccer Fields) be put towards the capital project.

## **Link to Strategic Priorities**

This report contributes to the following Council strategic policies:

- Promote healthy and active living through recreational and cultural opportunities;
- Promote a healthy, safe, and environmentally conscious community; and
- Manager the Town's infrastructure in a responsible and efficient manner.

### **Reviewed by:**

Chris Nepszy, Chief Administrative Officer	Concur
--	--------

Jeffrey Morrison, Director Corporate Services	Concur
---	--------

## Appendix "A" –Essex Centre Sport Field Consultant Report

**BP**

### Bezaire Partners

Urban Planners, Landscape Architects,  
Planning & Construction Mediation, Public Consultation, Project Management,  
Environmental Impact Studies, Park and Recreation Planning

302-180 Eugenie St. West, Windsor ON, N8X 2X6  
C 519 816 6844 | V 519 966 6844 | E: pbezaire@bezaire.ca

2019 08 29

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

**Att: Mr. Doug Sweet**

Dear Doug:

**RE: Essex Centre Sports Complex – Site Master Plan Report**

I am pleased to provide the enclosed report including the following information:

- Introduction
- Background
- Stakeholder Meetings
- Final Plan
- Site Servicing & Grading
- Electrical Servicing & Lighting
- Cost Estimate
- Phasing Approach

The plan includes revisions as requested, a review of the proposed air-supported structure, revised costing for the playgrounds, and detailed layouts for the sports fields. The plan has also been reviewed by the Ministry of Transportation (MTO) relative to impacts on Highway No. 3 as well as future improvements to that road. Substantial changes requested by MTO have been incorporated into the concept plan but are not reflected in the civil and electrical plans. We believe that there would be little or no impact on cost or constructability resulting from this.

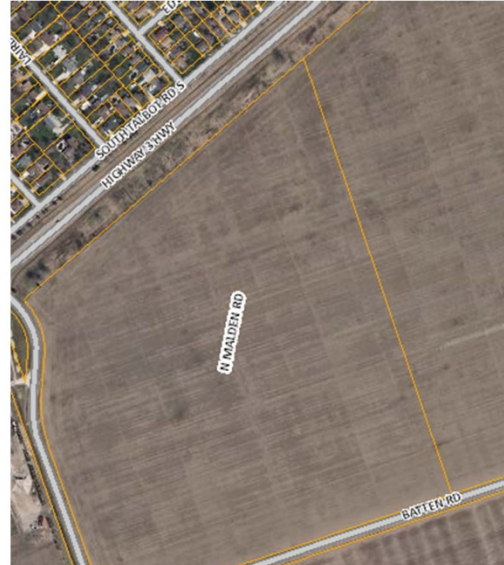
Should you have any questions, feel free to contact me at your convenience.

Sincerely,



**Paul Bezaire** OALA, RPP MCIP  
Partner

# ESSEX CENTRE SPORTS COMPLEX SITE MASTERPLAN



**PREPARED BY**  
**BEZAIRE PARTNERS**

WITH  
LANDMARK ENGINEERS INC. - CIVIL  
CURRENT ENGINEERING LTD. - ELECTRICAL  
CIVILTECH SERVICES - SURVEY

**2018 08 17**  
REVISED 2018 09 19  
2<sup>ND</sup> REVISION 2019 08 29

**BP**

## **Bezaire Partners**

Urban Planners, Landscape Architects,  
Planning & Construction Mediation, Public Consultation, Project Management,  
Environmental Impact Studies, Park and Recreation Planning

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# Essex Centre Sports Complex

## Site Master Plan

### A. INTRODUCTION

The Town of Essex proposes to develop a sports complex on property that has been recently purchased at the intersection of Victoria (North Malden Rd) and Hwy 3.

### B. BACKGROUND

As part of the property procurement process, Bezaire Partners (Bezaire) prepared a series of "quick" conceptual plans, one utilizing each of 50, 60 and 70 acres to determine how much property would be required to include an array of various site uses. It was decided to proceed with the 70-acre option which should have provided enough room for the proposed program of facilities, but also enough room for a modest future expansion.

Shortly after purchasing the property however, the Province of Ontario announced plans to widen Hwy. 3. This work would include construction of a vehicular overpass adjacent to the proposed site. Because of this, a possible land conveyance and buffer strip may be required on the lands nearest to Hwy 3. The extent of the conveyance and buffer zone has been confirmed with MTO and has been incorporated into the plan.

The MTO also noted conditions for the orientation of sports fields to prevent errant balls from entering the highway, the location and direction of lighting, the site entrance, signs, and encroachments. The plan which accompanies this report has been prepared to meet those requirements. While we propose to keep the subject parcel free of built structures, however, we have placed landscaping, pathways and a parks service yard within that zone.

The site consists of agricultural lands and is bordered by Hwy 3, North Malden Rd. and Batten Rd. A topographic survey was prepared for the lands and utilized to prepare a terrain model to resolve a drainage strategy and grading costs. A legal survey was prepared by the town and utilized as a base plan for the work.

The purpose of this report is to consult with identified stakeholders, usually sports teams, determine overall needs for the community, prepare a master plan for the site, develop strategies for site servicing, grading and drainage, and a cost estimate for the proposed work.

### **C. STAKEHOLDER MEETINGS**

A series of stakeholder round-table discussions was held with identified sports organizations. The proposed preliminary plan was shown to each group and they were asked to comment on the plan as well as the facilities that were needed for the optimum operation of their organization. The results were compiled and summarized below:

**Organization:** Men's Slow Pitch

#### **General Information**

- They would have a 4-8 team league
- Men use 70' bases
- Woman use 65' bases

#### **What would they like to see?**

1. 3 diamonds would work
2. 300' outfield with 10' outfield fences – may not need fence cap at that height.
3. Add additional smaller pavilions/washrooms for each section of park
4. Add a second entrance/exit point
5. Prefer clover leaf design
6. Can use netting to reduce foul balls
7. Suggests 10' outfield fence to lessen the amount of balls going over and into paths and other diamonds.
8. Include gates in outfield fence so that outfielder can retrieve balls hit over the fence rather than someone coming from the dugout area.
9. Need 160 parking spaces for and 8 team league with turnover.

**Organization:** Raven's Football

#### **General Information**

- They have 5 teams with 285 players
- Bantam 13-14, J.V 15-16, Varsity 17-19.
- They are looking at adding another league ... flag football Under Armor Under the Lights
- Kindergarten to grade 8 ... 200 additional kids now and as many as 500 future.
- Main games are at 7pm
- Practice Tue, Wed, Thur ... Play Sat. night ... Flag football play Sunday
- They typically get 1000 spectators - plan for 1500. Bleachers between the 20-yard lines
- Fence entire area to secure field.
- Ticket sales are currently done from a tent. This would suffice in the future. Would need power likely between parking area on field.

- Look at doubling parking from what we have now
- Look at flipping stands to east side because of sun.
- McMaster, Guelph, U of T, Queens have good set ups.

**What would they like to see?**

1. Artificial Turf
2. Inflatable Dome (see review on page 9)
3. On field December until March
4. Just field – not end zones
5. Good income from rentals to soccer clubs etc.
6. Lights
7. Additional practice area ... possible 5th soccer pitch
8. 4 change rooms that can be divided into 8 rooms
9. 50-60 players / team ... 25-30 players per smaller space... divided by offence and defense
10. They have lockers in storage
11. Ref's change room with showers
12. Therapy / Training Room
13. Laundry Room - 2 washer, 2 dryer and a hanging rack.
14. Meeting / Film Room
15. Equipment storage ... 30' x 30' x 8' high
16. Press room - typically on concession / grandstands roof
17. Scoreboard on south end ... South end seemed a little arbitrary as they were trying to picture it at other fields ... not an absolute location.
18. Parking pad (by stands) for T.V. Cogeco contact Robert Scussolin 519-972-4016
19. Parking for up to 4 buses ... probably behind stands.
20. Concession - Freezer, pop cooler, hand wash sink ... cook with BBQ's ... pop, water, hot chocolate, coffee, chips etc.

**Organization:** Essex Senior Baseball

**General Information**

- 10 teams in league ... only 1 from Essex
- They have a junior team as well.
- Play Wed. at 7pm and/or Sunday afternoon
- They just need 1 diamond for home games

**What would they like to see?**

1. Would like to have 1 premier diamond.
2. Grass infield

3. Good lights
4. Partially below grade (4 steps) dugouts ... solid sides and backs for privacy ... some openings for air circulation.
5. Club house change room - most facilities have only 1 for home team, equipment storage.
6. 325' fence in corners and 400' in center.
7. More room in foul ball sideline area.
8. Better viewing stands - see pictures sent
9. Scoreboard
10. Bull pen area within lighting
11. Only need 40 parking spaces
12. Only 1 of the teams in the league uses a bus.
13. Water and power to all fields
14. Separate portable backstop for batting practice - hitting into a net.
15. No need for a concession building
16. Could use League storage facilities - could be a large room with separate lockups
17. Look at field in Chatham
18. Cullen Field has good Dugouts

**ORGANIZATION:** Essex High School

#### **General Information**

- Might host sports Academy

#### **What would they like to see?**

1. storm cover for players
2. Artificial turf for soccer and baseball
3. Need 4 pitches for OFSAA
4. 3 senior diamonds for OFSAA - 1 with scoreboard
5. Would use dome over football field - would like 2 lane tracks
6. Classroom
7. Multi use room
8. Drop down net for batting practice
9. Weight room
10. Board would partner.
11. Batting cage
12. Tennis
13. 'sports court surface'
14. Boards for broomball and hockey

15. Basketball nets at ends

**Organization:** Essex Minor Baseball

**General Information**

- 27-30 teams
- Schedule 7 days/week

**What would they like to see?**

1. Indoor complex
2. 5000 sq.ft. dividable
3. Meeting room/area
4. 2 change rooms
5. Storage/equipment room
6. Batting cages or drop-down nets
7. Practice area
8. Power and water
9. Playground with link to greenway
10. Prefer natural grass
11. Existing layout is not tournament friendly
12. Light 2 diamonds
13. No need for t-ball diamond
14. 1 'regulation' diamond - 325' corners - 400' c.f.

**Organization:** Soccer

**General Information**

- Tournaments
- Tennis Courts
- House Leagues
- Essex Optimist Rec. Soccer League – 26 teams, 400+ players
- Sun County Travel – 5-6 yrs old – U 21 – 5 teams – 1 team / age group
- 18+ Soccer League – 4 teams 80-90 players
- 30+ Soccer League – 6 teams – 110-120 players
- Essex High School - practice
- WEDSL, Harrow – practice in Essex
- Travel teams are developing

**What would they like to see?**

1. 2 senior fields and 2 small fields at arena – need 1 additional for practice

2. 18+, 30+ use fields at arena
3. Soccer is growing with the growth of the Town
4. Need 9 fields – 3 each size.
5. Would allow recovery time for fields
6. Tournaments
7. Need 3 fields
8. International fields or larger
9. Match Kingsville
10. Prefer crowned fields
11. Use is from late April – September
12. Could use football for premier field
13. Light 1-2 soccer fields
14. Player's Benches between fields
15. Parents on outside
16. Irrigation
17. Netting to keep balls off roads
18. Water fill stations
19. Concession area – run by clubs

#### **Air-Supported Structure Over Football Field**

The proposal for a dome over the football field was reviewed in terms of serviceability and cost:

- The proposal was for a seasonal air-supported structure that would be put up in the fall and taken down in the spring.
- The dome would cover the entire football (370 x 235 x 72 ft.) including rectangular ends.
- Information provided by Farley Manufacturing Inc. estimated the capital costs for a dome to be in the range of \$30/sq.ft. including site work, grade beam, services, and the dome itself.
- A proposal for a dome was received from Farley.

This includes:

- the dome,
- cables,
- lighting,
- emergency exits,
- revolving doors,
- vehicle air lock,
- secondary inflation fan,
- standby generator,
- heat and inflation unit,
- wind and
- snow sensor controls etc.
- It does not include site work, consulting fees, or the concrete grade beam.

Total quotation is \$1,197,117 plus HST.

- The required concrete grade beam around the field is quite large (32 in. wide by 9 ft. deep) and exposed to the surface. When the dome is in place, it is essentially at the bottom of the wall and out of the way. However, when the dome is down, the exposed concrete surface would be obtrusive.
- Energy costs for operation of the dome would be in the range of \$85,000 annually consisting of the following:
  - Heating Fuel                      \$44,459
  - Electricity                          \$40,747
- The University of Toronto has a similar dome and indicates that considerable expense and effort is required to put up and take down the dome each year – about \$50,000 to put the dome up and the same to take it down, and requiring about 80 labourers.
- The field at the U of T rents at \$670/hr for the full field.
- Note that this review did not include a business case for revenue, but the consensus is that there would not be enough user groups to support the operating costs. Additional study of this would be required if the town were to decide to proceed.

Based on the information provided in terms of capital cost, operating cost and use, we recommend against including a dome as proposed.

#### **D. FINAL PLAN & SITE PROGRAM BASED ON TOWN REQUIREMENTS & STAKEHOLDER MEETINGS**

The results of the stakeholder meetings were reviewed and compared against the base requirements of the town to prepare the following site program:

##### **A. Site Entrance and Circulation**

- Provide minimum two site entrances for passenger cars with turning radii for buses
- Locate entrance away from intersection of Victoria (North Malden) and Hwy 3
- Provide standard 24 ft. wide vehicular circulation with asphalt pavement.

##### **B. Parking**

- Provide parking for at least 625 passenger cars in at least three usage areas.
- Provide bus parking for 4 tournament buses
- Parking stalls to be nominally 10ft. x 20 ft. with 20 ft. maneuvering aisles.
- Provide parking for Cogeco and ambulance near the stadium

##### **C. Soccer**

- Provide 4 senior fields (240 x 360ft.), 2 junior fields (115 x 180 ft.), and 3 intermediate fields (160 x 220 ft.), with amenities
  - Goal posts and nets
  - Players benches
  - Note: senior fields can be arranged to accommodate 2 intermediate fields.
  - Provide berms to help control soccer balls.

