



The Corporation of the Town of Essex

Regular Council Meeting Minutes

December 2, 2024, 6:00 pm

Location: Essex Municipal Building, 33 Talbot Street South and by livestream at
<https://www.youtube.com/user/EssexOntario>

Present: Mayor Sherry Bondy
Deputy Mayor Rob Shepley
Ward 1 Councillor Joe Garon
Ward 1 Councillor Katie McGuire-Blais
Ward 2 Councillor Kim Verbeek
Ward 3 Councillor Brad Allard
Ward 3 Councillor Jason Matyi
Ward 4 Councillor Rodney Hammond

Also Present: Doug Sweet, Chief Administrative Officer
Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk
Jake Morassut, Director, Community Services
Kate Giurissevich, Director, Corporate Services
Lori Chadwick, Director, Development Services
Lauryn Smith, Youth Council Member
Cassandra Roy, Legislative Clerk
Cole Foster, Youth Council Member
Rita Jabbour, Manager, Planning Services
Norm Nussio, Manager, Operations and Drainage
Erica Tilley, Assistant Manager, Capital Works & Asset Management

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.

1. Call to Order

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

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

Joe Malandruccolo, Director, Legal & Legislative Services/Clerk reported that on December 2, 2024 at 5:15 PM Council moved into Closed Session as permitted to do so pursuant to Section 239 2(f) and (j) of the *Municipal Act, 2001, c. 25. as amended* to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and to discuss a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.

5. Declarations of Conflict of Interest

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

6. Adoption of Published Agenda

6.1 Regular Council Meeting Agenda for December 2, 2024

R24-12-532

Moved By Councillor Verbeek

Seconded By Councillor Allard

That the published agenda for the December 2, 2024 Regular Council Meeting be adopted with the following amendment:

That Agenda Item 10.6 entitled Planning Report-2024-36 along with By-Law 2407 to remove the holding provision for 80 Maidstone Avenue West, be added to reflect the posted Addendum.

Carried

7. Adoption of Minutes

7.1 Regular Council Meeting Minutes for November 18, 2024

R24-12-533

Moved By Councillor McGuire-Blais

Seconded By Councillor Matyi

That the minutes of the Regular Council Meeting held November 18, 2024 be adopted as circulated.

Carried

7.2 Special Council Meeting Minutes for September 23, 2024

RE: Proposed Zoning By-Law Amendments and an (unrelated) Plan of Subdivision

R24-12-534

Moved By Councillor McGuire-Blais

Seconded By Deputy Mayor Shepley

That the minutes of the Special Council Meeting held September 23, 2024 be adopted as circulated.

Carried

8. Public Presentations

9. Unfinished Business

10. Reports from Administration

10.1 Community Services-2024-56

RE: Parkland Dedication By-Law

Daryl Abbs, Managing Partner, Watson and Associates presented on parkland dedication and explained that the purpose is to allow for municipalities to grow their park systems in tandem with their community. He provided an overview of the proposed by-law for parkland dedication or payment in lieu of as a condition of development/re-development and provided a comparison between the current and recommended approach.

Council asked questions pertaining to the parkland dedication fees and charges.

R24-12-535

Moved By Councillor Hammond

Seconded By Councillor Matyi

That Community Services Report-2024-56 entitled Parkland Dedication By-Law prepared by Jake Morassut, Director, Community Services dated December 2, 2024 be received; and

That By-Law 2404 being a By-Law to regulate the dedication of parkland, or the payment-in-lieu thereof, as a condition of the development and/or redevelopment be read a first and a second time and provisionally adopted on December 2, 2024.

Carried

10.2 Planning-2024-34

RE: Heritage Designation for Various Properties within the Town of Essex

Rita Jabbour, Manager, Planning Services stated that Administration recommends withdrawing the property located at 400 County Road 13 to allow for future research on the heritage attributes and recommends withdrawing 0 Ferris Road until potential Town access is established in the cemetery.

Rita Jabbour, Manager, Planning Services, explained that Administration is recommending the designation of 102 Talbot Street South in Essex Centre and noted that a designation should not impact property transfers, maintenance and can benefit the property owner. She stated that Administration and the Heritage Committee reviewed the Notice of Objection from the property owner and still recommend that the property be designated under the Heritage Act as meets two criterions under the Ontario Regulation.

The motion to approve By-Law 2403, to designate 102 Talbot Street South in Essex Centre failed and therefore, the property was not designated.

