



Report to Council

Department: Infrastructure Services

Division: Capital Works and Asset Management

Date: February 3, 2025

Prepared by: Erica Tilley P.Eng.
Assistant Manager, Capital Works & Asset Management

Report Number: Capital Works and Asset Management-2025-03

Subject: CLI-ECA Amherstburg Access Agreement, Masaccio Drive

Number of Pages: 8

Recommendation(s)

That Capital Works and Asset Management 2025-03 entitled “CLI-ECA Amherstburg Access Agreement, Masaccio Drive” prepared by Erica Tilley, Assistant Manager, Capital Works & Asset Management dated February 3, 2025, be received, and

That Council authorizes Administration to enter into the Authorization Agreement for Phase 2 of the Masaccio Drive Development with the Town of Amherstburg as attached.

Purpose

To enter into an agreement for CLI-ECA approval for sanitary alterations with the Town of Amherstburg, specifically for the Masaccio Drive Development, Phase 2, which would allow for the Town of Amherstburg to grant such approval for infrastructure located outside of their geographical boundary.

Background and Discussion

In 2022 the Ministry of Environment, Conservation and Parks (MECP) downloaded the CLI-ECA approval requirement to municipalities.

McGregor is a small urban centre that borders each municipality as part of the amalgamation back in 1999, which the Town of Essex and the Town of Amherstburg geographically share their respective areas of the hamlet of McGregor. The sanitary system is completely owned, operated, and maintained by the Town of Amherstburg, which includes the infrastructure that is located within the geographical boundary of the Town of Essex. Therefore, as customers, the Town of Amherstburg bills Essex residents for water and sanitary services directly. Based on this information, the Town of Amherstburg is the approving authority for any new sanitary and watermain infrastructure works within the Town of Essex.

Amherstburg's CLI-ECA enables works that crosses into another jurisdiction to be constructed via preauthorization as long as a written agreement in place between the two parties. The conditions of the CLI-ECA that allows for this are in Schedule D – Under 4.1.4 for alterations to Separate Sewers, Nominally Separate Sewers and Forcemains:

4.1.4 The addition, modification, replacement, or extension is wholly located within the municipal boundary over which the Owner has jurisdiction or there is a written agreement in place with the adjacent municipality respecting the Alteration and resulting Sewage Works.

The Town of Essex reached out to the MECP for guidance as to what such agreement should included, their response was as follows:

“As all municipalities have their own unique circumstances, we don't specify what needs to be included in such an agreement, but it should ensure the municipality that will own/operate the works has access for maintenance etc.”

The Town of Essex and the Town of Amherstburg have agreed on the attached proposed agreement that is limited to phase 2 of the Masaccio Drive Development and includes language specific to maintenance and access. This development within McGregor cannot proceed without this agreement and an approved CLI-ECA from the Town of Amherstburg.

Masaccio Drive Development, Phase 2



Financial Impact

There is no financial impact as a result of this report.

Consultations

Joe Malandrucolo, Director, Legal & Legislative Services/Clerk

Kevin Girard, Director, Infrastructure Services

David McBeth, Manager, Capital Works & Asset Management

Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.
- Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

Report Approval Details

Document Title:	CLI-ECA Amherstburg Access Agreement - Masaccio Drive - Capital Works and Asset Management-2025-03.docx
Attachments:	- CLI-ECA Authorization Agreement with Amherstburg - Masaccio Drive.docx
Final Approval Date:	Jan 28, 2025

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

David McBeth, Manager, Capital Works & Asset Management - Jan 27, 2025 - 8:54 AM



Kevin Girard, Director, Infrastructure Services - Jan 28, 2025 - 12:27 PM



Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk - Jan 28, 2025 - 1:43 PM



Doug Sweet, Chief Administrative Officer - Jan 28, 2025 - 1:47 PM