##### **D. Baseball**

- Provide 3 fields with 325 ft. left and right field and 340 ft. centre
- Provide 1 fields with 325 ft. left and right field and 400 ft. centre
- Provide 1 fields with 200 ft. outfield
  - Backstop
  - Dugouts with players benches
  - Bleachers for home & visitors



- Water service
  - Electrical power at back of backstop
  - Complete fencing
- Provide batting cage with electrical power
- E. Football**
- Provide football stadium complete with amenities
  - Artificial turf field
  - Bleachers for 1,500 people
  - Two sets of teams change rooms (each to be divided into two)
  - Referee Dressing Rooms
  - Press and Score Keepers Area
  - Washrooms
  - Concessions
  - Storage areas
  - Scoreboard
  - Entrance area (vendors)/ticket area
- Space for Development of Facilities by Home Team
  - Team equipment room
  - Laundry
  - First Aid/training room
  - Classroom/team assembly space
  - Note that while a building for this purpose is included as an option, we have not shown it on the site plan.
- F. Site Service Yard/Building**
- Provide service building with repair, office, storage, washroom, and lunchroom (3,000 sq.ft.)
- Provide fenced service yard with storage area (140 x 280 ft)
- G. Washrooms, Concessions, Storage**
- Provide 1 washroom building with small storage area for soccer (600 sq.ft.)
- Provide 1 washroom building with larger storage area for baseball (1200 sq.ft.)
- Provide centralized washroom/concession/storage building/meeting room (approx.. 3,000 sq.ft. plus outdoor covered patio)
- H. Lighting**
- Provide lighting for the following:
  - 2 Senior Soccer fields
  - 2 large diamond
  - Football field
  - Entrance road and parking
- I. Play Equipment**
- 3 units located near major use areas.
- J. Berms**
- Separating park from adjacent agricultural area
- Exercise hill as part of pathway network.
- K. Setback for Highway 3 Expansion**  
(assumed based limited information available)
- 151 ft. strip along highway including 105 ft. conveyance and 46 ft. buffer
- Park Identification Signs (depending on permission from MTO)
- 2 units – one pylon sign along Hwy 3 and a site identification sign at entrance



## E. SITE SERVICING & GRADING

The most critical part of the site servicing is the drainage and grading. The following design brief sets out the storm water management calculations for the site. The site will outlet to the Canaan Drain and the Essex Outlet Drain. Associated costs for this and other servicing aspects of the development are found in the Section G – Cost Estimate

### Design

PREPARED BY LANDMARK ENGINEERS INC.,  
2280 AMBASSADOR DRIVE, WINDSOR ON N9C 4E4 519 972 8052 FAX 519 972 8644

The Curve Number method was used in AutoCAD Civil 3D's Hydrographs extension. The site was broken down into two parts. One draining to the Essex Outlet Drain (10.08ha) and the other draining to the Canaan Drain (18.25ha). The areas assessed to each drain was based on the engineer's report for the subject site. The data from each site is as follows:

<u>Area 1 (to Essex Outlet Drain)</u>			<u>Area 2 (to Canaan Drain)</u>		
Land Use	Area	CN	Land Use	Area	CN
Sports Fields	3.95	84	Sports Fields	5.81	84
Open Grass	4.53	80	Open Grass	8.92	80
Asphalt	1.46	98	Asphalt	3.09	98
Building/Seats	0.14	98	Building/Seats	0.14	98
		84.4	Storage Area	0.29	90
					84.6

A Chicago distribution was used for the storm event and the following rainfall values:

Return Period	Precipitation
2 Year	5.40mm
5 Year	6.96mm
10 Year	7.92mm
100 Year	11.04mm

Using the aforementioned data and parameters, the following values are calculated by the software:

Area 1:

2-year predevelopment runoff = 0.265cms

100-year post-development runoff = 1.125cms

Area 2:

2-year predevelopment runoff = 0.407cms

100-year post-development runoff = 1.82cms

Limiting each area to its 2-year predevelopment runoff rate, the software calculated the following storage volumes for post development:

5-year event:

Area out letting to Canaan Drain; V = 4,700cm

Area out letting to Essex Outlet Drain; V = 2,080cm



100-year event:

Area out letting to Canaan Drain;  $V = 9,500\text{cm}$

Area out letting to Essex Outlet Drain;  $V = 4,050\text{cm}$

Volume breakdown:

Area 1:

Storage volume in parking lots =  $300\text{cm}$

Storage volume in swales =  $1,000\text{cm}$

Area behind stadium berm seating (4" of water) =  $275\text{cm}$

Total Storage =  $1,575\text{cm}$

Area 2:

Storage volume in parking lots =  $825\text{cm}$

Storage volume in swales =  $2,280\text{cm}$

Depressed area in centre at playground (3" of water) =  $100\text{cm}$

Total Storage =  $3,200\text{cm}$

#### Pond Volumes:

General philosophy for design of pond volumes consisted of us planning for 1:5-year event runoff being stored in swales, parking lots and pond. Any larger event, the surplus runoff would backup onto sports fields.

Therefore,

#### Pond Volumes:

Area 1, Pond out letting to Essex Outlet Drain:

$V = 2,080\text{cm} - 1,575\text{cm} = 505\text{cm}$

Area 2, pond out letting to Canaan Drain

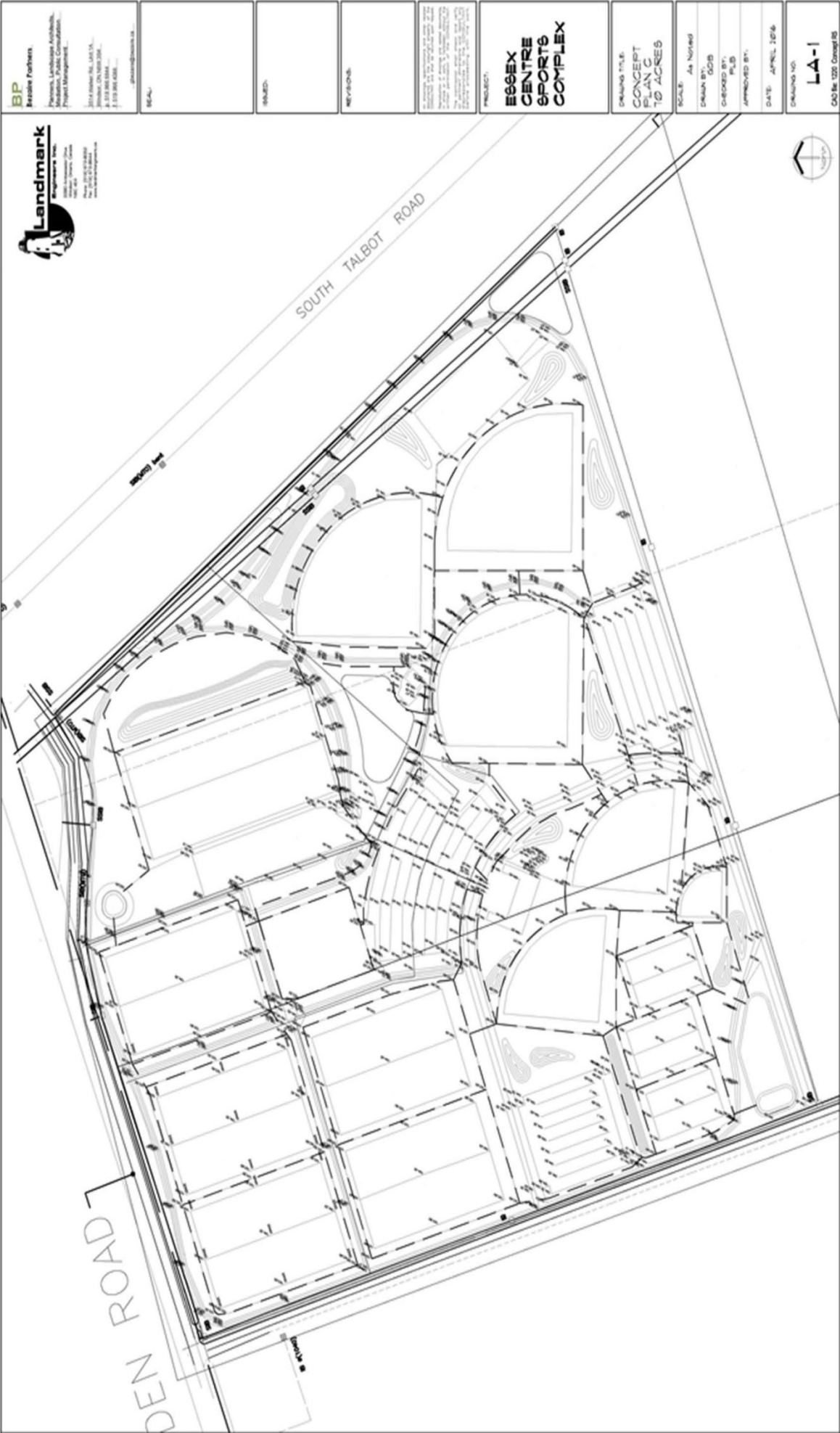
$V = 4,700\text{cm} - 3,200\text{cm} = 1,500\text{cm}$

Actual ponds designed for the site:

Area 1  $V = 1,145\text{cm}$

Area 2  $V = 1,880\text{cm}$





Terrain Model and Conceptual Grading (See large plan)

## **F. ELECTRICAL DESIGN BRIEF**

PREPARED BY CURRENT ENGINEERING LTD., **CONSULTING ENGINEER**  
424 TECUMSEH RD. EAST, WINDSOR ON N8X 2R6 519 981 8545 FAX 519 250 7248  
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The following design brief sets out the electrical servicing strategy, the recommended standards and design criteria for the site. Associated costs for this and other servicing aspects of the development are found in the Section G – Cost Estimate

## 1.1 PROVISIONS

### 1.1.1 GENERAL

- A. There are six (6) structures we suggest running power to. The peak power load for each is summarized below:

Building	kW
Canteen	68
WR/storage 1	3
Stadium	130
WR/storage 2	6
Maintenance	34
Batting Cage	8

- B. The exterior field lighting requirements are not included in the above. We suggest the football field lighting (a load of 70 kW) be fed from the stadium and all other field lighting (a load of 156 kW) be fed from the Canteen building.
- C. The resulting total load of the site is 475 kW.
- D. The site is surrounded with single phase aerial high voltage lines. There is an existing three phase high voltage underground line along N. Malden Rd.
- E. We suggest the Owner request ELK to be the local electrical distributor for the site. This involves application that may take two (2) to six (6) months.
- F. The local electrical distributor would run the high voltage line into the park. A determination would have to be made whether the underground high voltage feeder be concrete encased or not. We suggest concrete encasement for additional safety. The high voltage feeder and site transformer could be installed/owned by the local distributor or Owner installed and then turned over to the local electrical distributor or Owner installed and owned. We suggest the high voltage installation and site transformer be installed and owned by the local distributor as they will likely keep a backup pad mount transformer in the event of transformer failure as part of their maintenance to the site feeder. It may be preferable from a liability standpoint as well.
- G. We suggest the local utility install a 600V, 3 phase pad mount transformer be installed adjacent to the Canteen building. The Canteen building would house the site incoming service and distribute 600/347V power to the other structures throughout the site. The Canteen building service would be sized at 600A. The pad mount transformer could either be placed in the adjacent parking lot or adjacent to the Canteen building itself. The closer to the Canteen building, the more economical the installation would be.
- H. From the Canteen's 600A service, we suggest the following 600V three phase feeders be run:
1. 200A sub feeder for the Canteen itself,
  2. 15A feeder to the WR/storage 1,



3. 200A feeder be run to the Stadium,
  4. 15A feeder to the WR/storage 2,
  5. 60A feeder to the Maintenance building,
  6. 15A feeder to the Batting Cage.
  7. Field lighting (excluding football field lighting) would home run back to the Canteen Building.
- I. See attached Figure Proposed Trenching & Underground Conduits
  - J. Unless otherwise desired, no provisions for emergency power is suggested.
  - K. The installation of photovoltaic panels on the roofs is suggested.
  - L. The provisions for electric vehicle charging stations is suggested.
  - M. Co-ordination with Architect, and Electrical and Mechanical Consultants as well as other disciplines affected by the electrical work through-out the project.
  - N. Electrical Specifications and complete drawing sets shall be provided for the project. Drawings shall be limited to power, lighting, details and diagrams, communications, fire alarm systems, photometric layouts, etc.
  - O. The latest edition or revision to applicable codes and standards and their supplements shall be observed, including but not limited to the Ontario Building Code and the Ontario Electrical Code.
  - P. Review of required final certificates from the Authorities Having Jurisdiction and regular inspections of the installations.
  - Q. Review, processing and approval of all product data sheets, shop drawings, samples and maintenance manuals submitted.

#### **1.1.2 TESTING, COMMISSIONING, STUDIES**

- A. All necessary precautions shall be taken to ensure the safety of personnel and equipment prior to testing and energizing a system. Checks and tests are conducted prior to energizing the equipment or circuits.

#### **1.1.3 ELECTRICAL IDENTIFICATION**

- A. Electrical equipment, wires, cables, buses, conduits, shall be identified according to our specifications and drawings. Devices shall bear Canadian Standard Association approvals or special approval from the Electrical Safety Authority shall be obtained for those devices that are not CSA approved.

### **1.2 RACEWAYS & CONDUCTORS**

#### **1.2.1 CONDUITS, FITTINGS AND WIRE**

- A. Electrical drawings shall be provided showing approximate raceway locations.
- B. Conduit sizes and types shall be indicated on drawings.
- C. Approved conduit types:
  1. Rigid Heavy wall Galvanized Steel
  2. Rigid PVC conduit/duct
  3. Flexible Metal Armoured Cable (BX)
  4. Flexible Liquid tight metal

#### 5. Electrical Metallic Tubing (EMT)

- D. Electrical Specifications shall provide the proper use for the above conduit types and proper fitting for each conduit application.
- E. Conductor sizes shall be verified against voltage drop calculations.
- F. Approved wire types: Types RW90, T90, AC90, RWU90, TW75, ACWU90, TECK90, NMD90 and NMWU.
- G. Electrical specifications outline the approved application of the above wire types, voltage requirements and colour code information.
- H. Electric service ground system and special grounds

### 1.2.2 ELECTRICAL BOXES

- A. Design and location of electrical boxes shall be provided on the drawings.
- B. Specifications outline the application and requirements for each box specified.

## 1.3 PANELS AND OVER CURRENT PROTECTION

### 1.3.1 OVER CURRENT PROTECTION

- A. Over current protection shall be accomplished with the use of circuit breakers.

### 1.3.2 PANELS 400A AND GREATER

### 1.3.3 GROUNDING & BONDING

- A. Electric service ground system and special grounds shall be indicated on the drawings.

### 1.3.4 EXIT LIGHTS

- A. Within building(s) an exit lighting system shall:
  - 1. be installed.
  - 2. comprise of:
    - (a) LED Exit light fixtures
      - A. with DC battery power backup and shall be...
      - B. of the universal "running man" style

### 1.3.5 EMERGENCY LIGHTING

- A. Within building(s) emergency lighting system shall
  - 1. be installed. System shall conform to CSA C22.2 No. 141, "Unit equipment for emergency lighting"
  - 2. comprise of battery packs with emergency lighting heads installed within the main electrical room and distributed throughout the building, located within service rooms with remote emergency lighting heads located on the floor plans where required. Elsewhere, fixtures described in 12.2 above connected to emergency power shall be located on the floor plans where required.

## 1.4 COMMUNICATION SYSTEM

### 1.4.1 OUTSIDE COMMUNICATIONS

- A. Two conduits at least 50mm (2") shall be installed between the street connections to the main building communications room.