R24-12-536

Moved By Councillor Matyi

Seconded By Deputy Mayor Shepley

That Planning Report-2024-34 entitled Heritage Designation for Various Properties within the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 2, 2024 be received.

Carried

R24-12-537

Moved By Councillor Matyi

Seconded By Councillor Verbeek

That the Notice of Intention to Designate published on August 12, 2024 for the following properties within the Town of Essex, be withdrawn:

1. 0 Ferriss Road (the Ferriss Cemetery); and
2. 400 County Road 13 (the Klie Farm).

Carried

R24-12-538

Moved By Councillor McGuire-Blais

Seconded By Deputy Mayor Shepley

That By-Law Number 2403, being a By-Law to designate the property known municipally as 102 Talbot Street South in Essex Centre under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, be withdrawn.

Defeated

R24-12-539

Moved By Councillor Matyi

Seconded By Councillor Garon

That By-Law Number 2403, being a By-Law to designate the property known municipally as 102 Talbot Street South in Essex Centre under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, be read a first, second and third time and finally passed on December 2, 2024.

Defeated

10.3 Capital Works and Asset Management-2024-22

RE: 2024 Annual Speed Monitoring Program

Erica Tilley, Assistant Manager, Capital Works and Asset Management provided an update on the 2024 Annual Speed Monitoring Program and provided an overview of the locations with high rates of speed.

By way of a friendly amendment Council directed Administration to prepare a report on the recommended/appropriate speeds on Concession Road 3 and Concession Road 4.

R24-12-540

Moved By Councillor McGuire-Blais

Seconded By Councillor Matyi

That Capital Works and Asset Management Report-2024-22 entitled, 2024 Annual Speed Monitoring Program prepared by Erica Tilley, Assistant Manager,

Capital Works and Asset Management dated December 2, 2024, be received for information; and

That Council direct Administration to prepare a report on appropriate speeds on Concession Road 3 and Concession Road 4.

Carried

10.4 Finance and Business Services-2024-06

RE: Revision of Miscellaneous Fees and Charges, Development Charges, and Water and Wastewater Rates

Ann Marie Unis, Manager, Finance and Business Services presented the yearly revision of the fee schedules and implementation of the new Schedule B for By-Law 2040 which will provide additional revenue.

Council directed questions to Administration regarding the fees outlined in Schedule B to By-Law 2040 for advertising in the arenas.

Doug Sweet, CAO, explained that the rates for advertising are incorporated in individual by-laws and stated that once these by-laws expire, Administration can try to incorporate a general rate with yearly increases.

R24-12-541

Moved By Councillor Garon

Seconded By Councillor McGuire-Blais

That Finance and Business Services Report-2024-06 entitled Revised Schedules to Fees and Charge By-Laws prepared by Ann Marie Unis dated December 2, 2024 be received;

That the following three schedules be revised effective January 1, 2025:

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 and A.1 to By-Law Number 2040, being a by-law to establish a schedule of miscellaneous fees and charges;
3. Schedule B-1 to By-Law Numbers 2384 and 2385, being a by-law for the imposition of Development Charges;

That Council implement a new Schedule B to By-Law Number 2040, being a by-law to establish a schedule of miscellaneous fees and charges; and

That By-Law Number 2399 being a by-law to establish Water and Wastewater Rates and Charges to be read a first and a second time and provisionally adopted on December 2, 2024.

Carried

10.5 Infrastructure Services-2024-04

RE: Enbridge Model Franchise Agreement

Joe Malandrucolo, Director, Legal and Legislative Services, provided an overview of the Enbridge Model Franchise Agreement and stated that at the

next Regular Council Meeting Administration will provide a redline version of any amendments made to the Agreement between the second and third readings of the By-Law.

R24-12-542

Moved By Councillor McGuire-Blais

Seconded By Councillor Allard

That Infrastructure Services Report-2024-04 entitled, Enbridge Model Franchise Agreement prepared by Kevin Girard, Director, Infrastructure Services dated December 2, 2024 be received; and

That By-Law 2405 being a By-Law to authorize a franchise agreement between the Corporation of the Town of Essex and Enbridge Gas Incorporated be read a first and second time and provisionally adopted on December 2, 2024.

