



Regular Council Meeting Agenda

December 6, 2021, 6:00 pm

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

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

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

Pages

1. Call to Order

2. Land Acknowledgement

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

3. National Anthem

4. Closed Meeting Report

5. Declarations of Conflict of Interest

6. Adoption of Published Agenda

6.1. Regular Council Meeting Agenda for December 06, 2021

Moved by _____

Seconded by _____

That the published agenda for the December 06, 2021 Regular Council Meeting be adopted as presented / amended.

7. Adoption of Minutes

7.1. Regular Council Meeting Minutes for November 15, 2021

1

Moved by _____

Seconded by _____

That the minutes of the Regular Council Meeting held November 15, 2021 be adopted as circulated.

8. Public Presentations

8.1. Diana Radulescu, Active Transportation Coordinator, and Jerry Behl, Manager, Transportation, County of Essex

17

RE: County-Wide Active Transportation System (CWATS) Master Plan

Update

Moved by _____

Seconded by _____

That the presentation by Diana Radulescu, Active Transportation Coordinator and Jerry Behl, Manager, Transportation, County of Essex regarding the County-Wide Active Transportation System (CWATS) Master Plan be received.

8.2. Perry Basden, President, Heritage Colchester 46

RE: Update on the restoration of the Colchester Schoolhouse

Moved by _____

Seconded by _____

That the delegation by Perry Basden on behalf of Heritage Colchester regarding the Colchester Schoolhouse be received.

9. Unfinished Business

10. Reports from Administration

10.1. Parks and Facilities-2021-20 51

RE: Short-Term Seasonal Rentals and Commercial Operations at Colchester Harbour

Recommended Action:

Moved by _____

Seconded by _____

That Parks and Facilities-2021-20 report entitled Short Term Rentals and Commercial Operations at Colchester Harbour prepared by Jake Morassut, Manager, Parks and Facilities dated December 6, 2021 be received;

That a 50% premium for short-term rentals and/or those utilizing the slips outside of recreational Harbour operations be added to the current base rate;

That two short-term rental operators be permitted to operate per season at the Colchester Harbour; and

That the current short-term rental operator at the Colchester Harbour be allowed to continue operating in addition to the proposed two short-term operators permitted per season.

10.2. Finance and Business Services-2021-14 57

RE: Revised Fees and Charges for Schedules to By-Laws 1812, 2040, and 1850

Recommended Action:

Moved by _____

Seconded by _____

That Corporate Services Report 2018-018 report entitled Revised Schedules to By-Laws 1812, 2040 and 1850 be received; and

That the following three schedules be revised with an effective date of January 1, 2022:

1. Schedule “C” to By-Law Number 1812, being a by-law respecting the maintenance, management, regulation and control of any cemetery owned by The Corporation of the Town of Essex,
2. Schedule “A” to By-Law Number 2040, being a by-law to establish a schedule of miscellaneous fees and charges, and
3. Schedule “B-1” and “B-2” to By-Law Number 1850, being a by-law for the imposition of Development Charges.

10.3. Planning-2021-25 68

RE: Revisions to Rear Yard Encroachments for Porches, Decks and Sunrooms

Recommended Action:

Moved by _____

Seconded by _____

That Planning-2021-25 report entitled Revisions to Rear Yard Encroachments for Porches, Decks and Sunrooms prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 6, 2021 be received; and

That By-Law Number 2098, being a by-law to amend By-Law Number 1037, the Comprehensive Zoning By-Law for the Town of Essex to limit the encroachment of decks, porches, and sunrooms into a required rear yard, be read a first, a second and a third time and finally passed on December 6, 2021.

10.3.1. By-Law 2098 119

10.4. Planning-2021-29 121

RE: Short Term Rental (STR) update

Recommended Action:

Moved by _____

Seconded by _____

That Planning-2021-29 report entitled Short Term Rental (STR) Update prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 6, 2021 be received;

That Administration be directed to prepare a zoning by-law amendment as outlined in Option 3 of the attached presentation to permit one (1) short term rental in a main single detached dwelling in any Residential and Agricultural zoning district, and in a dwelling unit in any commercial district; and

That Administration be directed to prepare a licensing by-law for short term rentals.

10.5. Planning-2021-30 141

RE: Removal of Holding Zone Restrictions for Phase 1 of the Parkland Woods Residential Development

Recommended Action:

Moved by _____

Seconded by _____

That Planning-2021-30 report entitled Removal of Holding Zone Restrictions for Phase 1 of the Parkland Woods Residential Development prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 6, 2021 be received; and

That By-Law 2099, Being a by-law to remove the Holding Zone Restrictions for Phase 1 of the Parkland Woods Subdivision (Ward 3) be read a first, second and third time and finally passed on December 6, 2021.