#### 1.4.2 VOICE WIRING, DATA WIRING, SOUND SYSTEMS, ALARMS, ELECTRIFIED DOOR HARWARE

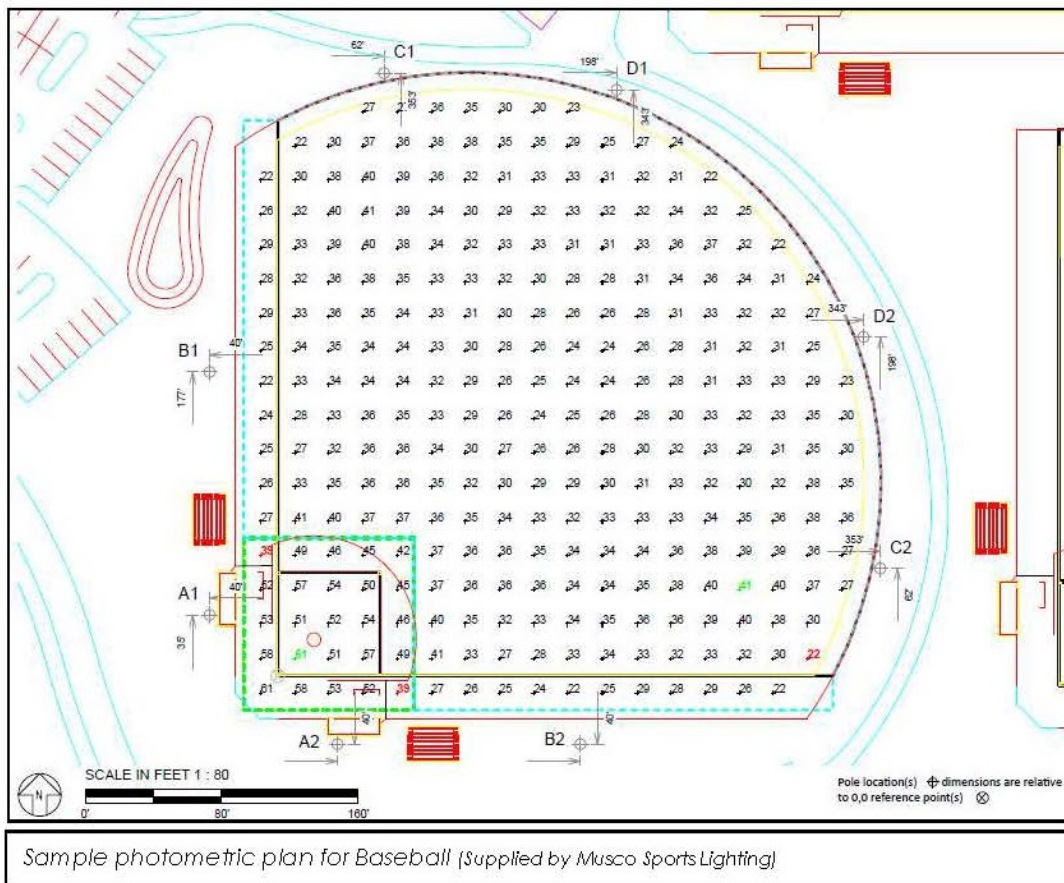
- A. Communications conduits, conductors, outlets shall be indicated on the drawings.

#### 1.5 Cost Estimate

The estimate cost of construction for each main site electrical component is shown in Section D Cost Estimate, Item 8 a, b, and c.

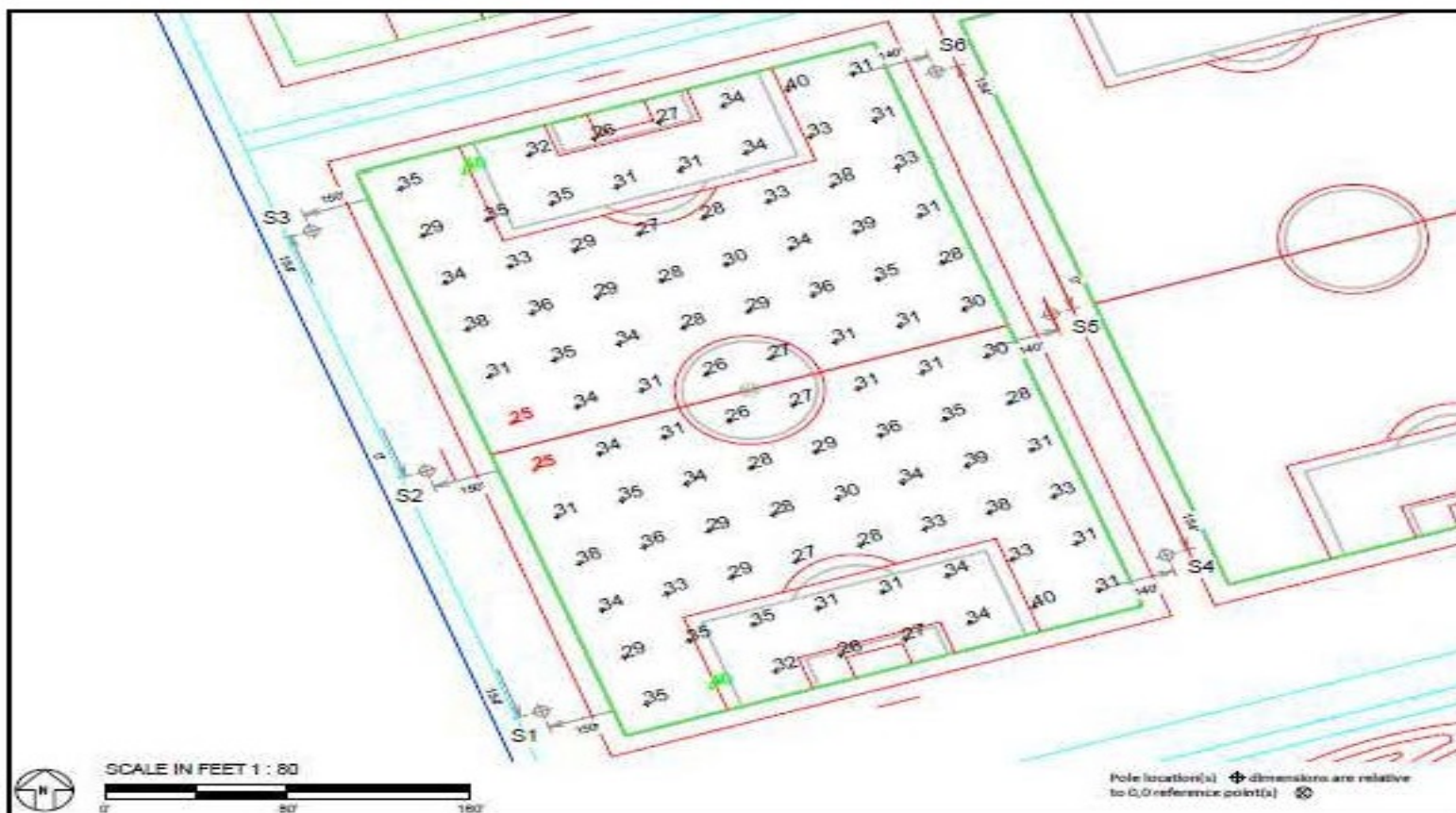
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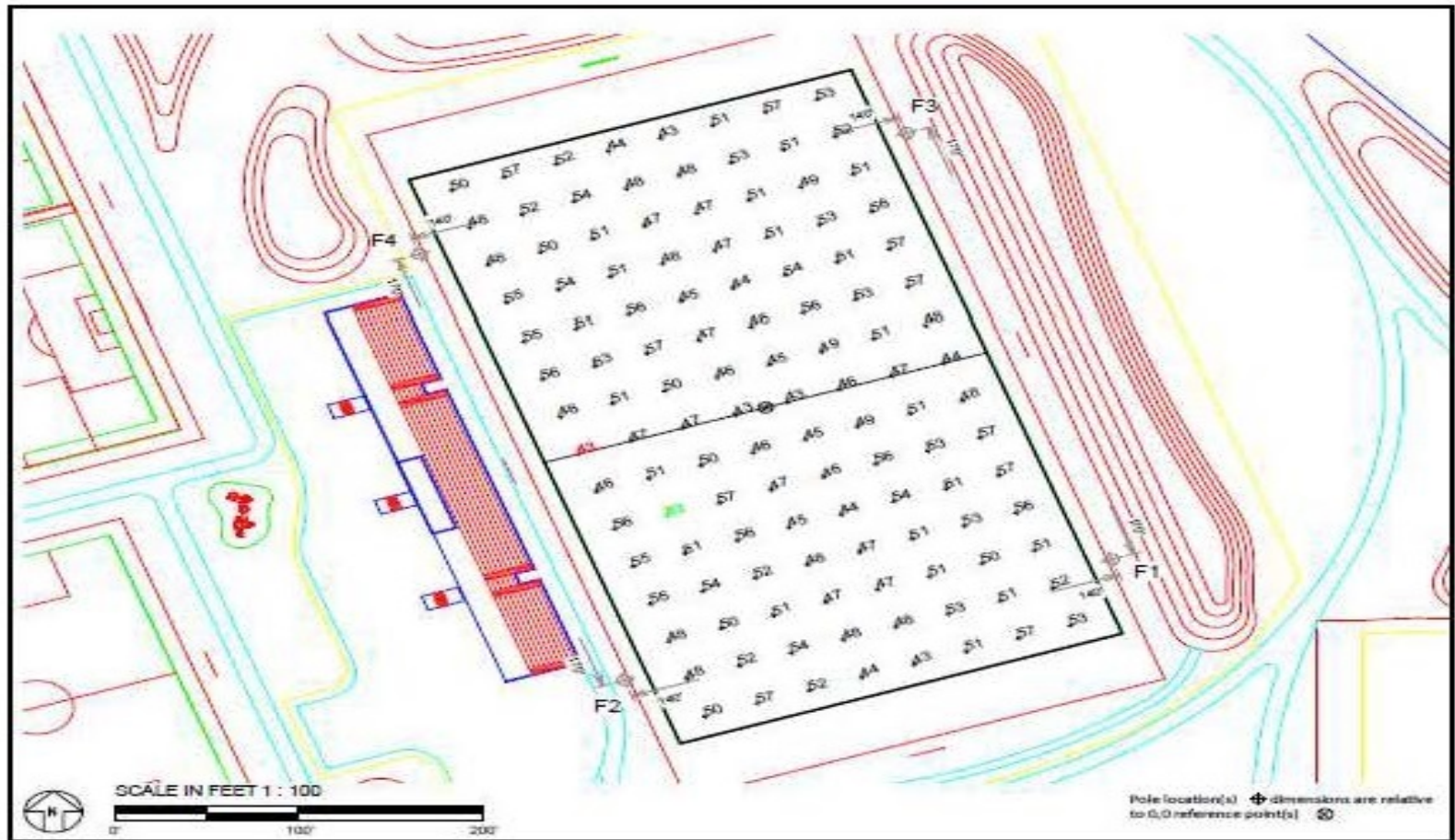




Sample photometric plan for First Senior Soccer (Supplied by Musco Sports Lighting)

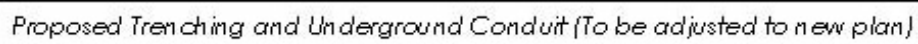


Sample photometric plan for Second Senior Soccer (Supplied by Musco Sports Lighting)

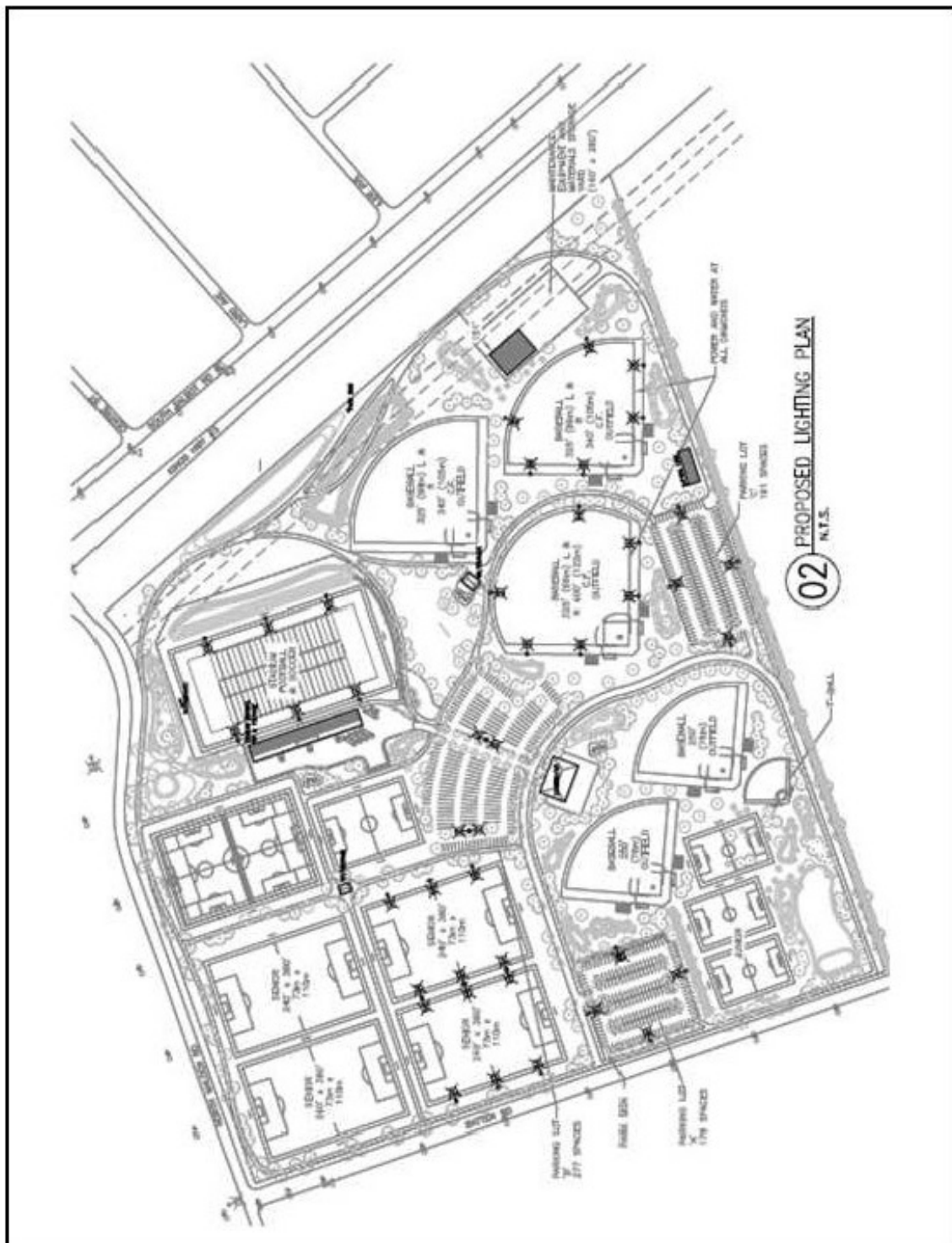


Sample photometric plan for Football (Supplied by Musco Sports Lighting)









*Proposed Site Lighting (Conceptual Lighting to be adjusted to new plan)*

## COST ESTIMATE

The following cost estimate has been prepared based on units of work and unit rates. The amounts are presented as a summary for each category work and are based on trade pricing for the third quarter of 2018.