Carried

10.6 Planning-2024-36

RE: 80 Maidstone Avenue – Removal of Holding (H) Provision

R24-12-543

Moved By Councillor Verbeek

Seconded By Councillor Garon

That Planning Report-2024-36 entitled 80 Maidstone Ave – Removal of Holding (H) Provision prepared by Ian Rawlings, Junior Planner, dated December 2, 2024 be received; and

That By-Law Number 2407, being a By-Law to remove the holding (H) Provision for 80 Maidstone Avenue West, Registered Plan 12M-712, be read a first, a second, and a third time and finally passed on December 2, 2024.

Carried

11. Reports from Youth Members

12. County Council Update

Deputy Mayor Shepley provided an update on the Transportation Master Plan and announced that there will be an information session on December 5, 2024, at 5 PM at the Ciociaro Club. He stated that County Council approved the overall proposed 2025 tax rate increase of 3.76%.

R24-12-544

Moved By Councillor Verbeek

Seconded By Councillor McGuire-Blais

That the County of Essex, Regular Meeting minutes listed in Agenda Item 12, be received.

Carried

12.1 County of Essex, Regular Council Meeting Minutes - October 16, 2024

12.2 County of Essex, Regular Council Meeting Minutes - November 6, 2024

13. Correspondence

13.1 Correspondence to be received

R24-12-545

Moved By Councillor Hammond

Seconded By Councillor Allard

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.

Carried

13.1.1 Town of Aurora

RE: Redistribution of the Provincial Land Transfer Tax and GST to Municipalities for Sustainable Infrastructure Funding

13.1.2 City of Hamilton

RE: Provincial Initiative to Restrict or Limit the Autonomy of Municipalities in Implementing Road Safety Measures

13.1.3 The Corporation of the Township of Terrace Bay

RE: Ambulance Shortages and Healthcare System Issues

13.1.4 The Corporation of the Township of Papineau-Cameron

RE: Ontario Building Code

13.1.5 The Corporation of the Township of Terrace Bay

RE: Billy Bishop Airport Support

13.1.6 City of Toronto

RE: Respecting Local Democracy and Cities

13.1.7 Municipality of Lakeshore

RE: Dog Pound Committee Meeting Minutes of April 16, 2024

13.2 Correspondence to be considered for receipt and support

13.2.1 OPP Annual Billing Statement

R24-12-546

Moved By Mayor Bondy

Seconded By Councillor Matyi

That the correspondence from Clearview Township, the Municipality of Leamington and the Town of Petrolia regarding the Ontario Provincial Police (OPP) Annual Billing Statement be received and supported; and

That a letter be sent to the Honourable Doug Ford, Premier of Ontario, and Anthony Leardi, Member of Provincial Parliament for Essex, thanking the Government of Ontario for proposing to provide financial relief to small and rural municipalities in Ontario by offsetting the 2025 impacts of the OPP salary increases.

Carried

- 13.2.1.1 Clearview Township
- 13.2.1.2 Municipality of Leamington
- 13.2.1.3 Town of Petrolia

13.2.2 Western Ontario Wardens Caucus (WOWC)

RE: Roadside Zoo Legislation

R24-12-547

Moved By Councillor Verbeek

Seconded By Councillor McGuire-Blais

That the correspondence from the Western Ontario Wardens Caucus dated September 27, 2024, regarding the roadside zoo legislation be received and supported; and

That a letter of support be sent to the Honourable Doug Ford, Premier of Ontario, Marit Stiles, leader of the Official Opposition of Ontario, Anthony Leardi, Member of Provincial Parliament for Essex, Honourable Michael Kerzner, Solicitor General, Honourable Graydon Smith, Minister for Natural Resources and Forestry, Association of Municipalities of Ontario (AMO), Association of Municipal Clerks and Treasurers Municipal Law Enforcement Officers' Association (AMCTO).

Carried

14. Committee Meeting Minutes

R24-12-548

Moved By Councillor Hammond

Seconded By Councillor Matyi

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

Carried

14.1 Essex Accessibility Advisory Committee - September 6, 2024

14.2 Committee of Adjustment - October 16, 2024

14.3 Essex Municipal Heritage Committee - October 24, 2024

14.4 Santa's Village Committee - November 6, 2024

15. Financial

16. New Business

17. Notices of Motion

17.1 The following Notices of Motion were presented at the November 18, 2024 Regular Council Meeting and are being brought forward this evening for Council's consideration

17.1.1 Councillor Hammond

R24-12-549

Moved By Councillor Hammond

Seconded By Councillor McGuire-Blais

That Council direct Administration to present a report to Council that addresses the following with regards to the Richmond Drain:

1. Review the drain and assess for blockages that would hinder the flow of stormwater;
2. Review and identify any trouble spots that impede the flow of stormwater;
3. Potential consequences attributed to intensification in and around the Harrow Centre; and
4. Identify and report on potential actions that the Town could take to improve the Richmond Drain and the costs associated with them.

Carried

17.1.2 Mayor Bondy

Deputy Mayor was acting Chair during the motion.

R24-12-550

Moved By Mayor Bondy

Seconded By Councillor Allard

That Council direct Administration to investigate and propose options to waive taxicab licensing fees for the 2025 calendar year.

Carried

17.1.3 Councillor Matyi

By way of friendly amendment, the following Notice of Motion was amended to request the criteria when determining or relocating bus stops in the Town of Essex.

R24-12-551

Moved By Councillor Matyi

Seconded By Councillor Allard

Whereas ensuring the safety of students traveling to and from school is a shared priority for municipalities, school boards, and Student Transportation Services (STS) of Windsor-Essex; and

Whereas municipalities possess valuable local knowledge regarding road safety, traffic patterns, and infrastructure conditions that can aid in determining safe and effective school bus stop locations; and

Whereas the placement or relocation of school bus stops without municipal consultation may inadvertently create safety concerns for students and families.

Be it resolved: That the Town of Essex direct Administration to prepare and send a formal letter to the relevant school boards and Student Transportation Services of Windsor-Essex, requesting that municipalities be consulted when determining or relocating school bus stops within their jurisdiction, following the completion of the school board's internal review process;

That the Town of Essex request that the relevant school boards and Student Transportation Services of Windsor-Essex provide the Town with information outlining the criteria for determining or relocating school bus stops; and

That the letter emphasize the importance of collaboration to ensure school bus stop decisions prioritize student safety and align with local infrastructure and traffic considerations.

Carried

17.2 The following Notice of Motion is for presentment only and will be brought forward for Council's consideration at the December 16, 2024 Regular Council Meeting:

17.2.1 Councillor Allard

Moved by Councillor Allard

That Council direct Administration to review the feasibility and cost of installing streetlights on Draper Street from Jackson Street to Sydenham Street and Sydenham Street from County Road 50 to Harrison Street.

18. Reports and Announcements from Council Members

Councillor McGuire-Blais announced that Santa's Village will be taking place on December 14, 2024 at 2 PM and there will be a Teddy Bear Drive in honor of Jaida Chartier. She noted that volunteers are needed during the day to help with Santa's Village.

Councillor Allard announced that the Essex BIA Parade will be taking place on Saturday December 14, 2024 at 6:30 PM.

Councillor Hammond announced that the Salvation Army Kettles are out and asked residents to consider donating to the Salvation Army.

Councillor Verbeek announced that the Stroll by Santa will be taking place from 5:30-7:30 PM in McGregor Parkette Friday, December 6, 2024.

Mayor Bondy thanked residents from attending the Colchester Open House.

19. By-Laws

19.1 By-Laws that require a third and final reading

19.1.1 By-Law 2391

RE: Being a by-law for the declaration and disposition of surplus lands (Parkland adjacent to Bridlewood Park in Essex Centre) by the Corporation of the Town of Essex

R24-12-552

Moved By Deputy Mayor Shepley

Seconded By Councillor Garon

That By-Law 2391 being a by-law for the declaration and disposition of surplus lands (Parkland adjacent to Bridlewood Park in Essex Centre) by the Corporation of the Town of Essex be read a third time and finally passed on December 2, 2024.

Carried

19.1.2 By-Law 2402

RE: Being a by-law to confirm the proceedings of the November 18, 2024, Regular Meeting of Council of the Corporation of the Town of Essex

R24-12-553

Moved By Deputy Mayor Shepley

Seconded By Councillor Matyi

That By-Law 2402 being a by-law to confirm the proceedings of the November 18, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a third time and finally passed on December 2, 2024.

Carried

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

19.3 By-Laws that require a first and second reading

19.3.1 By-Law 2406

RE: Being a by-law to confirm the proceedings of the December 2, 2024, Regular Meeting of Council of the Corporation of the Town of Essex

R24-12-554

Moved By Councillor Matyi

Seconded By Councillor Hammond

That By-Law 2406 being a by-law to confirm the proceedings of the December 2, 2024, 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 2, 2024.

Carried

20. Adjournment

R24-12-555

That the meeting be adjourned at 7:40 PM.

Carried

Mayor

Clerk