10.5.1.	By-Law 2099	173
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11. Reports from Youth Members

12. County Council Update

12.1.	Essex County Council Regular Meeting Minutes - October 20, 2021	174
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Moved by _____

Seconded by _____

That the minutes of the Regular County Council Meeting held October 20, 2021 be received.

13. Correspondence

13.1. Correspondence to be received

Moved by _____

Seconded by _____

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

13.1.1.	County of Essex	187
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RE: Windsor-Essex Regional Community Safety and Well-Being Plan, 2022-2026

13.1.2.	City of Kitchener	189
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RE: Liquor License Sales and Patio Extensions

13.1.3.	Union Water Supply System	191
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RE: Joint Board of Management Minutes of October 20, 2021

13.1.4.	Town of Plympton-Wyoming	197
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RE: Concerns with the Continued Postponement of Property Assessments

13.1.5.	Township of Alnwick	199
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RE: Endorsing National Teen Driver Safety Week and Requesting the Ministry of Transportation to Review Measures Impacting New Licensed Drivers

13.1.6.	E.L.K. Energy Inc.	205
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RE: Town of Kingsville Resolution on Electricity Supply

RE: Provincial Food and Organic Waste Framework and
Ontario's Food Waste Policy Statement

13.2. Correspondence to be considered for receipt and support

13.2.1. County of Essex 239

RE: Food and Organics Waste Management Program

County of Essex Council at its October 20, 2021 meeting received Administrative Report entitled Essex-Windsor Solid Waste Authority (EWSWA)-Regional Food and Organics Waste Management Project (as attached to this Agenda) and further approved the EWSWA recommendation to present to and obtain comments from all of the County Municipalities relating to desire to participate as part of a regional approach to the Food and Organics Waste Management Project. On November 15, 2021 Essex Town Council received the noted presentation from EWSWA.

Moved by _____

Seconded by _____

That Council receive the Report entitled Food and Organics Waste Management Program dated October 20, 2021 and that Council further asks its County Council representatives to provide the following comments to County Council relating to the proposed participation in a regional approach to the Food and Organics Waste Management Project:_____

13.2.2. 3rd Essex Scouting 251

RE: Flag Request from 3rd Essex Scouts for 100 years of scouting in the Town of Essex

Moved by _____

Seconded by _____

That the request from the 3rd Essex Scouting for their flag to be flown at Town Hall on February 22, 2022 in support of 100 years of scouting in the Town of Essex be received or received and supported.

13.2.3. Sherry Ducedre 252

RE: Extension of Sherry Ducedre's Term with the Committee of Adjustment

Moved by _____

Seconded by _____

That the request from Sherry Ducedre requesting that her appointment to the Committee of Adjustment be extended to November 30, 2022 to coincide with the end of the current term of Council be received or received and supported.

14. Committee Meeting Minutes

Moved by _____

Seconded by _____

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

14.1.	Committee of Adjustment - September 21, 2021	253
14.2.	Essex Centre Business Improvement Area - October 12, 2021	281
14.3.	Essex Municipal Heritage Committee - October 28, 2021	291
14.4.	Essex Police Service Board - November 4, 2021	295
14.5.	Court of Revision Minutes - November 10, 2021	300

Re: Legalization of a culvert over the Lawrence Quick Drain and the Malden Road West Drain: Bridge for McGuire and Laramie and Maintenance Schedule

14.6.	Personnel Committee - November 26, 2021	304
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PC-21-07

Moved by Councillor Bondy
Seconded by Councillor Garon

Recommendation to Council: That HR Policy 05-04 entitled Non-Union Salary Administration Policy as presented by Brandi Sieben, Manager, Human Resources to the Finance Committee at its November 26, 2021 meeting be adopted as presented.

Carried

PC-21-08

Moved by Councillor Bondy
Seconded by Councillor Bowman

Recommendation to Council: That HR Policy 03-21 entitled Hybrid Working Model Policy (1 Year Trial) as presented by Brandi Sieben, Manager, Human Resources to the Personnel Committee at its November 26, 2021 meeting be adopted as presented.

Carried

PC-21-09

Moved by Councillor Bondy
Seconded by Councillor Garon

Recommendation to Council: That the Personnel Committee Terms of Reference as presented by Brandi Sieben, Manager, Human Resources to the Personnel Committee at its November 26, 2021 meeting be adopted as presented.

Carried

15. Financial

15.1.	October 2021 Bank Payments Report	333
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Moved by _____
Seconded by _____

That the Bank Payments Report, including October 2021 cheque

register, cheque number 53552 to cheque number 53730 and electronic funds transfer (EFT) payment number EFT005381 to EFT005602 inclusive in the amount of \$3,628,958.01; the Preauthorized Payments for the month of October in the amount of \$294,474.30; and Payroll for the month of October in the amount of \$406,273.07, be ratified as submitted.

15.2.