Since this report is considering the work at a conceptual stage, the estimate incorporates a design contingency which will be decreased as the project gets closer to construction. A separate construction contingency would be incorporated into the tenders for unforeseeable changes during construction.

An allowance for consulting has been included. This amount may vary depending on the nature of a particular phase of the work.

Optional projects are included at the end of the estimate. These include a football stadium and a dedicated team clubhouse near the stadium. The stadium and clubhouse would depend on user demand as well as the availability of outside funding.

1. GENERAL SITE WORK			
	Description	Amount	Budget
a	Strip and stockpile topsoil	200,000	
b	Excavate ponds	15,500	
c	Excavate and fill site to the grades shown	25,900	
d	Construct drainage swale with underdrainage <ul style="list-style-type: none"><li>200mm dia. Big 'O' with filter sock and backfill with clean sand</li></ul>	174,500	
e	Supply and place sanitary sewers <ul style="list-style-type: none"><li>200mm dia. PVC DR35 main</li><li>150mm dia. HDPE services</li></ul>	60,375	
f	Supply and place watermain <ul style="list-style-type: none"><li>150mm dia. watermain</li><li>50 mm dia. service connections</li></ul>	84,000	
g	Place and final grade topsoil <ul style="list-style-type: none"><li>100mm depth minimum utilizing on-site topsoil</li></ul>	30,000	
h	Seed and mulch <ul style="list-style-type: none"><li>Canada No. 1 seed and mulch for general turf</li><li>Sports mix seed and mulch for sports fields</li></ul>	300,000	
i	Temporary site fencing during site works	25,000	
j	Sediment control measures during site works	10,000	
k	Planting <ul style="list-style-type: none"><li>100 Large deciduous trees</li><li>300 Medium deciduous trees</li><li>200 Small deciduous trees</li><li>300 Coniferous trees</li><li>For ponds:<ul style="list-style-type: none"><li>20 Specimen shrubs</li><li>100 Shrubs</li></ul></li></ul>	204,000	

	<ul style="list-style-type: none"> <li>○ 50 Evergreens</li> <li>○ 50 Ornamental grasses/perennials</li> <li>○ Bed Mulch</li> </ul>		
I	<b>Site Signs</b> <ul style="list-style-type: none"> <li>• Park Sign at Baden Rd. (Site Identification)</li> <li>• Park Sign at Hwy 3 (Pylon)</li> <li>• Misc. fire route, no parking, barrier free signs</li> </ul>	92,500	
	<b>Total General Site Works</b>		<b>\$1,221,775</b>
<b>2. SPORTS FACILITIES</b>			
a	<b>4 Senior Soccer Fields (2 lighted)</b> <ul style="list-style-type: none"> <li>• Includes goal nets, player's benches, spectator bleachers drainage, and water connection</li> <li>• Refer to Section 1, General Site Works for grading, topsoil, and seeding and to Section 8 Lighting for field lighting where applicable</li> </ul>	146,200	
b	<b>3 Intermediate Soccer Fields</b> <ul style="list-style-type: none"> <li>• Includes goal nets, player's benches, spectator bleachers drainage, and water connection</li> <li>• Refer to Section 1, General Site Works for grading, topsoil, and seeding</li> </ul>	71,250	
c	<b>3 Junior Soccer Fields</b> <ul style="list-style-type: none"> <li>• Includes goal nets, player's benches, spectator bleachers drainage, and water connection</li> <li>• Refer to Section 1, General Site Works for grading, topsoil, and seeding</li> </ul>	44,700	
d	<b>Main Baseball Diamond (lighted)</b> <ul style="list-style-type: none"> <li>• Includes 8ft. and 10ft. fences, gates, backstop, foul poles, dugout, drainage, water connection, spectator bleachers, infield &amp; warning track, safety pipe on fence, concrete pad for scorer's area</li> <li>• Refer to Section 1, General Site Works, for grading, topsoil, and seeding and to Section 8 Lighting for field lighting where applicable</li> </ul>	178,760	
e	<b>2 Softball Diamonds (325ft. outfield) (1 lighted)</b> <ul style="list-style-type: none"> <li>• Includes 8ft. and 10ft. fences, gates, backstop, foul poles, dugout, drainage, water connection, spectator bleachers, infield &amp; warning track, safety pipe on fence, concrete pad for scorer's area</li> <li>• Refer to Section 1, General Site Works, for grading, topsoil, and seeding</li> </ul>	344,600	
f	<b>2 Softball Diamonds (250ft. outfield)</b> <ul style="list-style-type: none"> <li>• Includes 6ft. and 10ft. fences, gates, backstop, foul poles, dugout, drainage, water connection,</li> </ul>	243,414	

	spectator bleachers, infield & warning track, safety pipe on fence, concrete pad for scorer's area • Refer to Section 1, General Site Works, for grading, topsoil, and seeding		
g	<b>T-ball Diamond</b> • Includes 4 ft. fence, gates, backstop, dugout, drainage, water connection, spectator bleachers, infield & warning track, safety pipe on fence, concrete pad for scorer's area • Refer to Section 1, General Site Works, for grading, topsoil, and seeding	51,571	
h	<b>Batting Cage</b> • Includes fence sides, top, concrete floor, plate & pitchers' rubber, drainage • Refer to Section 1, General Site Works, for grading, topsoil, and seeding	16,525	
<b>Total Sports Facilities</b>			<b>\$1,097,020</b>
<b>3. Parking and Access Roads</b>			
	• Includes asphalt, granular base, and pavement marking • Car bumpers • Drainage achieved by perimeter swales • Refer to Section 1, General Site Works for topsoil and seeding. • Refer to Section 8, Lighting for parking area lighting		
a	Parking Lot A	381,429	
b	Parking Lot B	505,514	
c	Parking Lot C	310,722	
d	Interior Access Road	228,981	
<b>Total Parking and Access Roads</b>			<b>\$1,426,646</b>
<b>4. Pedestrian Pathways</b>			
a	• Includes asphalt and granular base • Refer to Section 1, General Site Works, for topsoil and seeding.	850,305	
<b>Total Pedestrian Pathways</b>			<b>\$850,305</b>
<b>5. Maintenance Yard &amp; Building</b>			
a	Building	350,000	

	<ul style="list-style-type: none"><li>Includes storage, repair, lunch room, washrooms field office</li><li>Approx. 1,750 sq.ft.</li></ul>		
b	Maintenance Yard <ul style="list-style-type: none"><li>Includes gravel yard area, 6 ft. high fence</li><li>Refer to Section 1, General Site Works for topsoil and seeding.</li></ul>	109,935	
	<b>Total Maintenance Yard &amp; Building</b>		<b>\$459,935</b>
<b>6. Canteen/Washrooms</b>			
a	Central Building <ul style="list-style-type: none"><li>Includes canteen, washrooms, change rooms, meeting space, storage area and covered picnic/refuge area.</li><li>Approximately 3,000 sq. ft plus covered area.</li><li>Refer to Section 1, General Site Works for topsoil, seeding, and site services</li></ul>	950,000	
b	2 Remote Washroom Buildings <ul style="list-style-type: none"><li>One located to service soccer and one to service baseball</li><li>Includes washrooms, storage and adjacent paved area</li><li>One building approx. 600 sq. ft. and one approx. 1,200 sq.ft.</li><li>Refer to Section 1, General Site Works for topsoil, seeding, and site services</li></ul>	540,000	
	<b>Total Canteen/Washrooms</b>		<b>\$1,490,000</b>
<b>7. 2 Play Areas</b>			
a	<ul style="list-style-type: none"><li>Includes play structure, safety surface, edge restraint and drainage.</li></ul>	150,000	
	<b>Total Play Structures</b>		<b>\$150,000</b>
<b>8. Electrical/Lighting</b>			
a	Electrical Supply and Distribution for site <ul style="list-style-type: none"><li>The cost of the local utility to service the site will need to be negotiated with between the town and the local utility and is not included.</li><li>Components such as trenching that would be shared between Site Electrical and any of the lighting infrastructure was included in the Site Electrical component.</li></ul>	220,000	
b	Sport Field Lighting <ul style="list-style-type: none"><li>Includes 2 baseball fields, 2 soccer fields and 1 football stadium</li></ul>	1,500,000	

	<ul style="list-style-type: none"><li>• 27 - Precast concrete bases 60, 70, or 80 ft. galvanized steel poles</li><li>• Remote electrical enclosures</li><li>• 208 LED luminaires</li><li>• 50 ft.-candles for baseball infield and 30 ft.-candles for outfield</li><li>• 30 ft.-candles for soccer</li><li>• 50 ft.-candles for football</li><li>• 347 Volt, 3 Phase electrical system</li></ul>		
c	Parking Area Lighting <ul style="list-style-type: none"><li>• Includes parking areas A, B, &amp; C, stadium vehicular area and roadway</li><li>• 42 - 30 ft. poles</li><li>• 76 – luminaires</li><li>• 347 Volt, 3 Phase electrical system</li></ul>	130,000	
	<b>Total Electrical/Lighting</b>		<b>\$1,850,000</b>
	<b>Total Construction Cost</b>		<b>\$8,545,681</b>
<b>9. Consulting &amp; Contingencies</b>			
a	Design Contingency (10%)	854,568	
b	Construction Contingency (10%)	854,568	
c	Consulting (10%)	1,025,482	
	<b>Total Consulting &amp; Contingencies</b>		<b>\$2,734,618</b>
	<b>Total Project Cost</b>		<b>\$11,280,299</b>
<b>10. Options</b>			
a	Football Stadium <ul style="list-style-type: none"><li>• Bleachers (1,500 seats), with washrooms dressing rooms, storage, and concession below, press box</li><li>• Artificial turf field with base, drainage, and perimeter curb</li><li>• Sound System</li><li>• Football Goals, Soccer Goals</li><li>• Scoreboard</li><li>• 6 ft. perimeter fencing</li><li>• Bus parking, vehicular gates</li><li>• Asphalt vehicular area</li><li>• Entrance plaza with pedestrian gates</li><li>• Perimeter fencing</li><li>• Referee's room</li><li>• Site Servicing</li><li>• Accessibility ramps</li><li>• Broadcast Ready</li><li>• Refer to Section 8 - Electrical for lighting</li></ul>	6,348,000	
b	Dedicated Team Clubhouse	750,000	

	<ul style="list-style-type: none"> <li>Dedicated dressing rooms, laundry, training room, meeting room (film room), equipment room</li> </ul>		
	<b>Total Construction Cost of Options</b>		<b>\$7,098,000</b>
	<b>Consulting &amp; Contingencies on Options</b>		
	Design Contingency (10%)	709,800	
	Construction Contingency (10%)	709,800	
	Consulting (10%)	851,760	
	<b>Total Contingency and Consulting</b>		<b>\$2,271,360</b>
	<b>Total Project Cost of Options</b>		<b>\$9,369,360</b>
	<b>Total Project Cost Including Options</b>		<b>\$20,649,659</b>

#### G. PHASING

There are a variety of options for the phasing of the site. Provided that the construction sequencing allows for the construction of base services first, the balance of the work can follow based on budget availability and/or demand.

For phasing purposes, the site has been sectioned into small groups of facilities which can be undertaken alone or in groups on an annual basis. In order to provide for site access, the site entrance road, parking and site servicing (A) should proceed first followed by either B or C or both based on demand and budget. Phase D, E and/or F would most likely follow. The timing of Phase G would be driven by demand and/or funding. It would be beneficial to construct Phase H early, but this would require an extension of services and vehicular access to the back of the site, perhaps on a temporary basis. Note that This would be to allow the installation of lighting in the Phase A parking lot.

Phase	Description
A	Entrance road, parking and site services
B	Two senior soccer fields, two junior soccer fields, parking, and main washroom/concession
C	Three baseball diamonds, washrooms, and batting cage
D	Two senior soccer fields
E	One senior and one Intermediate baseball diamond, washroom and parking
F	One senior and one intermediate soccer field.
G	Football stadium, parking
H	Maintenance Building and Yard

*Table of Phases – See proposed phasing plan*



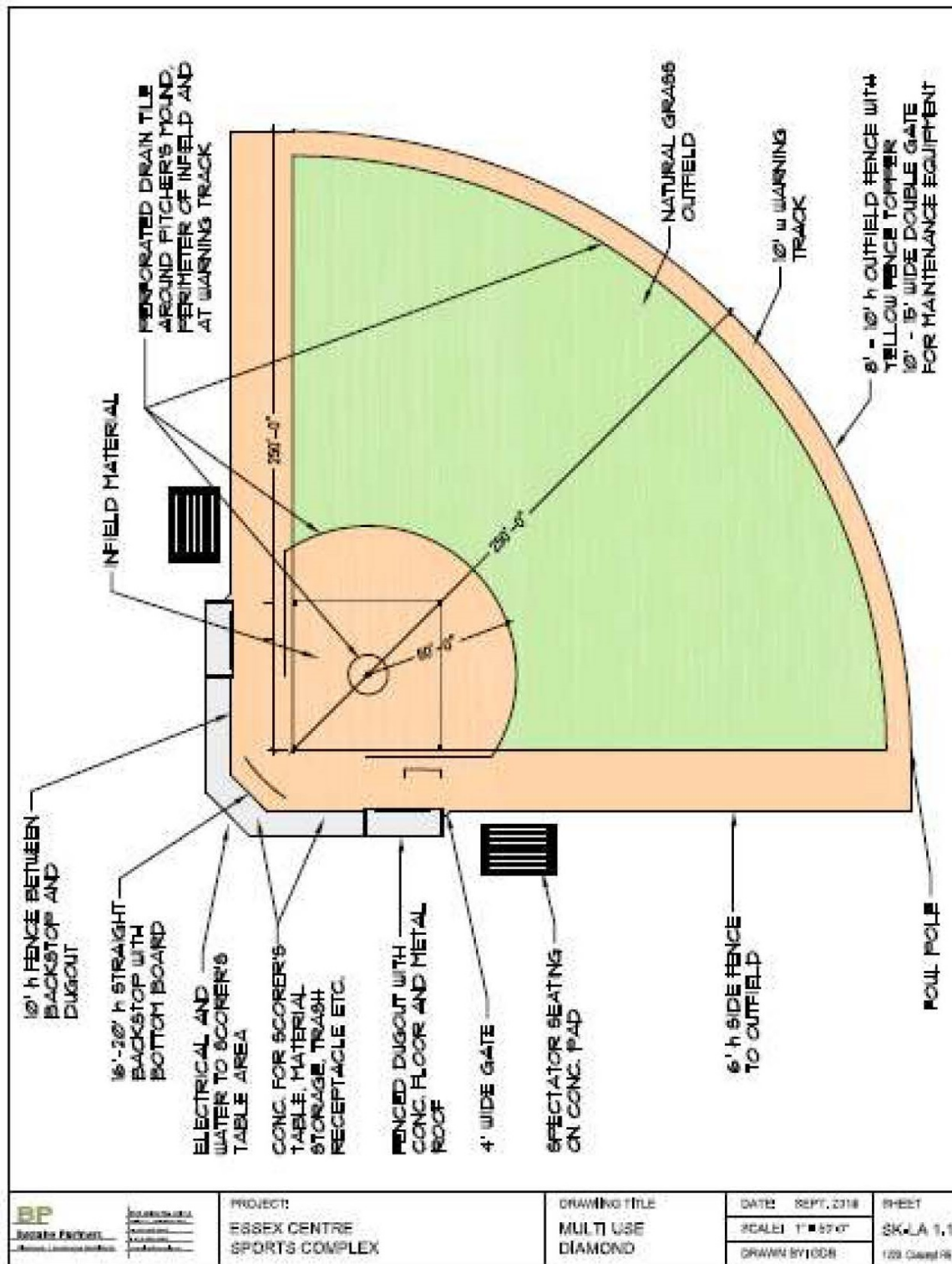


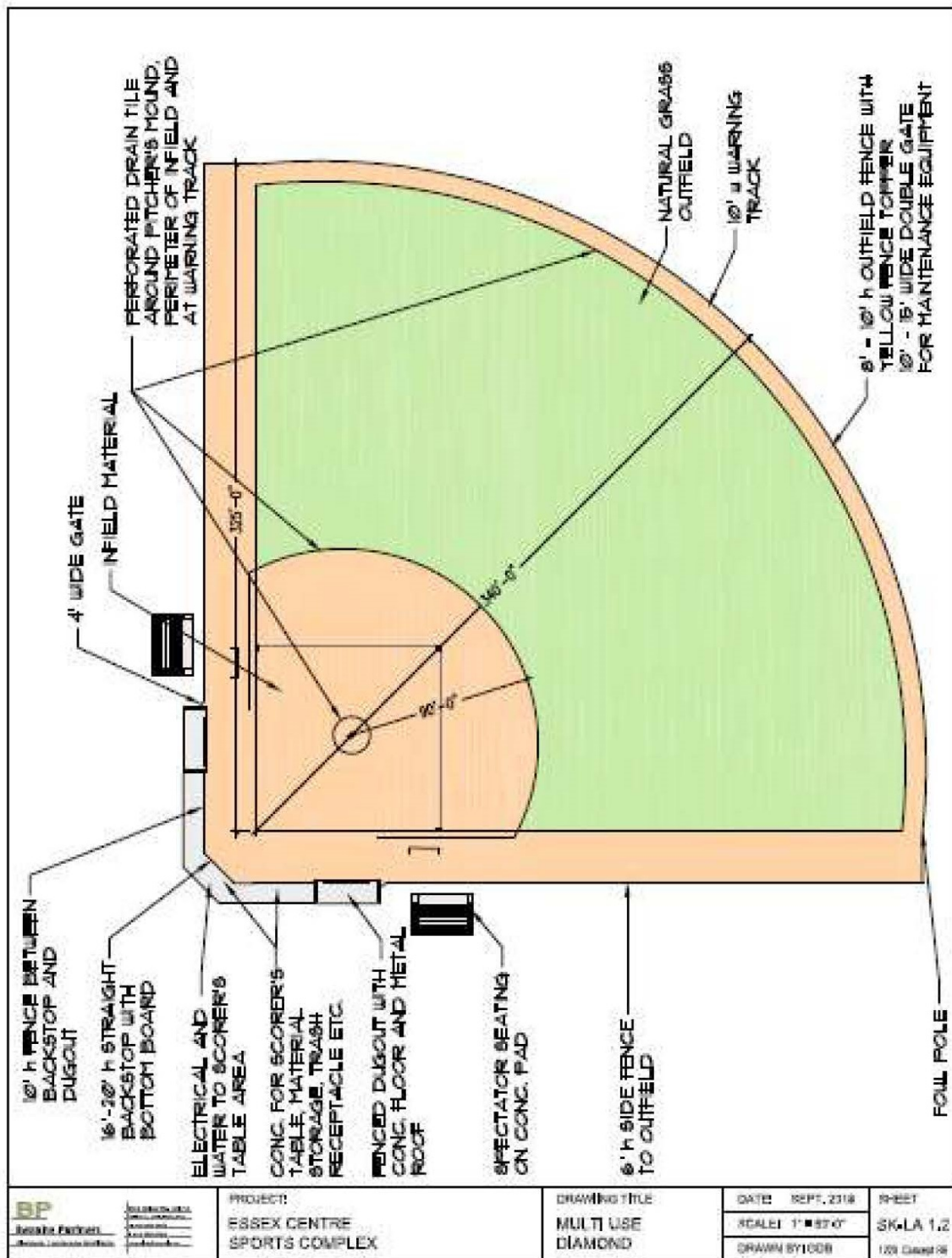
Phasing Plan



**Appendix 1 – Detailed Sports Field Layouts**

- **Multi-use Diamond (250 side, 250 middle)** 36
- **Multi-use Diamond (325 side, 340 middle)** 37
- **Baseball Diamond (325 side, 400 middle)** 38
- **Junior Soccer Pitch** 39
- **Intermediate Soccer Pitch** 40
- **Senior Soccer Pitch** 41
- **Football Stadium** 42





**BP**  
Boswell Partners  
Architects, Landscape Architects

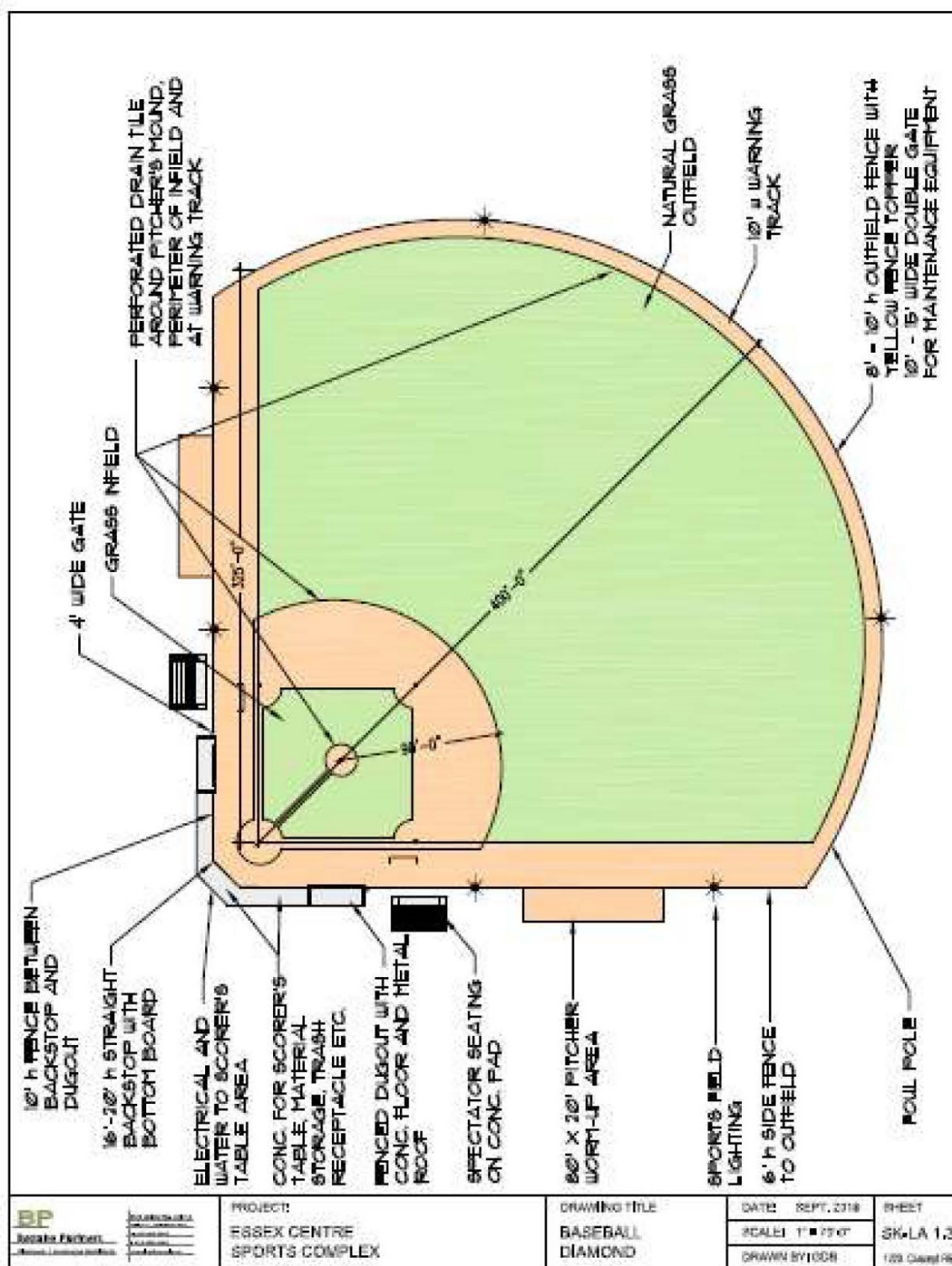
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PROJECT:  
ESSEX CENTRE  
SPORTS COMPLEX

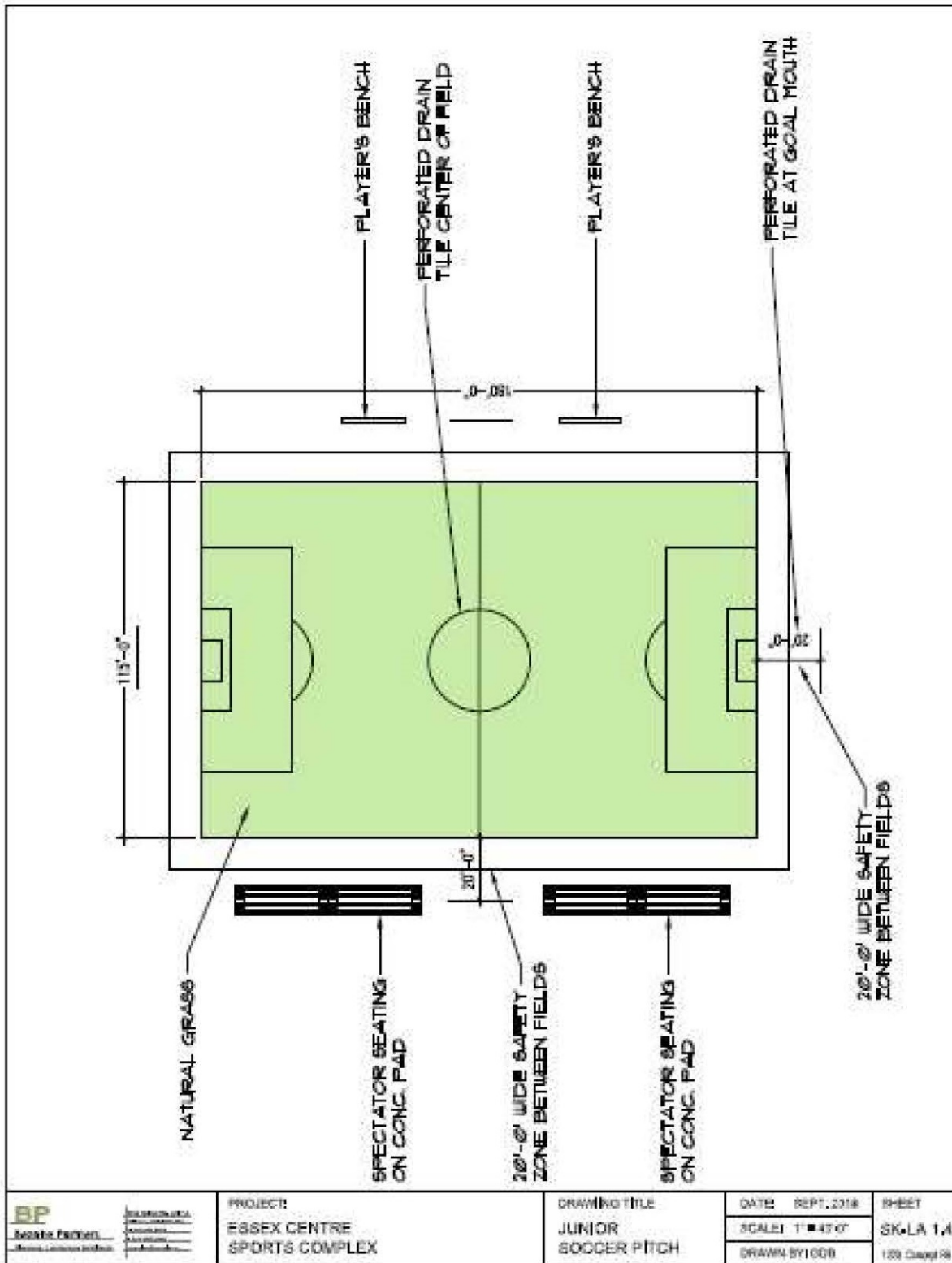
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DIAMOND

DATE: SEPT, 2018  
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DRAWN BY: JOD