Ministry of Municipal Affairs and Housing

344

Re: Town of Essex Financial Indicator Review and Municipal Financial Profile based on 2020 Financial Information Return

Moved by _____

Seconded by _____

That the Financial Indicator Review and the Municipal Financial Profile issued by the Ministry of Municipal Affairs and Housing be received for information.

16.

New Business

17.

Notices of Motion

17.1.

The following Notice of Motion is being presented this evening and will be brought forward for Council's consideration at the December 20, 2021Regular Council Meeting:

17.1.1.

Councillor Bondy

Moved by Councillor Bondy

Seconded by _____

That Council have a discussion regarding persistent dog barking and the negative impact it may have on the quality of life for residents of the Town of Essex and how complaints regarding this matter are to be enforced in accordance with the Town of Essex Noise By-Law.

18.

Reports and Announcements from Council Members

19.

By-Laws

19.1.

By-Laws that require a third and final reading

19.1.1.

By-Law 2097

357

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

Moved by _____

Seconded by _____

That By-Law 2097 being a by-law to confirm the proceedings of the November 15, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a third time and finally passed on December 6, 2021.

19.1.2.

By-Law 2041

359

Being a by-law to authorize the execution of an agreement between the Town of Essex and Heritage Colchester for the use and operation of the Colchester Schoolhouse Building

located at 195 Bagot Street, Colchester, Ontario

Moved by _____

Seconded by _____

That By-Law 2041 being a by-law to authorize the execution of an agreement between the Town of Essex and Heritage Colchester for the use and operation of the Colchester Schoolhouse Building located at 195 Bagot Street, Colchester, Ontario to be read a third time and finally passed on December 6, 2021.

19.1.3. By-Law 2022 369

Being a by-law to provide for the Lawrence Quick Drain Reconsidered Report: Legalization of a Culvert Roll No. 840-00501 in the Town of Essex, File Reference 21-023

Moved by _____

Seconded by _____

That By-Law 2022 being a by-law to provide for the Lawrence Quick Drain Reconsidered Report: Legalization of a Culvert Roll No. 840-00501 in the Town of Essex, File Reference 21-023 be read a third time and finally passed on December 6, 2021.

19.1.4. By-Law 2076 372

Being a by-law to provide for the Malden Road West Drain: Bridge for McGuire and Laramie and Maintenance Schedule, Geographic Township of Colchester North, Project REI2021D007, Town of Essex, County of Essex

Moved by _____

Seconded by _____

That By-Law 2076 being a by-law to provide for the Malden Road West Drain: Bridge for McGuire and Laramie and Maintenance Schedule, Geographic Township of Colchester North, Project REI2021D007, Town of Essex, County of Essex be read a third time and finally passed December 6, 2021.

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

19.2.1. By-Law 2100 375

RE: Grant Funding Agreement: Online Dog Tag Software

Being a by-law to enter into an Agreement between The Corporation of the Town of Essex (“the Recipient”) and Her Majesty in right of Ontario as represented by the Minister of Municipal Housing Affairs and Housing (the “Province”)

Moved by _____

Seconded by _____

That By-Law 2100 being a by-law to enter into an Agreement between The Corporation of the Town of Essex (“the Recipient”) and Her Majesty in right of Ontario as represented by the Minister of Municipal Housing Affairs and Housing (the “Province”) be read a first, second and third time and finally passed on December 6, 2021.

Being a by-law to authorize the execution of an agreement to appoint Local Authority Services (LAS) to act as an agent in respect to all matters relating to the supply of natural gas

Moved by _____

Seconded by _____

That By-Law 2101 Being a by-law to authorize the execution of an agreement to appoint Local Authority Services (LAS) to act as an agent in respect to all matters relating to the supply of natural gas be read a first, second and third time and finally passed December 6, 2021.

RE: Grant Funding Agreement: e-Permitting Software

Being a by-law to enter into an Agreement between The Corporation of the Town of Essex ("the Recipient") and Her Majesty in right of Ontario as represented by the Minister of Municipal Housing Affairs and Housing (the "Province")

Moved by _____

Seconded by _____

That By-Law 2104 being a by-law to enter into an Agreement between The Corporation of the Town of Essex ("the Recipient") and Her Majesty in right of Ontario as represented by the Minister of Municipal Housing Affairs and Housing (the "Province") be read a first, second and a third time and finally passed on December 6, 2021.

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

Being a by-law to confirm the proceedings of the December 6, 2021, Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 2102 being a by-law to confirm the proceedings of the December 6, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a first and a second time and provisionally adopted on December 6, 2021.

20. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

21. Future Meetings

21.1. Monday, December 20, 2021 - 5:00 - 6:00 PM Closed Council Meeting

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/EssexOntario

21.2. Monday, December 20, 2021 - 6:00 - 9:00 PM Regular Council Meeting

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/EssexOntario