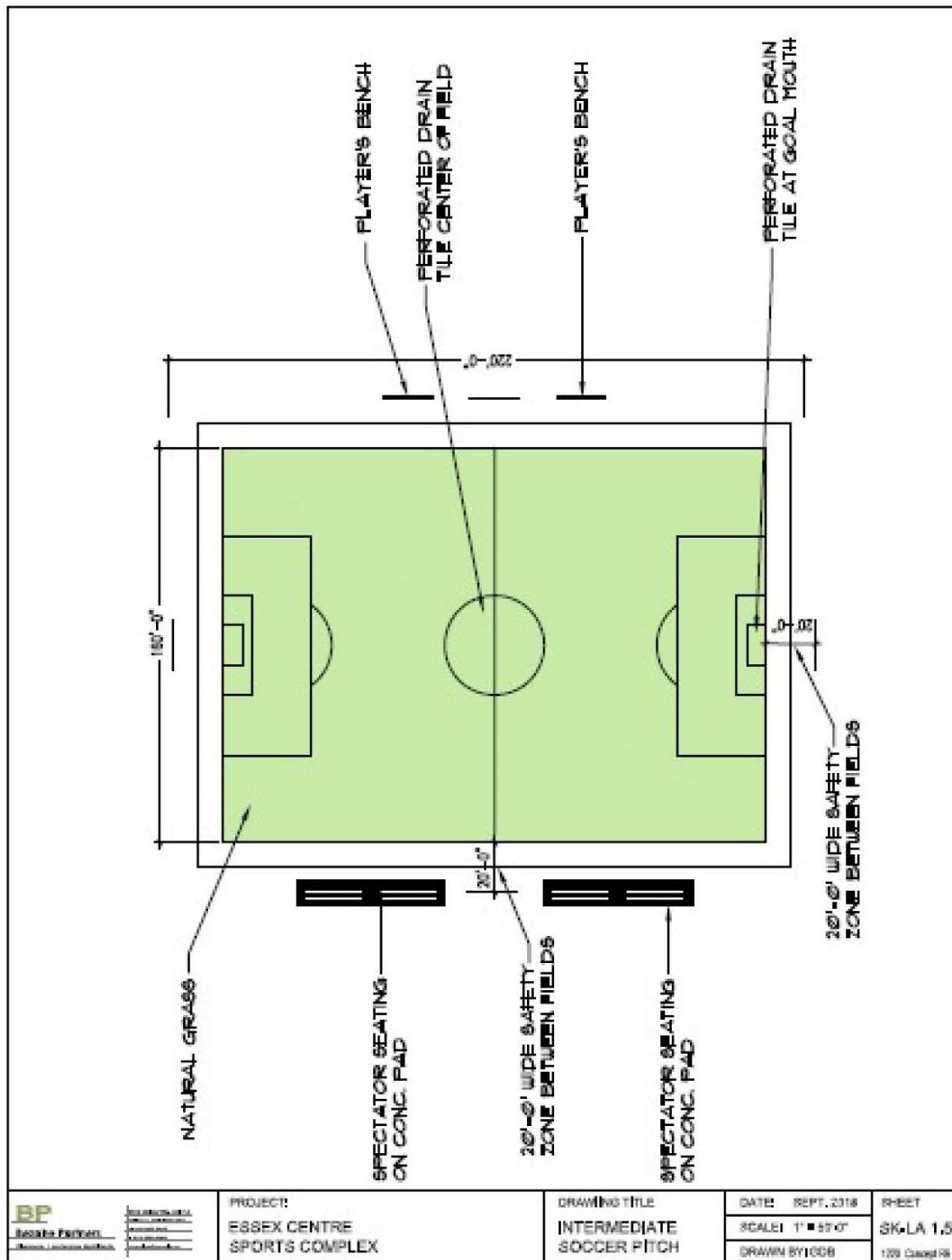
SHEET:  
SK-LA 1.2  
120' x 60' x 30'

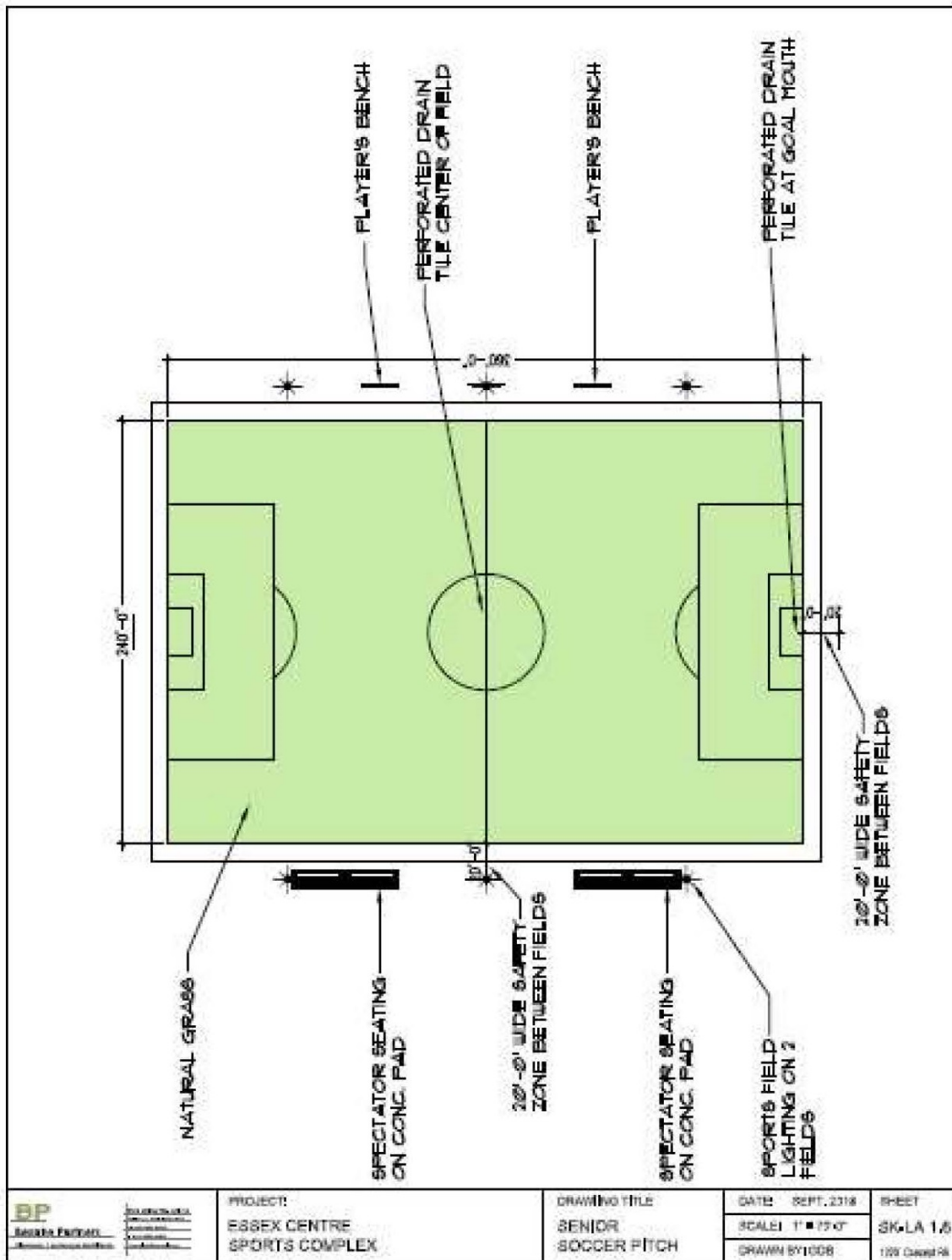


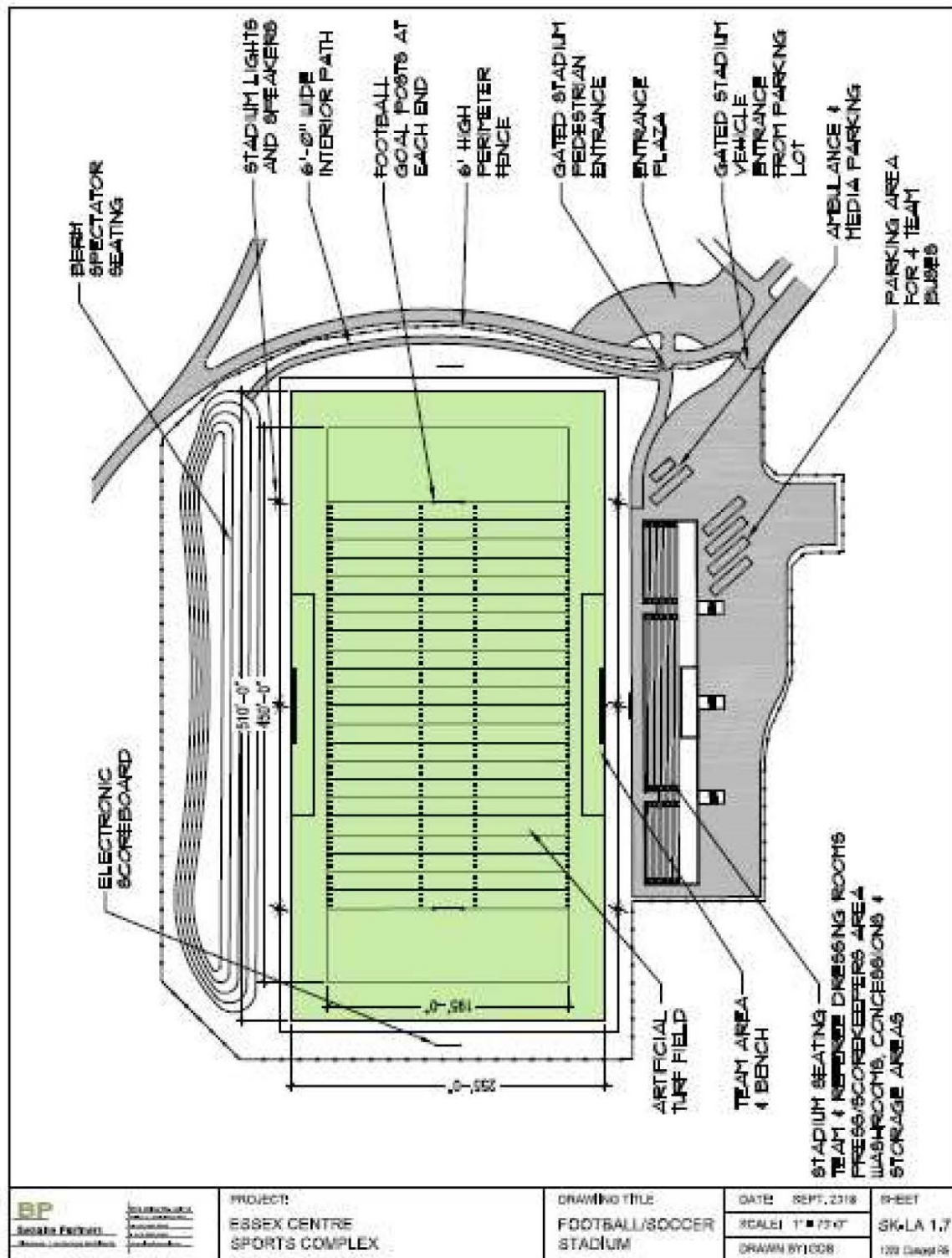
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			SCALE: 1" = 12'-0"	SK-LA 1.3
			DRAWN BY: GDB	100' Overall















## Report to Council

Department: Corporate Services

Date: September 16, 2019

Prepared by: Jeffrey R. Morrison, CPA, CGA  
Director, Corporate Services

Submitted by: Jeffrey R. Morrison, CPA, CGA  
Director, Corporate Services

Report Number: Corporate Services Report 2019-05

Subject: Shoreline Assistance Loan Program

Number of Pages: 5

### **Recommendation(s)/Conclusion(s)**

The following are provided for Council's consideration:

1. That Corporate Services Report 2019-05 entitled "Shoreline Assistance Loan Program" be received; and
2. That Council approve Administration to move forward with finalizing a Shoreline Assistance Loan Program using the structure identified under Scenario 1 of the report (local improvement) to replace the Shoreline Assistance Loan Program that was discontinued by the Provincial government effective April 1, 2010.

### **Purpose**

Council approval is required for revenue allocations or expenditures that fall outside of the annual budget process.

## Background

On April 1, 2010 the Province of Ontario discontinued the Shoreline Assistance Loan Program administered by the Ministry of Municipal Affairs and Housing.

The Program provided loans to private owners of shoreline properties to repair or construct protective works, or repair, raise or relocate buildings or structures damaged by high-water levels under the authority of the Shoreline Property Assistance Act, RSO 1990.

The program was discontinued in 2010 due to minimal uptake as a result of lower lake levels and economic conditions which allowed financial institutions competitive or better interest rates on personal loans than those offered through the program.

The period, number of loans, and total value per year across the entire province is summarized below.

Period	Number of Loans	Total Principal Value
2001-02	2	\$96,600
2002-03	2	\$18,300
2003-04	0	\$0
2004-05	2	\$30,700
2005-06	0	\$0
2007-08	0	\$0
2008-09	1	\$12,200
2009-10	0	\$0
2010-11	Program cancelled as of April 1, 2010	
Total 2001 to 10	7	\$157,800

It has also been identified that the majority if not all of the debentures were issued by municipalities in either Essex County or Chatham-Kent.

During the first quarter and last quarter of 2018 the Town received two requests for information as it pertains to the former program. At this point Administration began to research the program, only to identify that it had been cancelled in April 2010. Conversations were also initiated with the Ministry of Municipal Affairs and Housing to see if the program would be relaunched; the answer was no.

The Shoreline Property Assistance Act, RSO 1990 remains in place, however through conversation with our Municipal Advisor at the Ministry of Municipal Affairs and Housing the act will be repealed in the near future; although no definitive date has been provided.

In April 2019 Administration began the process to more thoroughly investigate the Act and the former loan program. At this point it was determined that the municipality may be in a position to offer replacement of the program aimed at properties where the need for repair or construction of protective works to protect existing development from high water levels is identified.

## **Feasibility**

A working group including: Town of Essex, ERCA, Legal, and a Local Financial Institution, was created to ensure that all facets of the program were reviewed and to determine whether the program would be feasible if Council support were to be received. It's been determined that the program can effectively operate with the support of our partners.

The goal of the program would be to provide residents and/or property owners another tool in their fight to protect and maintain their investment along Lake Erie.

## **Intent**

Through consultation with the Essex Region Conservation Authority (ERCA), it has been determined that the program should be limited to existing development and/or property and

their current use. Participation in the program, or improvements made to shoreline infrastructure does not guarantee future development or construction on site. Any future activities would need to comply with all current municipal, agency and Ministry regulations.

One of the underlying goals in developing the program was affordability. When the Province eliminated the Shoreline Assistance Loan Program in 2010 the interest rate was approximately 6.5%. Through partnerships with a local lender the interest rate under the proposed program would be comparable to the current residential posted mortgage rate at the time of the loan (September 2019 approximately 2.99%).

## **Scenarios**

Another underlying goal of the program was to structure in such a way that the loans would: be collected like tax (on the final two property tax installments annually), be secured for the lender, and the loans would not impact the municipality's debt level.

With benefit of legal counsel it's been identified that there are two scenarios that would be feasible for the program:

- 1) the Town would loan the funds for repairs and/or improvements directly to the property owner, with the Town having borrowed the funds for the loan from a financial institution; or
- 2) the property owner would borrow the funds directly from the financial institution with the Town providing a guarantee of said loan to ensure a preferential rate of interest on the loan.

Scenario 1 mimics the structure under the cancelled Provincial program, and would be collected by way of local improvement through property tax. This is the preferable and recommended scenario as it is collected as tax, secured, and does not impact the municipality's debt level. The Owner and the Town may under section 36.1 of Part III of O.Reg 586/06: Local Improvement Charges – Priority Lien Status enter into an agreement for the undertaking of private work (i.e. work owned privately or undertaken on private property).

Section 1(2.1) of the Act and 1(2) of O. Reg. 586/06 further identifies that a special charge can be imposed as a local improvement and added to the property owner's tax roll.

Scenario 2 would require the Town to act as the 'guarantor' for the property owner's loan obtained from a financial institution. Although this scenario would allow the municipality to collect as tax and provide a secured loan, it may impact the municipality's debt level if the guarantor provisions were exercised in the event of a default on the underlying loan.

Additionally the ability to collect as tax under scenario 2 doesn't necessarily provide priority lien status to the loan in case of default and eventual tax registration/sale.

## **Next Steps**

Upon adoption of this Report and its recommendations, Administration will work with the Town's strategic partners to finalize the steps involved in the application, approval, and completion of the process to finalize a program that can be brought to market. A communication and marketing campaign will be developed once adopted.

## **Financial Impact**

All costs associated with the administration of the program will be recoverable.

## **Link to Strategic Priorities**

This report is linked to the Strategic Priority: "Manage the Town's finances and human resources in a responsible manner".

Reviewed by: Chris Nepszy, Chief Administrative Officer	concur
Doug Sweet, Director, Community Services / Deputy CAO	concur
Lori Chadwick, Director, Development Services	concur
Robert Auger, Legislative Services / Clerk	concur
Heather MacDonald, Manager, Finance and Business Services	concur

Report Number: Building 2019-08  
Date: August 30, 2019  
Subject: August 2019 Building Report

Number of Permits and Construction Value

Permit Type	Permits Issued	Prior Months	Year Total	Cancelled Permits	Monthly Construction Value	Prior Months Construction Value	Less Cancelled Construction Values	August 2019 Construction Values	August 2018 Construction Values
Single Family Residence								\$ -	\$ -
Ward 1	7	23	30		\$ 4,030,000.00	\$ 8,620,250.00	\$ -	\$ 12,650,250.00	\$ 9,683,000.00
Ward 2	0	5	5		\$ -	\$ 2,036,000.00	\$ -	\$ 2,036,000.00	\$ 3,090,000.00
Ward 3	2	9	11		\$ 760,000.00	\$ 4,300,975.00	\$ -	\$ 5,060,975.00	\$ 2,765,950.00
Ward 4	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ -
Multiple Residential	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ -
Addition/Sunrooms	6	10	16		\$ 1,025,000.00	\$ 865,000.00	\$ -	\$ 1,890,000.00	\$ 1,741,000.00
Garages/Carports	10	11	21		\$ 265,000.00	\$ 511,500.00	\$ -	\$ 776,500.00	\$ 671,000.00
Decks/Porches	2	15	17		\$ 15,000.00	\$ 125,350.00	\$ -	\$ 140,350.00	\$ 186,000.00
Fences/Pool	18	33	51		\$ 380,000.00	\$ 448,500.00	\$ -	\$ 828,500.00	\$ 559,900.00
Demolition	0	9	9		\$ -	\$ 130,000.00	\$ -	\$ 130,000.00	\$ 45,250.00
House Raising	0	7	7		\$ -	\$ 245,000.00	\$ -	\$ 245,000.00	\$ 101,800.00
Pole Barns	2	14	16		\$ 584,000.00	\$ 685,000.00	\$ -	\$ 1,269,000.00	\$ 845,464.00
Commercial/Industrial	1	2	3		\$ 900,000.00	\$ 1,800,000.00	\$ -	\$ 2,700,000.00	\$ 644,000.00
Miscellaneous	6	21	27		\$ 64,000.00	\$ 558,700.00	\$ -	\$ 622,700.00	\$ 747,650.00
Shed	4	7	11		\$ 30,000.00	\$ 47,000.00	\$ -	\$ 77,000.00	\$ 49,200.00
Roof	1	7	8		\$ 20,000.00	\$ 116,000.00	\$ -	\$ 136,000.00	\$ 181,000.00
Septic System	1	2	3		\$ 40,000.00	\$ 30,000.00	\$ -	\$ 70,000.00	\$ 64,200.00
Sign	4	6	10		\$ 5,500.00	\$ 86,500.00	\$ -	\$ 92,000.00	\$ 17,150.00
Green Houses/Winery	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ -
Renovations	8	8	16		\$ 205,000.00	\$ 229,500.00	\$ -	\$ 434,500.00	\$ 904,900.00
Additions/Renovation-Commercial/Industrial/Inst	0	13	13		\$ -	\$ 443,000.00	\$ -	\$ 443,000.00	\$ 2,788,700.00
Plumbing only	0	0	0		\$ -	\$ -	\$ -	\$ -	\$ 30,000.00
Demolition Out Buildings	1	2	3		\$ 2,000.00	\$ 5,000.00	\$ -	\$ 7,000.00	\$ -
Total Permits/Construction Value	73	204	277	0	\$ 8,325,500.00	\$ 21,283,275.00	\$ -	\$ 29,608,775.00	\$ 25,116,164.00

Permit Fee Totals

Permit Fees	
Monthly Total	\$ 51,902.88
Yearly Total	\$ 229,755.15
Previous Year Total	\$ 294,632.25

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	2	0	1	5	8	3	4	7				0	30		30
Ward 2	1	0	1	1	0	1	1	0					5		5
Ward 3	1	0	1	1	2	3	1	2					11		11
Ward 4	0	0	0	0	0	0	0	0					0		0
Multiple Residential	0	0	0	0	0	0	0	0					0		0
Addition/Sunrooms	1	0	3	0	1	3	2	6					16		16
Garages/Carports	0	0	3	3	4	1	0	10					21		21
Decks/Porches	0	0	0	0	5	10	0	2					17		17
Fences/Pools	0	2	1	10	10	10	5	18					56		56
Demolition	2	0	0	2	1	3	1	0					9		9
House Raising	0	0	1	0	1	5	0	0					7		7
Pole Barns	1	3	0	0	3	3	4	2					16		16
Commercial/Industrial	0	0	0	1	1	0	0	1					3		3
Miscellaneous	0	2	0	5	8	5	1	6					27		27
Shed	0	0	0	2	1	3	1	4					11		11
Roof	0	0	1	1	0	3	2	1					8		8
Septic System	0	0	0	0	0	1	1	1					3		3
Sign	0	3	2	1	0	0	0	4					10		10
Green Houses/Winery	0	0	0	0	0	0	0	0					0		0
Renovations	3	0	2	1	1	1	0	8					16		16
Additions/Renovation-Commercial/Industrial/Institutional	0	1	0	0	6	1	5	0					13		13
Plumbing only	0	0	0	0	0	0	0	0					0		0
Demolition Out Buildings	0	0	0	0	0	1	1	1					3		3
Total	11	11	16	33	52	57	29	73	0	0	0	0	282	0	282

Monthly Permit Fee Totals

Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Total	Cancelled	Year Total
														Permits	
Single Family Residence	\$ 12,940.15	\$ -	\$ 10,459.50	\$ 23,486.95	\$ 27,026.10	\$ 31,294.55	\$ 18,966.50	\$ 24,255.90					\$ 148,429.65	\$ -	\$ 148,429.65
Single Family Residence-Plumbing	\$ 2,400.00	\$ -	\$ 1,800.00	\$ 4,200.00	\$ 6,000.00	\$ 4,200.00	\$ 3,600.00	\$ 5,400.00					\$ 27,600.00	\$ -	\$ 27,600.00
Single Family Residence-Septic	\$ 700.00	\$ -	\$ 1,400.00	\$ 1,400.00	\$ -	\$ 2,100.00	\$ -	\$ 2,100.00					\$ 7,700.00	\$ -	\$ 7,700.00
Multiple Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Additions/Sunrooms	\$ 1,230.00	\$ -	\$ 1,224.00	\$ -	\$ 1,395.00	\$ 2,068.20	\$ 1,335.00	\$ 6,327.20					\$ 13,579.40	\$ -	\$ 13,579.40
Garages/Carports	\$ -	\$ -	\$ 588.50	\$ 1,683.00	\$ 1,458.00	\$ 294.00	\$ -	\$ 1,571.00					\$ 5,594.50	\$ -	\$ 5,594.50
Decks/Porches	\$ -	\$ -	\$ -	\$ -	\$ 500.00	\$ 900.00	\$ -	\$ 200.00					\$ 1,600.00	\$ -	\$ 1,600.00
Fences/Pools	\$ -	\$ 120.00	\$ 60.00	\$ 780.00	\$ 560.00	\$ 660.00	\$ 420.00	\$ 1,080.00					\$ 3,680.00	\$ -	\$ 3,680.00
Demolition	\$ 200.00	\$ -	\$ -	\$ 200.00	\$ -	\$ 1,050.00	\$ 100.00	\$ -					\$ 1,550.00	\$ -	\$ 1,550.00
House Raising	\$ -	\$ -	\$ 400.00	\$ -	\$ 750.00	\$ 500.00	\$ -	\$ -					\$ 1,650.00	\$ -	\$ 1,650.00
Pole Barns	\$ 600.00	\$ 711.80	\$ -	\$ -	\$ 2,200.00	\$ 957.50	\$ 1,481.60	\$ 2,214.40					\$ 8,165.30	\$ -	\$ 8,165.30
Commercial/Industrial	\$ -	\$ -	\$ -	\$ 1,670.00	\$ 4,092.90	\$ -	\$ -	\$ 4,960.00					\$ 10,722.90	\$ -	\$ 10,722.90
Miscellaneous	\$ -	\$ 286.00	\$ -	\$ 290.00	\$ 1,700.00	\$ 600.00	\$ 100.00	\$ 900.00					\$ 3,876.00	\$ -	\$ 3,876.00
Shed	\$ -	\$ -	\$ -	\$ 200.00	\$ 100.00	\$ 300.00	\$ 100.00	\$ 400.00					\$ 1,100.00	\$ -	\$ 1,100.00
Roof	\$ -	\$ -	\$ 200.00	\$ 300.00	\$ -	\$ 700.00	\$ 280.00	\$ 100.00					\$ 1,580.00	\$ -	\$ 1,580.00
Septic System	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 700.00	\$ 700.00	\$ 700.00					\$ 2,100.00	\$ -	\$ 2,100.00
Sign	\$ -	\$ 300.00	\$ 200.00	\$ 100.00	\$ -	\$ -	\$ -	\$ 175.00					\$ 775.00	\$ -	\$ 775.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Renovations	\$ 890.00	\$ -	\$ 1,014.80	\$ 160.00	\$ 100.00	\$ 100.00	\$ -	\$ 1,419.38					\$ 3,684.18	\$ -	\$ 3,684.18
Additions/Renovation-Commercial/Industrial/Institutional	\$ -	\$ 250.00	\$ -	\$ -	\$ 3,058.00	\$ 100.00	\$ 3,690.00	\$ -					\$ 7,098.00	\$ -	\$ 7,098.00
Plumbing only	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Demolition Out Buildings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00	\$ 100.00					\$ 300.00	\$ -	\$ 300.00
Total	\$ 18,960.15	\$ 1,667.80	\$ 17,346.80	\$ 34,469.95	\$ 48,940.00	\$ 46,624.25	\$ 30,873.10	\$ 51,902.88	\$ -	\$ -	\$ -	\$ -	\$ 250,784.93	\$ -	\$ 250,784.93



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	\$ 800,000.00	\$ -	\$ 550,000.00	\$ 2,325,250.00	\$ 3,285,000.00	\$ 1,660,000.00	\$ 1,555,000.00	\$ 4,030,000.00					\$ 14,205,250.00	\$ -	\$ 14,205,250.00
Ward 2	\$ 400,000.00	\$ -	\$ 590,000.00	\$ 596,000.00	\$ -	\$ 450,000.00	\$ 630,000.00	\$ -					\$ 2,666,000.00	\$ -	\$ 2,666,000.00
Ward 3	\$ 450,000.00	\$ -	\$ 400,000.00	\$ 735,975.00	\$ 415,000.00	\$ 2,300,000.00	\$ 300,000.00	\$ 760,000.00					\$ 5,360,975.00	\$ -	\$ 5,360,975.00
Ward 4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Multiple Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Additions/Sunrooms	\$ 150,000.00	\$ -	\$ 225,000.00	\$ -	\$ 155,000.00	\$ 335,000.00	\$ 75,000.00	\$ 1,025,000.00					\$ 1,965,000.00	\$ -	\$ 1,965,000.00
Garages/Carports	\$ -	\$ -	\$ 100,000.00	\$ 222,500.00	\$ 161,000.00	\$ 28,000.00	\$ -	\$ 265,000.00					\$ 776,500.00	\$ -	\$ 776,500.00
Decks/Porches	\$ -	\$ -	\$ -	\$ -	\$ 40,350.00	\$ 85,000.00	\$ -	\$ 15,000.00					\$ 140,350.00	\$ -	\$ 140,350.00
Fences/Pool	\$ -	\$ 36,000.00	\$ 2,000.00	\$ 162,500.00	\$ 95,000.00	\$ 153,000.00	\$ 86,000.00	\$ 380,000.00					\$ 914,500.00	\$ -	\$ 914,500.00
Demolition	\$ 10,000.00	\$ -	\$ -	\$ 25,000.00	\$ -	\$ 95,000.00	\$ 10,000.00	\$ -					\$ 140,000.00	\$ -	\$ 140,000.00
House Raising	\$ -	\$ -	\$ 45,000.00	\$ -	\$ 75,000.00	\$ 125,000.00	\$ -	\$ -					\$ 245,000.00	\$ -	\$ 245,000.00
Pole Barns	\$ 40,000.00	\$ 133,000.00	\$ -	\$ -	\$ 320,000.00	\$ 192,000.00	\$ 213,200.00	\$ 584,000.00					\$ 1,482,200.00	\$ -	\$ 1,482,200.00
Commercial/Industrial	\$ -	\$ -	\$ -	\$ 1,160,000.00	\$ 640,000.00	\$ -	\$ -	\$ 900,000.00					\$ 2,700,000.00	\$ -	\$ 2,700,000.00
Miscellaneous	\$ -	\$ 28,600.00	\$ -	\$ 385,600.00	\$ 117,500.00	\$ 27,000.00	\$ 1,000.00	\$ 64,000.00					\$ 623,700.00	\$ -	\$ 623,700.00
Shed	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 7,000.00	\$ 25,000.00	\$ 10,000.00	\$ 30,000.00					\$ 87,000.00	\$ -	\$ 87,000.00
Roof	\$ -	\$ -	\$ 20,000.00	\$ 30,000.00	\$ -	\$ 66,000.00	\$ 30,000.00	\$ 20,000.00					\$ 166,000.00	\$ -	\$ 166,000.00
Septic System	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000.00	\$ 35,000.00	\$ 40,000.00					\$ 105,000.00	\$ -	\$ 105,000.00
Sign	\$ -	\$ 63,000.00	\$ 13,500.00	\$ 10,000.00	\$ -	\$ -	\$ -	\$ 5,500.00					\$ 92,000.00	\$ -	\$ 92,000.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Renovations	\$ 60,000.00	\$ -	\$ 130,000.00	\$ 4,500.00	\$ 10,000.00	\$ 25,000.00	\$ -	\$ 205,000.00					\$ 434,500.00	\$ -	\$ 434,500.00
Additions/Renovation-Commercial/Industrial/Institutional	\$ -	\$ 25,000.00	\$ -	\$ -	\$ 218,000.00	\$ 200,000.00	\$ 1,030,000.00	\$ -					\$ 1,473,000.00	\$ -	\$ 1,473,000.00
Plumbing only	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	\$ -	\$ -
Demolition Out Buildings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 1,000.00	\$ 2,000.00					\$ 8,000.00	\$ -	\$ 8,000.00
Total	\$ 1,910,000.00	\$ 285,600.00	\$ 2,075,500.00	\$ 5,672,325.00	\$ 5,538,850.00	\$ 5,801,000.00	\$ 3,976,200.00	\$ 8,325,500.00	\$ -	\$ -	\$ -	\$ -	\$ 33,584,975.00	\$ -	\$ 33,584,975.00



## Report to Council

Department: Municipal Drainage  
Date: September 16, 2019  
Prepared by: Norman Nussio, C.E.T., CRS  
Submitted by: Chris Nepszy, P.Eng, PE  
Report Number: Municipal Drainage 2019-04  
Subject: Appointment of a Drainage Engineer to prepare a  
Section 65 (4) Report Subsequent Disconnect

### Recommendation(s)/Conclusion(s)

It is recommended that:

1. Report Municipal Drainage 2019-04 entitled Appointment of a Drainage Engineer to Prepare a Section 65 (4) Report Subsequent
2. Council appoint engineering firm Rood Engineering Incorporated pursuant to the Drainage Act Revised Statutes of Ontario 1990, to prepare a drainage report under Sec 65(4) subsequent disconnect from the White Drain.

### Purpose

Drainage department received a request from EWSWA (Essex Windsor Solid Waste Authority) to prepare a report subsequently disconnecting a portion of their property from the White Drain. EWSWA has reconfigured their storm water management system and are now contributing a majority of their water to the 7<sup>th</sup> Concession Drain located on the south side of the property fronting County Road 18.

### Background

The White Drain provides a safe outlet for surrounding agricultural lands surface water and tile drainage and is located within the geographical township of Colchester North between County Road 18 and 8<sup>th</sup> Concession Road. The White Drain commences at the Ferris Side Road draining

in a westerly directions to the Coulter Side Road Drain. Latest engineers report on file was prepared by C.G. Armstrong in 1963.

## **According to Section 65 (4) of the Drainage Act Revised Statues of Ontario 1990.**

### **Subsequent disconnection from drainage works**

65 (4) If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change. 2010, c. 16, Sched. 1, s. 2 (26).

## **Schedule**

### **After Council appoints an Engineer, the estimated schedule will be as follows:**

- Council approval and appointment of Engineer – September 2019
- On Site Meeting –October 2019
- Preparation of the Report – January 2020
- Submission of Report and notification period –February2020
- Consideration of the Report by Council – March 2020
- Preparation of Provisional By-law – April 2020
- Court of Revision – May 2020

## **Financial Impact**

The landowner will be responsible for all cost associated with the engineering and incidental costs.

## **Link to Strategic Priorities**

This report links to the fourth strategic priority: Enhance the visibility and transparency of Council to the community.



## **Court of Revision Minutes**

County of Essex Council Chambers

360 Fairview Ave. W., Essex, Ontario

Tuesday, August 6, 2019 – 4:30 PM

**The purpose of the meeting is to hold the Court of Revision for:  
West Townline Drain New Bridge for Union Gas (Part Lot 1, Con. 3) and  
Updated Maintenance Schedule of Assessment,  
Geographic Township of Colchester South, Project REI 2016D061,  
Town of Essex, County of Essex**

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated April 26<sup>th</sup>, 2019 which was considered and adopted by at a Consideration Meeting held June 17, 2019 and pursuant to By-Law 1837 which received two readings by Council at its regular meeting held July 15, 2019.

This sitting of the Court of Revision was duly appointed by Council on July 15, 2019.

Section 54 (1) of The Drainage Act provides that the decision of the Court of Revision can be appealed to the Drainage Tribunal within twenty-one (21) days from the date of the Court of Revision. The final day for appeal is August 27, 2019. At the first Council meeting after this date the third reading to By-Law Number 1837 will be given.

### **1. Roll Call**

Present: Dan Boudreau  
Felix Weigt-Bienzle  
Allan Major, Board Member from the Town of Amherstburg

Regrets: None

Also Present: Larry Snively, Mayor  
Shelley Brown, Deputy Clerk  
Tanya Tuzlova, Operations/Drainage Clerk  
Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: None present.

The Clerk to confirm having administered the Oaths to the Members of the Court of Revision.

The Clerk to confirm that all notices have been sent in accordance with The Drainage Act.

The meeting was called to order by the Chair at 4:31 PM.

**2. Declarations of Conflict of Interest**

None declared.

**3. Adoption of Published Agenda**

Shelley Brown, Deputy Clerk, stated that Board Member Dufour was replaced by the Board Member Allan Major from the Town of Amherstburg.

Court of Revision Meeting Agenda

Moved by Board Member Weigt-Bienzle

Seconded by Chair Boudreau

**That** the published agenda for the August 6, 2019 Court of Revision be adopted as updated.

**4. Adoption of Minutes**

i) Court of Revision for Sydenham Street Drain (East Side) & Bagot Street Drain (West Side), Petition for Drainage held on July 2, 2019.

Moved by Chair Boudreau

Seconded by Board Member Weigt-Bienzle

**That** the minutes of the Court of Revision for Sydenham Street Drain (East Side) & Bagot Street Drain (West Side) held on July 2, 2019, be adopted as circulated.

**5. Appeals from Landowners**

The Chair advised that the purpose of the Court of Revision is to hear appeals regarding the Schedule of assessment only. The Schedule of Assessment may be altered but the total assessment must remain the same. If one assessment is reduced then another must be increased to balance.

**6. List of Written Appeals of Assessment Received by the Clerk**

- i) Raja Shehadi, Letter: 2019.07.22, APPEAL\_ COURT OF REVISION (via email)
- ii) Raja Shehadi, Attachment A: WEST TOWNLINE DRAIN NOTICE (via email)

- iii) Raja Shehadi, Attachment B: WEST TOWNLINE DRAIN APPENDICES (via email)
- iv) Raja Shehadi, Attachment C: 2019.05.28, LETTER TO AUGER (via email)
- v) Raja Shehadi, Attachment D: 2019.06.10, West Townline Dr signed response to Shehadi ltr. (via email)
- vi) Raja Shehadi, Attachment E: 2019.06.11, TO ROOD\_ Objection to Assessment (via email)
- vii) Raja Shehadi, Attachment F: 2019.06.11, TO ROOD\_ EXHIBIT A, ELEVATION MAP\_ GOOGLE EARTH (via email)
- viii) Raja Shehadi, Attachment G: 2019.06.11, TO ROOD\_ EXHIBIT B, 210405, Pigeon Drain (via email)
- ix) Raja Shehadi, Attachment H: 2019.06.11, FROM ROOD\_ Objection (via email)
- x) Raja Shehadi, Attachment I: 2019.06.13, LETTER TO MR. ROOD (via email)
- xi) Raja Shehadi, Attachment J: 2019.06.13, EMAIL FROM ROOD: ELEVATION MAP (via email)
- xii) Raja Shehadi, Attachment K: 2017.04.27, APPEAL, 210505-789-8, 956.28 (via email)

## **7. Engineer to provide a Background on the Drain and the Proposed Project (if required)**

Gerard Rood, Professional Engineer, Rood Engineering Inc.

Chair Boudreau asked if Mr. Rood has any comments regarding the presented list of written appeals received from Mr. Shehadi.

Mr. Rood explained that the responses were previously provided and there were no new appeals to address at this time.

Chair Boudreau asked if Drainage Board Members have any questions.

Board Member Weigt-Bienzle stated that he was a victim of wrong assessment in the past and asked if an hour of a research to review the assessment may eliminate the possibility of extending the appeal to the Tribunal.

Mr. Rood stated that the updated maintenance schedule was based on previous assessments and a new research was not done to avoid increasing the cost of the project.

Board Member Weigt-Bienzle asked if new technological advances allow for a quick research.

Mr. Rood agreed that new technology allows for quicker topographic surveys.

Chair Boudreau asked if Town of Amherstburg’s Board Member has any questions.

There were no questions.

**8. Questions from Landowners**

Chair Boudreau stated that there are no questions from landowners since none is present.

**9. Court of Revision Decision**

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Allan Major

That the assessments contained in the report for the West Townline Drain New Bridge for Union Gas (Part Lot 1, Con. 3) and Updated Maintenance Schedule of Assessment, Geographic Township of Colchester South, Project REI 2016D061, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated April 26, 2019, be confirmed. “Carried”

**10. Adjournment**

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Allan Major

That the meeting be adjourned at 4:39 p.m. “Carried”

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Date

June 28<sup>th</sup>, 2019

His Worship Mayor Larry Snively  
Town of Essex  
33 Talbot Street South  
Essex, Ontario  
N8M 1A8

**RE: Franco-Ontarian Flag Day**

Mr. Mayor:

On Wednesday, September 25<sup>th</sup> 2019, the Francophones in Ontario will celebrate again this year the provincial law declaring September 25<sup>th</sup>, *Franco-Ontarian Day (Le jour des Franco-Ontariens et des Franco-Ontariennes)*. The Conseil scolaire catholique Providence is requesting that municipalities across Southwestern Ontario hold a flag-raising ceremony on Wednesday, September 25<sup>th</sup>, 2019 to commemorate this historical event.

We would like to suggest to municipalities to hold this event at 10:00 a.m. on Wednesday, September 25<sup>th</sup>, 2019 to facilitate the participation of our staff and students in this community event. Our flag could therefore proudly fly to honor the legacy of Franco-Ontarians in our communities.

Should you have any questions concerning this request, I would invite you to contact Ms. Carole Papineau, Community Liaison Officer. You can reach her at 1-519-948-5545, extension 12 or by email [papicaro@cscprovidence.ca](mailto:papicaro@cscprovidence.ca).

Your presence at this event would be greatly appreciated. Thank you for considering our request.

Sincerely,



Joseph Picard,  
Director of Education

**SIÈGE SOCIAL**

7515, promenade Forest Glade  
Windsor, Ontario N8T 3P5

téléphone 519-948-9227  
sans frais 1-888-768-2219  
télécopieur 519-948-1091

**BUREAU SATELLITE DE  
CHATHAM-KENT**

14, rue Notre-Dame, C.P. 70  
Pain Court, Ontario N0P 1Z0

téléphone 519-355-1304  
sans frais 1-877-250-4877  
télécopieur 519-354-8337

**BUREAU SATELLITE DE  
LONDON**

920, rue Huron  
London, Ontario N5Y 4K4

téléphone 519-673-1035  
sans frais 1-800-407-2338  
télécopieur 519-673-1924

***J'y crois, je m'engage!***

**CscProvidence.ca**





CHRISTINE TARLING  
Director of Legislated Services & City Clerk  
Corporate Services Department  
Kitchener City Hall, 2<sup>nd</sup> Floor  
200 King Street West, P.O. Box 1118  
Kitchener, ON N2G 4G7  
Phone: 519.741.2200 x 7809 Fax: 519.741.2705  
[christine.tarling@kitchener.ca](mailto:christine.tarling@kitchener.ca)  
TTY: 519-741-2385

September 5, 2019

Dear Municipal Colleagues:

This is to advise that City Council, at a meeting held on August 26, 2019, passed the following resolution regarding single-use disposable wipes:

“WHEREAS in 2018 the City of Kitchener implemented a sustainable funding model Water Infrastructure Project (WIP) for the city’s water, sanitary and stormwater infrastructure to ensure the safe delivery of these valued utilities; and,

WHEREAS in 2018 a multi-year initiative approved through the WIP has already improved several key measures of water quality, and proactive maintenance has reduced the risk of flooding in high-risk areas; and,

WHEREAS in 2018 the City has already seen a number of impacts due to the implementation of the WIP including: 48% decrease in complaints related to discoloured water; Storm main repairs increased by 27 per cent; 300 metric tonnes of sediment removed from catch basins; and, 2,200 properties protected against backflow and cross-connection contamination; and,

WHEREAS Single-use wipes are a \$6-billion industry and growing, and are now being advertised as the clean alternative to toilet paper and are safe to flush; and,

WHEREAS there is no one standard for what the word “flushable” means; and,

WHEREAS Single-use wipes are in fact not safe to flush as they are buoyant; are not biodegradable; and, are unable to break down into small pieces quickly; and,

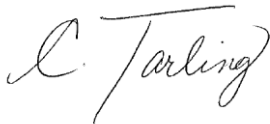
WHEREAS Single-use wipes accumulate in the sewer system and eventually clog the sanitary sewer system costing municipalities hundreds of millions of dollars in additional repairs and maintenance costs each year to municipal sewer systems across the country; and,

WHEREAS there is a lack of public awareness of the impact caused by non-flushable wipes being flushed down toilets and consumer education and outreach could play a large part in reducing the impact;

THEREFORE BE IT RESOLVED that the City of Kitchener lobby the Federal Government, to review regulations related to consumer packaging on single-use wipes to remove the word flushable; and,

BE IT FINALLY RESOLVED that this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Local Members of Provincial Parliament; the Region of Waterloo; and, all Municipalities within the Province of Ontario.”

Yours truly,

A handwritten signature in cursive script, appearing to read 'C. Tarling'.

C. Tarling  
Director of Legislated Services  
& City Clerk

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

## **By-Law Number 1845**

### **Being a by-law to confirm the proceedings of the September 3, 2019, 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 September 3, 2019 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 September 3, 2019 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 September 3, 2019.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally adopted on September 16, 2019.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

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

### **By-law Number 1847**

#### **Being a By-law to provide that Part Lot Control shall not apply to certain lands within Registered Plan 12M-545 in Essex Centre**

**WHEREAS** the Planning Act, R.S.O. 1990, c.P.13, as amended, provides that part lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

**AND WHEREAS** subsection 7 of Section 50 of the said Act provides that the Council of the municipality may by by-law provide that part lot control does not apply to land that is within such registered plan or plans of subdivision or parts thereof, as is or are designated in the by-law, and where the by-law is passed and approved, part lot control, as described in subsection 5 of Section 50, ceases to apply to such land;

**AND WHEREAS** it is deemed desirable that the provisions of subsection 5 of Section 50 of the Planning Act shall not apply to certain lands in the Essex Town Centre subdivision, south of Maidstone Avenue West, east of South Talbot Road.

**NOW THEREFORE** be it resolved that the Council of the Corporation of the Town of Essex enacts as follows:

1. That subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, does not apply to the lands that comprise Blocks 1, 2, 8, 9, 10, 11, and 17, all inclusive, Registered Plan 12M-545, situated south of Maidstone Avenue West, east of South Talbot Road;
2. That the development of the lands more particularly described in paragraph 1, of this by-law, shall be only by way of descriptions of lands on a registered reference plan.
3. That By-law Number 1847 shall expire on September 3, 2022;
4. That this by-law shall come into force and take effect on the final passing thereof on the date upon which this by-law is approved by the County of Essex pursuant to the provisions of the Planning Act.
5. That By-law 1775, adopted on January 4, 2019, is hereby repealed.

**Read a first and second time on the 3rd day of September, 2019.**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

**Read a third time and finally passed on the 16<sup>th</sup> day of September, 2019.**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

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

### **By-Law Number 1851**

#### **Being a by-law to confirm the proceedings of the September 16, 2019, 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 September 16, 2019 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 September 16, 2019 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 September 16, 2019.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally adopted on October 7, 2019.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk