



Regular Council Meeting Agenda

April 2, 2024, 6:00 pm

Location: Essex Municipal Building, 33 Talbot Street South and by livestream at <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.

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 April 2, 2024

Moved by _____

Seconded by _____

That the published agenda for the April 2, 2024 Regular Council Meeting be adopted as presented / amended.

7. Adoption of Minutes

7.1 Regular Council Meeting Minutes for March 18, 2024

1

Moved by _____

Seconded by _____

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

7.2 Special Council Meeting Minutes for March 6, 2024

12

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held March 6, 2024 be adopted as circulated.

8. Public Presentations

9. Unfinished Business

10.	Reports from Administration	
10.1	Fire and Rescue Services-2024-01	14
<p data-bbox="345 263 941 298">RE: Essex Fire and Rescue 2023 Annual Report</p> <p data-bbox="345 330 641 365">Recommended Action:</p> <p data-bbox="345 405 737 440">Moved by _____</p> <p data-bbox="345 454 773 489">Seconded by _____</p> <p data-bbox="345 497 1333 618">That Fire and Rescue Services Report 2024-01 entitled Essex Fire and Rescue 2023 Annual Report prepared by Jason Pillon, Fire Chief, dated April 2, 2024, be received for information.</p>		
10.2	Fire and Rescue Services-2024-02	42
<p data-bbox="345 736 1237 771">RE: Emergency Management Program and Emergency Response Plan</p> <p data-bbox="345 806 641 841">Recommended Action:</p> <p data-bbox="345 878 737 913">Moved by _____</p> <p data-bbox="345 927 773 962">Seconded by _____</p> <p data-bbox="345 970 1281 1091">That Fire and Rescue Services Report 2024-02 entitled Emergency Management Program and Emergency Response Plan prepared by Jason Pillon, Fire Chief dated April 2, 2024, be received;</p> <p data-bbox="345 1126 1318 1204">That the Essex Emergency Management Program and Emergency Response Plan be approved, as submitted; and</p> <p data-bbox="345 1239 1347 1403">That By-Law No. 2315 being a by-law to adopt an Emergency Management Program and Emergency Response Plan governing the provisions of necessary services during emergencies for the Town of Essex be read a first, a second and a third time and finally passed on April 2, 2024.</p>		
10.2.1	By-Law 2315	47
10.3	Planning-2024-08	51
<p data-bbox="345 1602 1268 1723">RE: Draft Plan of Subdivision Approval, Ducharme Lane Residential Subdivision, Phase 2 (Applicant: Fantuz Holdings Inc. c/o Gary Taveirne) (County of Essex File No.: 37-T-24003), Ward 2</p> <p data-bbox="345 1755 641 1790">Recommended Action:</p> <p data-bbox="345 1830 737 1865">Moved by _____</p> <p data-bbox="345 1878 773 1913">Seconded by _____</p> <p data-bbox="345 1921 1268 1999">That Planning Report 2024-08 prepared by Rita Jabbour, RPP, Manager, Planning Services dated April 2, 2024 be received; and</p> <p data-bbox="345 2034 1341 2327">That the Manager of Planning Services for the County of Essex be requested to give Draft Plan of Subdivision Approval to 1128737 Ontario Limited for the development of Phase 2 of the Ducharme Lane Residential Subdivision on lands comprising PT LTS 1 and 2 CONCESSION 12 to permit the development of eighteen (18) single detached dwellings, in accordance with the draft plan prepared by Dillon Consulting and dated February 20, 2024 and subject to the following conditions:</p> <ol data-bbox="399 2362 1291 2526" style="list-style-type: none"> 1. That the Applicant enters into a subdivision agreement with the Municipality wherein the Applicant agrees to satisfy all the requirements, financial and otherwise, of the Municipality concerning the payment of development charges (including 		

educational development charges), provisions of roads, installation and capacity of services, including sanitary sewage collection systems, water distribution system, private utilities and stormwater management facilities for the development of the lands within the plan,

2. That the subdivision agreement include a condition to the satisfaction of the Town of Essex that acknowledges that sanitary allocation equivalent to 18 single detached dwellings for the proposed development will be available for a period of three (3) years commencing on the date of adoption of draft plan approval and that the allocation shall be deemed null and void should in the opinion of the corporation, construction of the dwellings not commence within the period specified in the condition,
3. That the Applicant be required to provide to the Municipality cash in lieu of parkland,
4. That the Applicant provide an easement along those lots that abut the Walker Drain to the satisfaction of the Town of Essex and for the purposes of drain maintenance and prohibiting buildings and structures within the easement, and,
5. Such other conditions requested by the Manager of Planning Services for the County of Essex as a condition of Draft Plan of Subdivision approval.

10.4 Finance and Business Services-2024-02

77

RE: 2024 Union Water Supply System Wholesale Water Rate

Recommended Action:

Moved by _____

Seconded by _____

That Finance and Business Services Report 2024-02 entitled 2024 Union Water Supply System Wholesale Water Rate prepared by Kate Giurissevich, CPA,CA, Director, Corporate Services/ Treasurer dated April 2, 2024 be received; and

That Council approve an amendment to Schedule “A” to By-Law Number 2291 to reflect the new fee presented by Union Water Supply System (UWSS) effective April 1, 2024.

10.5 Parks and Facilities-2024-03

83

RE: Colchester Harbour Security Services RFQ-CS-24-002

Recommended Action:

Moved by _____

Seconded by _____

That Parks and Facilities Report 2024-03 entitled Colchester Harbour Security Services RFQ-CS-24-002 prepared by Vince Murphy, Assistant Manager, Parks and Facilities, dated April 2,2024 be received;

That Council award the Colchester Harbour Security Services RFQ-CS-24-002 to Inesa Security Services for the 2024 Harbour season from May 1 to October 14, 2024; and

That Council allow the contract to be extended for the 2025 and 2026 Harbour Season, pending Inesa Security fulfills the RFQ requirements in 2024.

RE: 2024 and 2025 Asset Management Plan Consulting Services

Recommended Action:

Moved by _____

Seconded by _____

That Capital Works and Asset Management-2024-04 entitled 2024 and 2025 Asset Management Plan Consulting Services by Erica Tilley, Assistant Manager, Capital Work & Asset Management dated April 2, 2024 be received, and

That Council award the 2024 and 2025 Asset Management Plan consulting services to PSD Citywide Ltd. in the amount of \$90,871.68, including non-refundable Harmonized Sales Tax.

That Council approve the additional funding of \$30,871.68 above the approved 2024 Capital Budget of \$60,000 from the Town’s Ontario Community Infrastructure Reserve.

10.7 Operations-2024-03

RE: Deer Crossing Sign on 3rd Concession

Recommended Action:

Moved by _____

Seconded by _____

That Operations Report 2024-03 entitled Deer Crossing Sign on 3rd Concession prepared by Norm Nussio Manager, Operations and Drainage dated March18, 2024, be received; and

That Council direct Administration to install the signs as recommended within this Report.

10.8 Environmental Services-2024-02

Housing-Enabling Water Systems Fund

Recommended Action:

Moved by _____

Seconded by _____

That Environmental Services 2024-02 entitled, Housing-Enabling Water Systems Fund Application prepared by Kevin Girard, Director, Infrastructure Services and Kate Giurissevich, Director, Corporate Services dated April 2, 2024 be received; and

That Council approve Option 1 or Option 2 as outlined below:

Option #1: Proceed with Grant Application

That Council direct Administration to make an application to the Housing-Enabling Water Systems Fund for the design and construction of the Colchester Water Pollution Control Plant;

That Council appoint Stantec Consulting Ltd. to provide engineering design services in the amount of \$2,143,065.60 (including non-refundable HST) to complete preliminary and detailed design of the Colchester Water Pollution Control Plant in accordance with the completed request under Section 22 of the Town of Essex Procurement By-Law 2129; and

That Council authorize the expenditure of \$2,453,433.60 (including non-refundable HST) to complete the design of the Colchester Water Pollution Control Plant with funding of 16% from Ward 3 Wastewater Reserve and 84% from the Development Charges Reserves.

- OR -

Option 2: Do not proceed with Grant Application

That Council direct Administration to not submit the application for grant.

10.9 Operations-2024-04 119

RE: Results of Request for Tender- Supply of Wood-Brush Chipper 2024

Recommended Action:

Moved by _____

Seconded by _____

That Operations Report 2024-04 entitled Results of Request for Tender- Supply of Wood-Brush Chipper 2024 prepared by Norm Nussio Manager, Operations and Drainage dated April 2, 2024, be received;

That Council award Request for Tender- Supply of Wood-Brush Chipper 2024 to Vermeer Canada Inc in the amount of \$135,340.80 including non-refundable Harmonized Sales Tax; and

That Council approve an additional \$340.80 to be funded from Asset Management Reserve for capital project PW-24-0004.

11. Reports from Youth Members

12. County Council Update

13. Correspondence

13.1 Correspondence to be received

Moved by _____

Seconded by _____

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

13.1.1	Ministry of the Environment Conservation and Parks	124
	RE: January 2024 Inspection - Essex Drinking Water System	
13.1.2	Township of Amaranth	146
	RE: Operation Budget Funding	
13.1.3	The Corporation of Loyalist Township	147
	RE: Significant Financial and Budgetary Pressures	
13.1.4	Environment and Climate Change Canada	149
	RE: Protection of Chimney Swift and its Habitat	
13.1.5	The Corporation of the Town of Bracebridge	151
	RE: New Provincial - Municipal Fiscal Framework	

13.1.6	Township of Puslinch	153
	RE: Enbridge Gas	
13.1.7	Township of Adelaide Metcalfe	156
	RE: Increase Tile Drain Loan Amount	
13.2	Correspondence to be considered for receipt and support	
13.2.1	Ministry for Seniors and Accessibility	158
	RE: 2024 Ontario Senior of the Year Award: Request of Nominee	
	Moved by _____	
	Seconded by _____	
	That Council receives the correspondence received from the Ministry for Seniors and Accessibility and that Council nominates _____ as Town of Essex Senior of the year for 2024.	
13.2.2	Essex Festival Committee	163
	RE: Resignation of Cori McLean from the Essex Festival Committee	
	Moved by _____	
	Seconded by _____	
	That the resignation of Cori McLean from the Essex Festival Committee be received; and	
	That Council direct Administration to write a letter of appreciation and thanks for her commitment to the Essex Fun Festival Committee.	
13.2.3	OPP Detachment Board	164
	Moved by _____	
	Seconded by _____	
	That the correspondence from the Corporation of the Town of Tecumseh, dated March 25, 2024, regarding OPP Detachment Board Appointments and Administration be received and supported;	
	That Paul Sweet be appointed as the local community representative on the new Essex County OPP Detachment Board North for the remainder of this term in office;	
	That the new Essex County OPP Detachment Board-North be administered through Tecumseh, with costs incurred to administer the program being recovered equally from the three participating municipalities (Tecumseh, Lakeshore, Essex); and	
	That Administration send a letter to the Corporation of the Town of Tecumseh confirming the forgoing.	
13.2.4	Essex Festival Committee	186
	RE: Appointment of Essex Festival Committee Member	
	Moved by _____	
	Seconded by _____	
	That the application by Caitlyn Back to be appointed to the Essex Festival Committee be received/received and supported.	

14. Committee Meeting Minutes

Moved by _____

Seconded by _____

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.

14.1	Committee of Adjustment - February 13, 2024	189
14.2	Essex Centre BIA - February 27, 2024	194

15. Financial

16. New Business

17. Notices of Motion

17.1 The following Notice of Motion was first presented at the February 20, 2024 Regular Council Meeting and subsequently deferred at the March 18, 2024 Regular Council Meeting and is being brought forward this evening for Council's consideration:

17.1.1 Councillor Matyi

Moved by Councillor Matyi

Seconded by _____

That Town Administration prepare a comprehensive report that compares water-tight manhole covers to standard manhole covers by completing the following:

1. Initiate a Study: Conduct a study to assess the feasibility and benefits of water-tight manhole covers in our specific context;
2. Conduct Research: review studies, collaborate with professional networks, and review municipal practices to determine the feasibility of standardizing water-tight manholes; and
3. Report Submission: Present the comparative report to Town Council.

17.2 The following Notice of Motion was first presented at the March 4, 2024 Regular Council Meeting and subsequently deferred at the March 18, 2024 Regular Council Meeting and is being brought forward this evening for Council's consideration:

17.2.1 Mayor Bondy

Moved by Mayor Bondy

Seconded by _____

That Council direct Administration to review the Development Standards Manual, including a review of the following items, and provide a summary of what other Towns are doing for the items:

- use of v curb and barrier curbs,
- use of water pipes used by the municipality for example plastic vs copper,
- maintenance period in the Town of Essex, and

- use of surety bonds in both commercial and residential development.

17.3 The following Notice of Motion was presented at the March 18, 2024 Regular Council Meeting and is being brought forward this evening for Council's consideration:

17.3.1 Councillor Verbeek

Moved by Councillor Verbeek

Seconded by _____

That Council direct Administration to prepare a report which considers whether or not Council should pass a By-Law prohibiting the release of latex and mylar helium balloons into the air in the Town of Essex.

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 2316 208

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

Moved by _____

Seconded by _____

That By-Law 2316 being a by-law to confirm the proceedings of the March 18, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a third time and finally passed on March 18, 2024.

19.1.2 By-Law 2299 210

RE: Being a by-law to provide for the Austin C. Wright Drain: Replacement Bridge for Nelner & New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, Town of Essex, County of Essex

Moved by _____

Seconded by _____

That By-Law 2299 being a by-law to provide for the Austin C. Wright Drain: Replacement Bridge for Nelner & New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, Town of Essex, County of Essex be read a third time and finally passed on April 2, 2024.

19.1.3 By-Law 2300 288

RE: Being a by-law to provide for the Bondy No. 1 Drain: Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project D22-063, Town of Essex, County of Essex

Moved by _____

Seconded by _____

That By-Law 2300 being a by-law to provide for the Bondy No. 1 Drain: Maintenance Schedules of Assessment, Geographic Township

of Colchester South, Project D22-063, Town of Essex, County of Essex be read a third time and finally passed on April 2, 2024.

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 2319 329

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

Moved by _____

Seconded by _____

That By-Law 2319 being a by-law to confirm the proceedings of the April 2, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a first and a second time and provisionally passed on April 2, 2024.

20. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

21. Future Meetings

21.1 Monday, April 15, 2024, 4:00-5:00 PM, Special Council Meeting

RE: Zoning By-Law Amendment

Location: 33 Talbot Street South, Essex, ON N8M 1A8

Livestream available at <https://www.youtube.com/EssexOntario>

21.2 Monday, April 15, 2024, 6:00-9:00 PM, Regular Council Meeting

Location: 33 Talbot Street South, Essex, ON N8M 1A8

Livestream available at <https://www.youtube.com/EssexOntario>



The Corporation of the Town of Essex

Regular Council Meeting Minutes

March 18, 2024, 6:00 pm

Location: Essex Municipal Building, 33 Talbot Street South and by livestream at
<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.

- 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 4 Councillor Rodney Hammond
 - David McBeth, Manager, Capital Works & Asset Management
 - Corinne Chiasson, Senior Planner
- Regrets:**
- Ward 3 Councillor Jason Matyi
 - Jake Morassut, Director, Community Services
- Also Present:**
- Doug Sweet, Chief Administrative Officer
 - Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk
 - Kate Giurissevich, Director, Corporate Services
 - Lori Chadwick, Director, Development Services
 - Kevin Girard, Director, Infrastructure Services
 - Cassandra Roy, Legislative Clerk
 - Colin Pyne, Youth Council Member
 - Lauryn Smith, Youth Council Member

1. Call to Order

Deputy Mayor Shepley 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 March 6, 2024 at 9:00 AM Council moved into Closed Session as permitted to do so pursuant to Section 239 2(c) and (j) as amended, to discuss a proposed or pending acquisition or disposition of land by the municipality or local board and 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.

Mr. Malandruccolo further reported that on March 18, 2024 at 5:00 PM Council moved into Closed Session as permitted to do so pursuant to Section 239 2 (e) and (f) of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended, to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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 March 18, 2024

R24-03-092

Moved By Councillor McGuire-Blais

Seconded By Councillor Garon

That the published agenda for the March 18, 2024 Regular Council Meeting be adopted with the following amendments:

1. That Agenda Item 19.2.2 pertaining to By-Law No. 2317 be amended to reflect the posted Addendum.
2. That Councillor Matyi's Notice of Motion listed in Agenda Item 17.1.1 be deferred to the next Regular Meeting of Council.
3. That Mayor Bondy's Notice of Motion listed in Agenda Item 17.2.1 be deferred to the next Regular Meeting of Council.

Carried

7. Adoption of Minutes

7.1 Regular Council Meeting Minutes for March 4, 2024

R24-03-093

Moved By Councillor Verbeek

Seconded By Councillor Allard

That the minutes of the Regular Council Meeting held March 4, 2024 be adopted as circulated.

Carried

7.2 Special Council Meeting Minutes for February 26, 2024

RE: Tender Results for the Supply and Installation of a Back-Up Generator

R24-03-094

Moved By Councillor Garon
Seconded By Councillor Hammond

That the minutes of the Special Council Meeting held February 26, 2024 be adopted as circulated.

Carried

7.3 Special Council Meeting Minutes for February 26, 2024

RE: Committee of the Whole

R24-03-095

Moved By Councillor Verbeek
Seconded By Councillor Allard

That the minutes of the Special Council Meeting held February 26, 2024 be adopted as circulated.

Carried

8. Public Presentations

9. Unfinished Business

10. Reports from Administration

10.1 Planning-2024-07

RE: County Wide Active Transportation CWATS Annual Update

Corinne Chiasson, Senior Planner, Planning Services provided an annual update regarding the County Wide Active Transportation System (CWATS), explaining that the CWATS promotes healthy active living for all ages, all mobilities, and enhances regional recreational opportunities and outlining the major projects that were achieved in 2023 in the Town of Essex.

R24-03-096

Moved By Councillor McGuire-Blais
Seconded By Councillor Hammond

That Planning Report 2024-07 entitled County Wide Active Transportation CWATS Annual Update prepared by Corinne Chiasson, Senior Planner, dated March 18, 2024, be received.

Carried

10.2 Corporate Services-2024-01

RE: Alternative Revenue Strategies

Kate Giurissevich, Director, Corporate Services, explained that Council and Administration should start exploring additional revenues for the municipality to offset the loss of revenue from the potential closing of the landfill in 2038.

R24-03-097

Moved By Councillor Garon
Seconded By Councillor McGuire-Blais

That Corporate Services Report 2024-01 entitled Alternative Revenue Strategies prepared by Kate Giurissevich, CPA, CA, Director, Corporate Services/Treasurer dated March 18, 2024, be received; and

That Council approve the recommendations and principles for alternative revenue generation referenced within the report.

Carried

10.3 Development Services-2024-02

RE: Affordable Housing Task Force

Lori Chadwick, Director, Development Services provided an update on the Terms of Reference for the establishment of a new committee to review affordable housing in the Town of Essex and explained the recruitment process for the Affordable Housing Task Force.

R24-03-098

Moved By Councillor Verbeek
Seconded By Councillor Hammond

That Development Services Report 2024-02 entitled Affordable Housing Task Force prepared by Lori Chadwick, Director, Development Services dated March 18, 2024, be received;

That the Terms of Reference for the Town of Essex Affordable Housing Task Force attached hereto be approved; and

That Council direct Administration to initiate the Town of Essex Affordable Housing Task Force recruitment process.

Carried

10.4 Development Services-2024-03

RE: Annual Development Update to Council March 2024

Lori Chadwick, Director, Development Services, provided an annual report and update on the various potential residential, industrial and commercial projects in the Town of Essex.

Kate Giurissevich, Director, Corporate Services, explained that the Development Charges aim to recover capital costs associated with residential and non-residential growth in our municipality. She stated that a new Development Charges By-Law will be coming forth for Council's consideration in the near future.

R24-03-099

Moved By Councillor Hammond
Seconded By Councillor McGuire-Blais

That Development Services Report 2024-03 entitled 2024 Annual Development Update prepared by Lori Chadwick, Director, Development Services dated March 18, 2024, be received.

Carried

10.5 Drainage-2024-02

RE: Appointment of Engineer for the Adams Sweet Drain

Mayor Bondy provided her regrets and left the meeting at 7:56 PM.

R24-03-100

Moved By Councillor McGuire-Blais

Seconded By Councillor Allard

That Drainage-2024-02 entitled Appointment of an Engineer under Section 76 and 65 of the Drainage Act to provide an updated assessment schedule for the Adams Sweet Drain prepared by Lindsay Dean, Drainage Superintendent dated March 18, 2024 be received; and

That Council appoint Rood Engineering Inc. under Section 76 and 65 of the Drainage Act to provide an updated schedule of assessment for the Adams Sweet Drain.

Carried

10.6 Drainage-2024-03

RE: Appointment of an Engineer for the East Townline Drain

R24-03-101

Moved By Councillor McGuire-Blais

Seconded By Councillor Hammond

That Drainage-2024-03 entitled Appointment of an Engineer under Section 78 of the Drainage Act to review the East Townline Drain prepared by Lindsay Dean, Drainage Superintendent dated March 18, 2024 be received; and

That Council appoint Rood Engineering Inc. under Section 78 of the Drainage Act to review the East Townline Drain.

Carried

11. Reports from Youth Members

12. County Council Update

Deputy Mayor Shepley announced the retirement of Mary Birch, Director, Legislative and Community Services/Clerk and thanked her for her service to the County for the last 26 years.

Deputy Mayor Shepley explained that representatives from the Emergency Management of Ontario attended County Council with a presentation on the solar eclipse to help promote public awareness. He stated that early approval was provided to EMS to purchase eight ambulances, two emergency response vehicles and two pickup trucks.

County Council was updated on initiatives to reduce ambulance offload delays at local hospitals as there has been an increase in code reds and blacks.

R24-03-102

Moved By Councillor Hammond

Seconded By Councillor Allard

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 - February 21, 2024

13. Correspondence

13.1 Correspondence to be received

R24-03-103

Moved By Councillor Verbeek

Seconded By Councillor Garon

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 Essex Region Conservation

RE: Notice of Cost Apportionment

13.1.2 Town of Aurora

RE: Amenity Sharing Memorandum of Understanding (MOA) with School Boards for Evening/Weekend Gymnasium Use

13.1.3 Union Water Supply System Inc.

RE: Annual Report (2023) Requirement Section 11, Reg. 170/03 and Summary Report (2023)

13.2 Correspondence to be considered for receipt and support

13.2.1 City of Quinte West

RE: Housing Funding

R24-03-104

Moved By Councillor Verbeek

Seconded By Councillor McGuire-Blais

That the correspondence from the City of Quinte West dated March 7, 2024 requesting housing funding for municipalities be received and supported; and

That a letter of support be sent to Chris Lewis, MP Essex, Irek Kusmierczyk, MP Windsor-Tecumseh, Brian Masse, MP Windsor West, Anthony Leardi, MPP Essex, Lisa Gretzky, MPP Windsor West, Andrew Dowie, MPP Windsor-Tecumseh, and local municipalities.

Carried

13.2.2 Municipality of St. Charles

RE: Potential Municipal Operator Course

R24-03-105

Moved By Councillor Verbeek

Seconded By Councillor Hammond

That the correspondence from the Municipality of St. Charles dated February 21, 2024 regarding the Potential Municipal Operator Course be received and supported; and

That a letter of support be sent to Chris Lewis, MP Essex, Irek Kusmierczyk, MP Windsor-Tecumseh, Brian Masse, MP Windsor West, Anthony Leardi, MPP Essex, Lisa Gretzky, MPP Windsor West, Andrew Dowie, MPP Windsor-Tecumseh, and local municipalities.

Carried

13.2.3 Township of Amaranth

RE: Highway 413

R24-03-106

Moved By Councillor Verbeek

Seconded By Councillor Allard

That the correspondence from the Township of Amaranth dated February 23, 2024 regarding Highway 413 be received and supported; and

That a letter of support be sent to Chris Lewis, MP Essex, Irek Kusmierczyk, MP Windsor-Tecumseh, Brian Masse, MP Windsor West, Anthony Leardi, MPP Essex, Lisa Gretzky, MPP Windsor West, Andrew Dowie, MPP Windsor-Tecumseh, and local municipalities.

Carried

14. Committee Meeting Minutes

R24-03-107

Moved By Councillor Garon

Seconded By Councillor Hammond

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 Festival Committee - February 1, 2024

14.2 Police Service Board - February 1, 2024

14.3 Arts, Culture and Tourism - February 14, 2024

15. Financial

15.1 Section 284 - 2023 Statement of Remuneration and Expenses

RE: Statement of Remuneration and Expenses 2023

R24-03-108

Moved By Councillor McGuire-Blais

Seconded By Councillor Allard

That the Section 284 Statement of Remuneration and Expenses 2023, be received.

Carried

16. New Business

17. Notices of Motion

17.1 The following Notice of Motion was first presented at the February 20, 2024 Regular Council Meeting and subsequently deferred at the March 4, 2024 Regular Council Meeting and is being brought forward this evening for Council's consideration:

17.1.1 Councillor Matyi

Councillor Matyi's Notice of Motion was deferred to the next Regular Council Meeting on April 2, 2024.

Moved By Councillor Matyi

That Town Administration prepare a comprehensive report that compares water-tight manhole covers to standard manhole covers by completing the following:

1. Initiate a Study: Conduct a study to assess the feasibility and benefits of water-tight manhole covers in our specific context;
2. Conduct Research: review studies, collaborate with professional networks, and review municipal practices to determine the feasibility of standardizing water-tight manholes; and
3. Report Submission: Present the comparative report to Town Council.

17.2 The following Notice of Motion was presented at the March 4, 2024 Regular Council Meeting and is being brought forward this evening for Council's consideration:

17.2.1 Mayor Bondy

Mayor Bondy's Notice of Motion was deferred to the next Regular Council Meeting on April 2, 2024.

Moved By Mayor Bondy

That Council direct Administration to review the Development Standards Manual, including a review of the following items, and provide a summary of what other Towns are doing for the items:

- use of v curb and barrier curbs,
- use of water pipes used by the municipality for example plastic vs copper,
- maintenance period in the Town of Essex, and
- use of surety bonds in both commercial and residential development.

17.3 The following Notice of Motion is being presented this evening and will be brought forward for Council's consideration at the April 2, 2024 Regular Council Meeting:

17.3.1 Councillor Verbeek

Moved: Councillor Verbeek

That Council direct Administration to prepare a report which considers whether or not Council should pass a By-Law prohibiting the release of latex and mylar helium balloons into the air in the Town of Essex.

18. Reports and Announcements from Council Members

Councillor McGuire-Blais announced that the Essex Centre BIA is hosting the Hop n' Shop in the Downtown Centre on March 28, 2024 at 5:00 PM.

Councillor Garon announced that the Essex 73's Junior Hockey Team is moving onto the league finals in Lakeshore.

19. By-Laws

19.1 By-Laws that require a third and final reading

19.1.1 By-Law 2314

RE: Being a by-law to confirm the proceedings of the March 4, 2024, Regular Meeting of Council of the Corporation of the Town of Essex

R24-03-109

Moved By Councillor Hammond

Seconded By Councillor McGuire-Blais

That By-Law Number 2314 being a by-law to confirm the proceedings of the March 4, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a third time and finally passed on March 18, 2024.

Carried

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

19.2.1 By-Law 2312

RE: Being a by-law to Enter into an Agreement between the Town of Essex and Doctor Jessica Laba-Kaczmarek to Provide Consulting Services for a Nurse Practitioner

R24-03-110

Moved By Councillor Garon
Seconded By Councillor Allard

That By-Law 2312 being a by-law to Enter into an Agreement between the Town of Essex and Doctor Jessica Laba-Kaczmarek to Provide Consulting Services for a Nurse Practitioner be read a first, a second, and a third time and finally passed on March 18, 2024.

Carried

19.2.2 By-Law 2317

RE: Being a by-law to Amend By-Law No. 2215, being a by-law to Establish and Appoint Town of Essex Boards and Committees for the 2022-2026 Term of Council, to dissolve the Police Services Board

R24-03-111

Moved By Councillor Verbeek
Seconded By Councillor Hammond

That By-Law 2317 being a by-law to Amend By-Law No. 2215 being a by-law to Establish and Appoint Town of Essex Boards and Committees for the 2022-2026 Term of Council be read a first, a second, and a third time and finally passed on March 18, 2024.

Carried

19.3 By-Laws that require a first and second reading

19.3.1 By-Law 2316

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

R24-03-112

Moved By Councillor Hammond
Seconded By Councillor Garon

That By-Law 2316 being a by-law to confirm the proceedings of the March 18, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a first and a second time and provisionally passed on March 18, 2024.

Carried

20. **Adjournment**

R24-03-113

Moved By Councillor Allard

Seconded By Councillor Hammond

That the meeting be adjourned at 8:13 PM.

Carried

Mayor

Clerk



The Corporation of the Town of Essex

Special Council Meeting Minutes

March 6, 2024, 12:00 pm

McGregor Community Centre, 9571 Walker Road

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.

The purpose of this meeting is for West Townline Drain: Bridge for MN 12069 County Road 11 (Walker Road) Project.

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 4 Councillor Rodney Hammond

Absent: Ward 3 Councillor Jason Matyi

Also Present: Doug Sweet, Chief Administrative Officer
Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk
Lori Chadwick, Director, Development Services
Kevin Girard, Director, Infrastructure Services
Kate Giurissevich, Director, Corporate Services
Jake Morassut, Director, Community Services

1. Call to Order

Mayor Bondy called the meeting to order at 12:00 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. Declarations of Conflict of Interest

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

4. Adoption of Published Agenda

4.1 Special Council Meeting Agenda for March 6, 2024

SP24-03-001

Moved By Councillor Verbeek
Seconded By Deputy Mayor Shepley

That the published agenda for the March 6, 2024 Special Council Meeting be adopted as presented.

Carried

5. By-Laws

5.1 Bridge for MN 12069 County Rd 11 (Walker Road) Geographic Township of Colchester North

RE: Being a by-law to provide for the West Townline Drain, Bridge for MN 12069 County Road 11, (Walker Road), Geographic Township of Colchester North, Project REI2024D008, Town of Essex, County of Essex

SP24-03-002

Moved By Councillor Garon
Seconded By Councillor Hammond

That By-Law 2309 being a by-law to provide for the West Townline Drain, Bridge for MN 12069 County Road 11, (Walker Road), Geographic Township of Colchester North, Project REI2024D008, Town of Essex, County of Essex be read a third time and finally passed on March 6, 2024.

Carried

6. Adjournment

SP24-03-003

Moved By Councillor McGuire-Blais
Seconded By Councillor Hammond

That the meeting be adjourned at 12:05 PM.

Carried

Mayor

Clerk



Report to Council

Department: Community Services
Division: Fire and Rescue Services
Date: April 2, 2024
Prepared by: Jason Pillon, Fire Chief
Report Number: Fire and Rescue Services-2024-01
Subject: Essex Fire and Rescue 2023 Annual Report
Number of Pages: 2 (plus attachment)

Recommendation(s)

That Fire and Rescue Services Report-2024-01 entitled Essex Fire and Rescue 2023 Annual Report prepared by Jason Pillon, Fire Chief, dated April 2, 2024, be received for information.

Purpose

The purpose of the annual report is to provide Council with an annual statistical update on the level of service and activities provided by the Essex Fire and Rescue Service in 2023.

Background and Discussion

The Essex Fire and Rescue Service Annual Report aims to provide council and residents with insights into the department's activities and the organization's performance. While it offers detailed information regarding fire service operations, its broader objective is to assess overall operational effectiveness concerning public safety standards and legislation impacting public fire protection in Ontario. Within the Annual Report, you will find comprehensive details on department operations, training initiatives, fire prevention efforts, and public education activities conducted throughout 2023.

Financial Impact

There is no financial impact.

Consultations

Jake Morassut, Director, Community Services

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:	Essex Fire and Rescue 2023 Annual Report.docx
Attachments:	- Essex Fire Annual Report 2024_Revised Council.pdf
Final Approval Date:	Mar 21, 2024

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

A handwritten signature in black ink, appearing to read 'Jake Morassut', with a stylized flourish at the end.

Jake Morassut, Director, Community Services - Mar 21, 2024 - 9:55 AM

A handwritten signature in black ink, appearing to read 'Doug Sweet', with a stylized flourish at the end.

Doug Sweet, Chief Administrative Officer - Mar 21, 2024 - 10:51 AM



2023

Essex Fire and Rescue Services ANNUAL REPORT

Town of Essex



Enhancing Public and Firefighter Safety is Priority #1



Enhancing fire safety through Fire Code Compliance inspections.



Enhancing fire safety through Public Education.

Report Overview

The Essex Fire and Rescue Services is responsible for delivering fire suppression and emergency response, fire prevention and public education programs in accordance with the Fire Protection and Prevention Act. This report provides an overview of the activities associated with the Department's Suppression, Emergency Response and Fire Prevention Division in 2023.

Message from the Fire Service Leaders

Madame Mayor S. Bondy and Members of Council:

The information contained in this report is a summary of the activities of Essex Fire and Rescue Services (EFRS) for the year ending December 31, 2023.

In 2023 the number of incidents reported to the Ontario Fire Marshal's Office was 394, an increase of 17% from 2022. Examining the occurrences of the past year, a significant factor contributing to the rise was the occurrence of three major storm events in 2023. These events encompassed an ice storm, tornado and an intense rainfall storm that led to inland flooding. EFRS managed a total of 64 calls during these incidents. If these events had not occurred, our call numbers would have been nearly identical to last year's, differing by only 2 responses.

Actual fire responses totaled 34 in 2023, approximately 9% of the Department's total calls. The fire dollar loss for 2023 was estimated at \$1,751,500.00.

Highlights in 2023 include:

- Delivery of a new support apparatus at Station 3,
- Partnership with Southwest Fire Academy to develop a memorandum of understanding agreement to provide training to EFRS and neighbouring fire departments.
- Continued upgrading of the department's personal protective gear program,
- Implemented naloxone administration to enhance our tiered medical response,
- Ongoing pager replacement program,
- Nozzle, hose, and appliance replacement,
- Development of a Master Fire Plan & Community Risk Assessment,
- Upgrading of the Town's Emergency Response Plan; and
- Involvement in provincial and national associations, OAFCA, OMFPOA, CAFC, and IAFC.

In summary, Essex Fire Rescue Services personnel worked hard through 2023 providing extraordinary service to the residents, businesses, and visitors of the Town of Essex. The coming year will prove challenging for staff as they work to reduce the risk of fire in the Town of Essex and participate in several key projects such as implementing the recommendations of the Fire Master Plan, service vehicle and equipment replacements, firefighter recruitment and continuing to create a proficient service delivery model.

Thank you for your continued support to Essex Fire & Rescue.

Our Principles

Our Vision

The vision of Essex Fire and Rescue Services is to be a well-planned, well-trained, and well-equipped emergency response agency where the safety and well-being of all involved in any emergency response is paramount.

Our Mission

The mandate of Essex Fire and Rescue Services is to provide fire protection services and emergency response, public fire and life safety education, and fire prevention initiatives to protect the lives and property of the citizens, businesses, and visitors to the Town of Essex.

Our Values

The Essex Fire and Rescue Service values:

- The public's trust and the opportunity to serve,
- A work environment that promotes health, wellness and harmony, respect for each person, and is free from harassment, discrimination, and retaliation,
- Leadership committed to the Department's Mission,
- A diverse workforce that reflects the community it serves,
- A highly trained professional workforce; and
- Teamwork to effectively achieve the Department's Mission.

Fire Stations

Three fire stations are strategically located throughout the Municipality:

Station 1

55 Alice Street North, Essex



Station 2

3575 North Malden Road,
Gesto



Station 3

25 Centre Street East,
Harrow



Command Vehicles



Meet the Current Essex Fire Rescue Services Team

Fire Chief	Deputy Fire Chief	Assistant Deputy Fire Chief
Jason Pillon	Jacey Brockman	Vacant

Administrative Staff

Administrative Assistant	Firefighter
Glenda Beneteau	Kevin Fram

District Chiefs

Station 1	Station 2	Station 3
Rick Bonneau	Ed Lepain	Elwood Defour

Station #1 – Essex



Officers:

- Rick Bonneau, District Chief
- Doug McCormick, Captain
- Mark Sweeney, Captain
- Michael Rounding, Captain
- Sarah Newton, Captain

Firefighters:

- Aaron Langlois
- Adam Mitchell
- Andrew Westwood
- Brandon Chartier
- Derek Deacon
- Gary Armstrong
- Jason Blais
- Ken Broughton
- Kevin Sinn
- Rob Archambault
- Trevor Menard
- Austin Power-Wagenaar

Station #2 – Gesto



Officers:

- Ed Lepain, Fire Chief
- Justin Pulleyblank, Captain
- Mike Bosse, Captain
- Joe Meloche, Captain
- James Meloche, Captain

Firefighters:

- Angela Lang
- Brian King
- Chris Meloche
- Cole Freeman
- Debbie Dufour
- Dennis Lang
- Francis Bosse
- Jeff Stratichuk
- Kyle Renaud
- Kyle Vermast
- Logan Malenfant
- Walter Howson

Station #3 – Harrow



Officers:

- Elwood Defour, District Chief
- Gerry Vigneux, Captain
- Henry Blumenreder, Captain
- Mike Ryan, Captain
- Ric Keller, Captain

Firefighters:

- Alex Dunmore
- Brayden Uttley
- Daniel (DJ) Lacey
- Jason Hernandez
- Josh Cookson
- Kevin Mutterback
- Kyle Renaud
- Milan Tot
- Robert Welzel
- Rodney Klie
- Shawn Holliday
- Shawn Marontate
- Tom Abbott

Core Services

Fire Suppression and Emergency Response Core Services

Fire suppression services are delivered in both an offensive and defensive mode. This encompasses search and rescue operations, forcible entry, ventilation, protecting exposures, property conservation including salvage and overhaul as appropriate.

Emergency pre-hospital medical care is provided through acts such as defibrillation, standard first aid and cardiopulmonary resuscitation.

Special rescue services include performing extrication using hand tools, air bags and heavy hydraulic tools as required. Water/Ice Rescue services are provided by those firefighters who are competently trained to perform the requested level of service.

Defensive hazardous material emergency response occurs at an Awareness Level by the firefighters.

Fire Training and Development

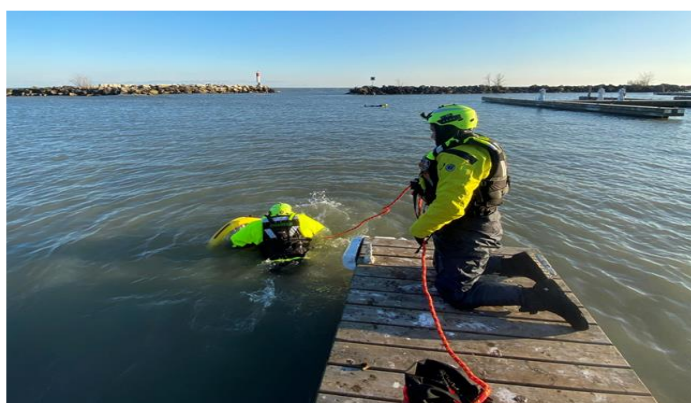
Training is the only way to ensure that Essex firefighters are well-prepared to protect the community. When combined with adequate apparatus and the necessary equipment: safe, effective, and realistic training is essential in preparing the fire service to achieve its mission of preserving life and property.

The department's goal is to present a wide variety of training evolutions which provide new skills, while also ensuring the re-evaluation of training for previously taught subjects.

In 2023 Essex Fire provided the below training to personnel:

- NFPA 1021 – Standard for Fire Officer Level I
- NFPA 1021– Standard for Fire Officer Level II
- NFPA 1521 – Standard for Fire Department Safety Officer
- Standard First Aid and CPR Re-Certification
- Advanced Auto Extrication
- Ammonia Awareness Training
- Peer Support Training – Wounded Warriors Canada
- Water and Ice Rescue Training – In 2023 we continued water-based training for our team, this training will continue annually to ensure we meet needs of the community.

Fire Training Pictures 2023



Essex Fire Provincial Certification

Firefighters:

Currently staffing 36 Firefighters. Of the 36 Firefighters, 35 are certified Firefighters. All Firefighters have been given the opportunity to certify and are required to be certified by 2026.

- Two Levels – NFPA 1001 Level I & II

Fire Officers

Currently staffing 15 Officers. All officers are certified to Level I. District Chiefs attended NFPA 1021 level II in 2023 and are currently awaiting their course results. An additional 12 firefighters also received level I certification in 2023.

- Four Levels – NFPA 1021 Level I – IV

Fire Service Instructor

37 personnel are certified or compliant to this standard.

- Two Levels – NFPA 1041 Level I & II

Fire Apparatus Driver/Operator

25 personnel are certified; the balance of the department is considered compliant to the Standard.

- Level I - NFPA 1002 (Pump Driver Operations)
- Level II - NFPA 1002 (Aerial Driver/Operator)

Technical Rescuer

Currently 10 personnel are trained to the standard, no certification has been provided provincially to date. Provincial certification expected to be completed by 2028.

- NFPA 1006 & 1670 - Water & Ice Rescue (Awareness Level, Technician Level)

Peer Support

Currently a team consisting of 10 personnel are trained to provide peer support. This team provides emotional support, which is an important contributor to recovery, peer support is a supportive relationship between people who have a lived experience in common and most importantly inspires healing and hope. Firefighter Health and Mental Wellness/ Road to Mental Readiness (R2MR) - Mental illness, Post-Traumatic Stress Disorder and Occupational Stress Injuries are on the rise in the fire service. This leadership training takes a strong foundation of promoting and maintaining resilience in oneself and now applies this information to the leadership role. The goal for EFRS is to provide annual updated training to members so they can put this knowledge into practice which assists to develop and maintain their wellbeing. The department currently has a peer support team consisting of 10 members. Peer support occurs when people provide knowledge, experience, and emotional, social, or practical help for each other.

Road to Mental Readiness (R2MR)

Currently 3 personnel are trainers for this program which is an educational-based program designed to address and promote mental health and reduce the stigma of mental illness in a first responder setting.

Emergency Response Statistics

In 2023, crews were dispatched to a total of 394 incidents.

Firefighters respond to and apply their skills and experience to a variety of response types.

The following are examples of typical responses:

Fire and Explosions

Instance of destructive and uncontrolled burning involving structures, vehicles, and open area fires, including explosion of combustible solids, liquids or gasses which may or may not have resulted in a dollar loss or an explosion or rupture because of pressure with no presence of fire.

Outdoor, No Loss Fires

Uncontrolled fires, outdoors, that did not result in a loss, injury or fatality and is not suspected to be caused by arson, vandalism or children playing.

Burning (controlled)

Complaint call related to outdoor controlled burning, authorized or unauthorized. Fire Department did not take suppression action.

CO (carbon monoxide) False Call

A call where it is determined that the detection equipment malfunctioned or there was a perceived emergency - no CO detected.

False Fire Call

Alarm activation or fire call that when investigated, is determined to be a result of equipment failure, malicious/prank, perceived emergency, or accidental activation of alarm by a person.

Medical/Resuscitator Calls

Includes a response to a patient(s) suffering from asphyxia, respiratory condition, convulsions, epileptic, diabetic seizure, electric shock, traumatic shock, heart attack, stroke, drug related incidents, cuts, abrasions, fractures, burns, person fainted, nausea and pre-hospital care such as administering oxygen, CPR, defibrillation or basic first aid.

Other Response

Assistance to other Fire Departments, calls cancelled on route, non-fire incidents where an illegal grow operation or drug operation was discovered.

Overpressure Rupture/Explosion (no fire)

Includes a response for ruptures to steam boilers; hot water tanks or other pressure vessels due to internal pressure, or any munition explosions (bombs, dynamite, and similar explosives).

Pre-Fire Conditions

Incidents with no fire that involve heat or potential pre-fire conditions e.g., pot on stove, cooking - smoke or steam, lightning, fireworks.

Public Hazard Call

Includes a response for spills and/or leaks of a hazardous product such as natural gas; propane, refrigerant, miscellaneous/unknown, gasoline or fuel, toxic chemical, radio-active material, power lines down or arcing, bomb threat, explosive removal standby, CO (carbon monoxide) or other public hazards.

Rescue Call

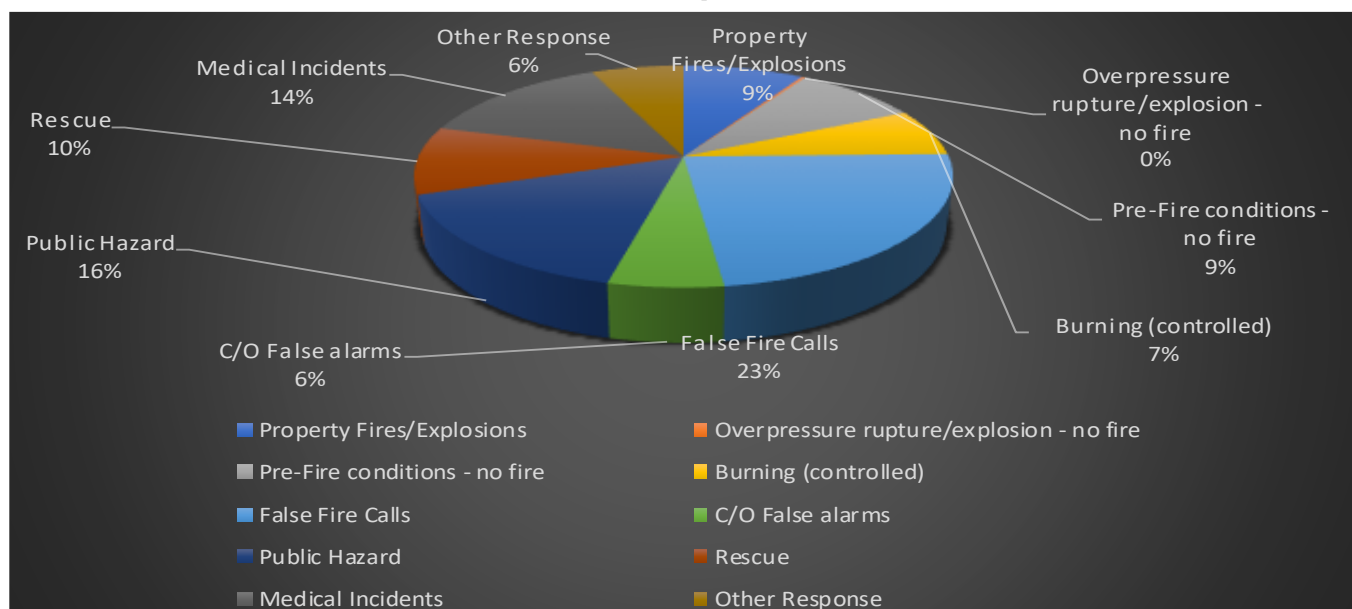
A call for a person in danger due to their proximity to the occurrence and who is unable to self-evacuate and is assisted by Fire Department personnel e.g., vehicle accident, building collapse, commercial/industrial accident, home/residential accident, persons trapped in an elevator, water rescue or water/ice rescue.



Emergency Incident Breakdown

Incident Types	2023	2022	2023% of Total	Difference from 2022
Property Fires/Explosions	34	38	8.63%	-3.55%
Overpressure rupture/explosion - no fire	1	0	0.25%	0.25%
Pre-Fire conditions - no fire	35	28	8.88%	-0.09%
Burning (controlled)	27	20	6.85%	0.44%
False Fire Calls	92	79	23.35%	-1.97%
C/O False alarms	23	15	5.84%	1.03%
Public Hazard	62	34	15.74%	4.84%
Rescue	39	39	9.90%	0.00%
Medical Incidents	55	42	13.96%	0.50%
Other Response	26	33	6.60%	-3.98%

2023 Responses



Station	Responses in 2023	Assisting other Essex Stations
Station 1 – Essex	165	1
Station 2 – Gesto	61	16
Station 3 – Harrow	168	1
Headquarters	0	0
Specialty Team	0	0
Total	394	18



On average, Essex Fire and Rescue Services crews respond to 1.07 incidents per day.



Essex Fire and Rescue Services responded to 34 fires in 2023



Provincial – Top 5 Ignition Sources of Residential Fires



1. Cooking 30.8% - Be alert when cooking and keep things that can catch fire, away from cooking area.



2. Smoking 11.6%- If you smoke, smoke outside, and before you throw away cigarette butts, make sure they are out.



3. Electrical 7.8%- Ensure electrical cords are not running across doorways or under carpets and have a qualified electrician add more receptacle outlets so you don't have to use extension cords.



4. Appliances 4.9%- Don't overload your dryer and make sure you clean the lint filter before or after each load of laundry.

5. Candles 3.6%- Blow out all candles when you leave a room or go to bed and keep candles at least 30cms away from anything that can burn.

Fire Prevention and Public Education

Fire Prevention Division Core Services

Inspections arising from complaint, request, retrofit, or self-initiated and fire investigations shall be provided in accordance with the FPPA and Departmental policies.

New construction inspections and plan reviews of buildings under construction in matters respective of fire protection systems within buildings shall be conducted in accordance with the applicable By-law and operating procedures.

Distribution of fire and life safety information and public education programs shall be administered in accordance with the FPPA and policies of the Department.

Smoke Alarm/Carbon Monoxide Program



Our in-service smoke and carbon monoxide alarm program continued throughout 2023. When our fire crew attend an incident, we ask the homeowner to inspect their smoke and carbon monoxide alarms to ensure they are not expired and operational. If their alarms are expired or inoperable, we leave a loaner to the homeowner, once they obtain a new alarm, they either return it or we attend and pick up our loaner alarm and confirm that new alarms have been installed. In 2023 we have assisted 40 households in our community with this program.

In 2023, Essex Fire visited approximately 283 homes within our community to discuss the importance of installing and maintaining working smoke and carbon monoxide alarms, and fire prevention. As we inspect homes to determine compliance with smoke and carbon monoxide alarms within the provisions of the Fire Code. During inspections it was found that approximately 147 homes were found to be compliant and the balance of homes we either assisted with new batteries, alarm placement relocation and or new alarm installations to replaced defective or expired alarms.

In Ontario, adults 65 years and older are at higher risk of dying in a fire than any other age group. Often these fires happen where people feel the safest – in their homes, many are preventable. In 2023 we continued our residential Smoke and Carbon Monoxide Alarm Awareness Program. This past year the Rotary Club of Harrow made a generous donation of \$4750.00 to acquire battery-powered smoke/carbon monoxide alarms for the residents of The Town of Essex. Throughout this period, team members distributed these alarms to seniors and all residents of the community. For those who couldn't install the alarms themselves, Essex Fire staff aided with the installation process. In addition, thanks to Project Zero funded by Enbridge Gas, we secured 210 combination alarms, further supporting this initiative throughout 2024.



Fire Prevention

Essex Fire and Rescue Services strives to develop proactive risk mitigation awareness through enhanced prevention, investigation, and enforcement strategies. This is done through a variety of functions while always having two goals in mind; preventing preventable fires and educating the public in fire safety so the tragedies of fire are minimized. The following explains the number of inspections performed and public educations activities attended through 2023.



Conducted 15 vulnerable occupancy inspections (including care occupancies, care and treatment occupancies, or retirement homes) to protect the most vulnerable residences in the community.



Conducted 22 complaint-based inspections and 91 request inspections.



Essex Fire is continuing to work with the Windsor Essex County Health Unit, conducting annual inspections at Temporary Foreign Working housing locations. 24 inspections were carried out in 2023. During our inspections we have begun leaving easy-to-read handouts and safety tip sheets in other languages.



Essex Fire conducts annual routine inspections, these inspections can include but are not limited to schools, day care centres, gas stations, apartment buildings and restaurants. In 2023 Essex Fire staff conducted a total of 330 inspections. Out of the 330 inspections 109 were classified as routine.

In 2022, Essex Council gave approval to bylaw No. 2025 which regulated the operation of Short-Term Rental Units (STRU) within the municipality. Part of this licensing included a site fire inspection by fire prevention. In 2023 Essex Fire conducted 35 STRU inspections and are continuing these inspections in 2024.

Vulnerable occupancies – The mandatory compliance date for the Qualification of Persons Responsible for Implementing and Approving Fire Safety Plans in Vulnerable Occupancies was January 1st, 2017. This requires persons responsible for implementing fire safety plans in vulnerable occupancies to have successfully completed a qualification course acceptable to the Fire Marshal. It also requires Chief Fire Officials who are responsible for approving such fire safety plans to have completed a qualification course acceptable to the Fire Marshal.

Vulnerable occupancies in the context of these requirements include the following:

- Hospitals,
- Long Term Care Homes (previously called Nursing Homes or Homes for the Aged),
- Retirement Homes regulated under the Retirement Homes Act, 2010, and,
- Care Occupancies

These facilities must annually comply with above qualifications, fire inspections, fire drills and fire safety plan reviews.

Public Education

After the Fire

One of the most opportune times to educate the public about fire safety is in the days and weeks immediately following a fire incident in the community. This is the time when fire safety is on people's minds, and they are most receptive to fire prevention and safety messages. In the Municipality, Essex Fire continues its "After the Fire" Program. As part of the program, fire personnel present at the incident provide homeowners with valuable information on what to do after the fire, the following day or shortly after the fire personnel will go door to door in that neighbourhood to educate the public on fire safety.

Emergency Preparedness Week

Emergency Preparedness week is an annual federal-provincial-territorial initiative to promote emergency preparedness across Canada. Essex Fire uses social media to raise awareness and promote Everbridge which is a key link to deliver critical life-saving emergency information. Emergency preparedness week traditionally takes place the first week of May.

Fire Prevention Week

Fire prevention week is an annual campaign that unites all fire services across North America regarding fire safety. During this week, several initiatives take place which include a colouring contest in the community schools for grades JK to Grade 4. Prizes are awarded and colouring pictures are put on display at the fire station for a year for everyone to see. Fire Prevention Week open houses are hosted at all 3 stations where EFRS personnel provide station tours and share fire safety messaging to the public.

Carbon Monoxide Awareness Week

In Ontario, more than 65 percent of injuries and deaths from carbon monoxide occur in the home. Annually, using social media and local newspapers Essex Fire raises awareness by reminding residents to install CO alarms in their homes as well as prevent carbon monoxide (CO) in the home by getting all fuel-burning appliances inspected annually.

Throughout 2023 Essex Fire personnel attended 77 public fire safety events which provided fire safety messaging to approximately 10,000 residents and visitors to the municipality of Essex.

Public education regarding fire safety was delivered at primary and secondary schools, seniors' residences, daycares, fairs, festivals, fire station tours and visits.

The following pictures are some of the public education events that Essex Fire & Rescue attended in 2023.





Essex Fire Health and Safety **B.E.S.T.** Practices

Behaviour:

- Support the physical, emotional, and mental well-being of all personnel.
- Operate all emergency apparatus and privately owned vehicles to conform to the highest road safety standards and enforce the use of seat belts.
- Develop, practice, and enforce recommended health and safety standards for all personnel.
- Monitor and ensure that all active emergency scenes maintain the utmost level of safety and fire ground accountability.

Equipment:

- Provide and require the proper use of full personal protective equipment (PPE).
- Maintain all equipment based on established safety recommendations.

Standards and Codes:

- Encourage the use of all smoke, fire detection, and fire suppression devices, including fire sprinkler systems, in all structures.
- Vigorously enforce all fire safety codes and ordinances.
- Obtain apparatus and equipment that meet safety standards.

Training:

- Use fire training programs that conform to the highest professional standards.
- Always operate a safe fire training ground.
- Establish, maintain, and deliver fire safety programs for all age groups.

Promote Comraderies and Team Cohesion:



One of Essex Fire's B.E.S.T. practices are the establishment of a working agreement between St. Clair College and The Town of Essex Fire and Rescue Service. This partnership is for the purpose of conducting non-emergency response training drills and exercises, which include live fire training as part of its Pre-Service Firefighter Education and Training Program.

Fire Departments and training/educational facilities are always looking for ways to simulate real life situations for initial and on-going training. By using modified shipping containers to build a custom training facility, the sky is the limit. Shipping containers offer a lot of flexibility and scalability, which enables the design to easily grow over time.

The training evolutions on site shall consist of the following elements.

- Passenger Vehicle Fire
- Passenger Vehicle Extrication
- Fire Control - Exterior Combustibles
- Fire Control – Interior Structure Fire
- Fire Control – Exterior Liquid Fire
- Fire Control – Coordinate Interior Attack Team
- Fire Control – Flammable Gas Cylinder Fire
- Fire Control – Ground Cover Fire



2023 Service Medals

Fire Services Exemplary Service Medal

This program, created on August 29, 1985, honours members of a recognized Canadian fire service who have completed 20 years of service, ten years of which have been served in the performance of duties involving potential risks, and were employed on or after the date of creation of the medal. Exemplary service is characterized by good conduct, industry, and efficiency. The department did not have anyone eligible for the Fire Services Exemplary Service Medal in 2023.



Ontario Fire Services Long Service Medal

First awarded in 1971, the Ontario Fire Services Long Service Medal is an expression of appreciation and recognition of uniformed staff for 25 years of dedication and hard work within the Ontario fire service. At 30 years of service and every 5 years thereafter, a service bar may be requested and added to the medal's ribbon. Spouses of medal recipients receive a companion brooch. The Ontario Fire Services Long Service Medal was awarded to the following in 2023:

- | | | |
|---------------------------------|----------|------------|
| • Chris Meloche, Firefighter | 25 Years | April 2023 |
| • Ed Lepain, District Chief | 25 Years | April 2023 |
| • Rob Archambault, Firefighter | 25 Years | April 2023 |
| • Elwood Defour, District Chief | 35 Years | June 2023 |



2023 Retirements

- | | |
|------------------------------|---------------------|
| • Rick Arnel, Fire Chief | 48 Years of Service |
| • Tom Bonneau, Captain | 33 Years of Service |
| • Mark Bosse, Captain | 32 Years of Service |
| • Dennis Didone, Firefighter | 19 Years of Service |

Essex Fire and Rescue Services would like to acknowledge and thank the following:

- All businesses and residents who support Santa's Cause for Kids.
- Essex and Harrow Food banks.
- The Rotary Club of Harrow and Enbridge Gas for their continued support to the residential Smoke and Carbon Monoxide Alarm Awareness Program.
- All the agencies, businesses and organizations that make Public Education & Fire Prevention a success in Essex.





Report to Council

Department: Community Services
Division: Fire and Rescue Services
Date: April 2, 2024
Prepared by: Jason Pillon, Fire Chief
Report Number: Fire and Rescue Services-2024-02
Subject: Emergency Management Program and Emergency Response Plan
Number of Pages: 3 plus attachment

Recommendation(s)

That Fire and Rescue Services Report-2024-02 entitled Emergency Management Program and Emergency Response Plan prepared by Jason Pillon, Fire Chief dated April 2, 2024, be received;

That the Essex Emergency Management Program and Emergency Response Plan be approved, as submitted, and

That By-Law No. 2315 being a by-law to adopt an Emergency Management Program and Emergency Response Plan governing the provisions of necessary services during emergencies for the Town of Essex be read a first, a second and a third time and finally passed on April 2, 2024

Purpose

To fulfill the requirements of the Emergency Management and Civil Protection Act, which requires that every Ontario municipality formally adopt an Emergency Management Program and Emergency Response Plan through the passage of a By-Law.

Background and Discussion

The Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (the “Act”) requires that every Ontario municipality develop, adopt by By-Law, and implement an Emergency Management Program that consists of:

- An emergency plan;
- Training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
- Education on risks to public safety and on public preparedness for emergencies; and
- Any other element required by the standards for emergency management programs set out in regulations made under the Act.

The Emergency Management Program requirement is intended to ensure that municipalities are prepared to respond to emergencies effectively. The Act specifies that, in developing an Emergency Management Program, a municipality shall identify and assess the various hazards and risks to public safety that could give rise to emergencies and identify the facilities and other infrastructure that are at risk of being affected by emergencies.

Ontario Regulation 380/04 under the Act requires that, as part of their Emergency Management Program, every municipality shall also:

- Designate an Emergency Management Program coordinator to co-ordinate development and implementation of the Emergency Management Program;
- Have an Emergency Management Program committee that advises Council on the development and implementation of the Emergency Management Program and conducts an annual review of the program;

- Have a Municipal Emergency Control Group (MECG) comprised of officials or employees of the municipality and members of Council appointed by Council (the **primary role of the MECG is to direct the municipality's response in an emergency, including implementation of the municipality's Emergency Plan**);
- Establish an emergency operations center to be used by the MECG in an emergency;
- Designate an employee as its Emergency Information Officer who will act as the primary media and public contact for the municipality in an emergency; and
- Include an Emergency Response Plan within their emergency plan that assigns responsibilities to municipal employees (by position) and sets out procedures for notifying members of the MECG in the event of an emergency.

The emergency plan component of the Emergency Management Program is intended to provide a framework for the coordinated response of the MECG, emergency responders, and community partners in the event of a disaster or emergency. The Act requires that municipalities review and, if necessary, revise their emergency plans every year. Additionally, the emergency plan must be approved by Council.

The Town's emergency response plan was revised and approved in 2022 (By-Law 2203) which is the initial framework for the Emergency Management Program. Over the last year, the lessons learned from the weather events dealt with by the Town has assisted in developing a comprehensive Emergency Management Program. As a result, of the review, By-law 2203 (attached to this report) includes a 2024 Emergency Management Program and Emergency Plan recommended for approval.

Financial Impact

Although there are no direct financial or staffing attached to this report it is worth noting that if a significant emergency situation exists, there could be a financial burden on town staffing and financial resources to mitigate that emergency. In the 2024 Budget, the Town introduced an Emergency Operating Cost Center that has \$50,000 approved for emergency efforts, if required.

Consultations

Holly Roberts, Emergency Management Ontario Field Officer

Jake Morassut, Director Community Services

Shelley Brown, Deputy Clerk Legal & Legislative Services

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:	Emergency Management Program and Response Plan.docx
Attachments:	- By-Law No. 2315 Emergency Management Program and Emergency Response Plan.pdf
Final Approval Date:	Mar 22, 2024

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

A handwritten signature in black ink, appearing to read 'Jake Morassut', with a stylized flourish at the end.

Jake Morassut, Director, Community Services - Mar 22, 2024 - 1:21 PM

A handwritten signature in black ink, appearing to read 'Doug Sweet', with a stylized flourish at the end.

Doug Sweet, Chief Administrative Officer - Mar 22, 2024 - 1:23 PM

The Corporation of the Town of Essex

By-Law Number 2315

Being a by-law to adopt an Emergency
Management Program and Emergency Response
Plan and to meet other Requirements under the
Emergency Management and Civil Protection Act

WHEREAS under the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 and Ontario Regulation 380/04 (the "Act") every municipality in the province is required to:

- Develop and implement an emergency management program, which shall consist of:
 - an emergency plan;
 - training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
 - public education on risks to public safety and on public preparedness for emergencies; and
 - any other elements required by the standards for emergency management set under the Act or by Emergency Management Ontario;
- Designate an employee of the municipality or a member of the council as its emergency management program coordinator;
- Establish an emergency management program committee;
- Establish a municipal emergency control group;
- Establish an emergency operations centre to be used by the municipal emergency control group in an emergency; and
- Designate an employee of the municipality as its emergency information officer

AND WHEREAS it is prudent that the emergency management program developed under the Act be in accordance with international best practices, including the five core components of emergency management; prevention, mitigation, preparedness, response and recovery;

AND WHEREAS the purpose of such a program is to help protect public safety, public health, the environment, critical infrastructure, and property during an emergency and to promote economic stability and a disaster resilient community;

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

Emergency Management Program

1. An Emergency Management Program for the municipality will be developed and reviewed annually by the Emergency Management Program Committee consistent with and in accordance with the Act and best practices, including the four core components of emergency management, namely: mitigation/prevention, preparedness, response and recovery, and such program shall include:
 - a. training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
 - b. public education on risks to public safety and on public preparedness for emergencies; and

- c. any other elements required by the standards for emergency management set under the Act or by Emergency Management Ontario.
2. The Emergency Management Program shall be consistent with the objectives of protecting public safety, public health, the environment, critical infrastructure, and property, and to promote economic stability and a disaster-resilient community.

Emergency Response Plan

3. The Emergency Response Plan, which has been developed in accordance with the requirements of the Act and best practices, and which is attached hereto as Schedule A is hereby adopted (the “Plan”).
4. The Plan shall be reviewed annually by the Community Emergency Management Coordinator (“CEMC”) and the Town’s Emergency Management Program Committee. The CEMC is authorized to make such administrative changes to the Plan as appropriate to keep the Plan current, such as personnel, organizational and contact information updates. Any significant revision to the body of the Plan shall be presented to Council for approval.
5. When an emergency exists but has not yet been declared to exist, Town employees and the Municipal Emergency Control Group may take such action under the Plan as may be required to protect property and the health, safety and welfare of the inhabitants of the Town.

Emergency Management Program Coordinator (“CEMC”)

6. The Fire Chief is hereby appointed as the primary Emergency Management Program Coordinator known also known as the Community Emergency Management Coordinator responsible for the emergency management program for the Town including maintenance of the Plan, training, exercises, public education and such other duties and responsibilities as outlined in the Act.
7. The Deputy Fire Chief and Assistant Deputy Fire Chief are hereby appointed as alternate CEMCs to act in place of the primary CEMC in his/her absence.

Emergency Management Program Committee

8. The mission of the Emergency Management Program Committee is to oversee the development, implementation, and continuous improvement of the Town’s Emergency Management (“EM”) Program.

Meetings

The Committee shall hold a minimum of 3 (three) meetings per calendar year.

Composition

The persons holding the following positions in the municipality shall be members of the Emergency Management Program Committee:

Voting members

- Director, Community Services
- Fire Chief
- Deputy Fire Chief
- Assistant Deputy Fire Chief

Non-voting members

- OPP Inspector/Representative
- Paramedic Services (EMS) Chief/Representative
- County CEMC
- Social Services Manager
- Health Unit Emergency Representative
- Red Cross Disaster Management Coordinator
- ERCA Representative
- EMO Field Officer

9. The Director, Community Services is hereby appointed as chair of the Emergency Management Program Committee.
10. The Emergency Management Program Committee shall advise Council on the development and implementation of the municipality's Emergency Management Program and shall review the program annually.

Municipal Emergency Control Group

11. The persons shall be members of the Municipal Emergency Control Group (MECG):

Municipal Emergency Control Group ("M.E.C.G")

The emergency response will be directed by members of the M.E.C.G. The M.E.C.G. is responsible for coordinating the provision of management, resources necessary to minimize the effects of an emergency on the community, and monitoring and control of the emergency response/and or possibilities. The members of the M.E.C.G. are:

- Mayor
- CAO
- CEMC/Fire Chief
- Alternate CEMC/ Deputy Fire Chief
- Director, Corporate Services
- Director, Community Services
- Director, Development Services
- Director, Infrastructure Services
- Director, Legislative Services/Clerk
- Deputy Clerk
- Manager, Human Resources
- Manager, Strategic Communications
- Manager IT
- Executive Assistant to the CAO & Council

The M.E.C.G. will fill roles according to the functions of Incident Management System ("IMS"), as noted below. The IMS functions will be filled based on the needs of the emergency. The Section Chiefs may activate various functions under their Section as deemed necessary by the emergency. Not all functions will be activated for all emergencies.

- Emergency Operations Centre Commander
- Liaison Officer
- Emergency Information Officer
- Safety Officer
- Operations
- Planning

- Logistics
- Finance

Community Partners to provide assistance/technical information to M.E.C.G., as required.

- OFMEM Sector Field Officer
- OPP Representative
- Paramedic /EMS Representative
- Social Services Representative
- Health Unit Representative
- ERCA Representative
- Others

Emergency Operations Centre

12. A primary and an alternate Emergency Operations Centre have been established for use by the Emergency Control Group in an emergency and with the appropriate technological and telecommunications systems to ensure effective communication in an emergency. The locations of the Emergency Operations Centres are identified in an annex to the Plan.

Emergency Information Officer (“EIO”)

13. The Town’s Manager, Strategic Communications is hereby appointed as the Emergency Information Officer for the municipality to act as the primary media and public contact for the municipality in an emergency.

Administration

1. **That** The Plan shall be made available to the public for review and copying through requests made to the Community Emergency Management Coordinator during regular business hours.
2. **That** The Plan, or any amendments to the Plan, shall be submitted to the Chief, Emergency Management Ontario identified in the Act.
3. **That** By-law 2203 is hereby repealed in its entirety.
4. **That** this By-Law shall come into full force and effect upon the final passing thereof.

Read a first, a second and a third time and finally passed on April 2, 2024.

Mayor

Clerk



Report to Council

Department: Development Services

Division: Planning

Date: April 2, 2024

Prepared by: Rita Jabbour, RPP, Manager, Planning Services

Report Number: Planning-2024-08

Subject: Draft Plan of Subdivision Approval, Ducharme Lane Residential Subdivision, Phase 2 (Applicant: Fantuz Holdings Inc. c/o Gary Taveirne) (County of Essex File No.: 37-T-24003), Ward 2

Number of Pages: 3 including attachments

Recommendation(s)

That Planning Report 2024-08 prepared by Rita Jabbour, RPP, Manager, Planning Services dated April 2, 2024 be received, and

That the Manager of Planning Services for the County of Essex be requested to give Draft Plan of Subdivision Approval to 1128737 Ontario Limited for the development of Phase 2 of the Ducharme Lane Residential Subdivision on lands comprising PT LTS 1 and 2 CONCESSION 12 to permit the development of eighteen (18) single detached dwellings, in accordance with the draft plan prepared by Dillon Consulting and dated February 20, 2024 and subject to the following conditions:

1. That the Applicant enters into a subdivision agreement with the Municipality wherein the Applicant agrees to satisfy all the requirements, financial and otherwise, of the Municipality concerning the payment of development charges (including educational development charges), provisions of roads, installation and capacity of services,

including sanitary sewage collection systems, water distribution system, private utilities and stormwater management facilities for the development of the lands within the plan,

2. That the subdivision agreement include a condition to the satisfaction of the Town of Essex that acknowledges that sanitary allocation equivalent to 18 single detached dwellings for the proposed development will be available for a period of three (3) years commencing on the date of adoption of draft plan approval and that the allocation shall be deemed null and void should in the opinion of the corporation, construction of the dwellings not commence within the period specified in the condition,
3. That the Applicant be required to provide to the Municipality cash in lieu of parkland,
4. That the Applicant provide an easement along those lots that abut the Walker Drain to the satisfaction of the Town of Essex and for the purposes of drain maintenance and prohibiting buildings and structures within the easement, and,
5. Such other conditions requested by the Manager of Planning Services for the County of Essex as a condition of Draft Plan of Subdivision approval.

Purpose

To recommend draft plan approval to the Manager of Planning Services at the County of Essex for Phase 2 of the Ducharme Lane Residential Subdivision in the McGregor Secondary Settlement Area (Ward 2).

Background and Discussion

Please refer to the attached presentation.

Financial Impact

There is no financial impact because of draft plan approval. All costs for the preparation of the studies and the construction of the infrastructure will be borne by the Applicant.

Consultations

Jake Morassut, Director, Community Services

David McBeth, Manager, Capital Works and 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:	Request for Draft Plan of Subdivision (Ducharme Lane Phase 2) (File No. 37-T-24003) - Planning-2024-08.docx
Attachments:	- Ducharme Lane Phase 2.pdf
Final Approval Date:	Mar 27, 2024

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

Rita Jabbour, Manager, Planning Services - Mar 27, 2024 - 8:58 AM



Lori Chadwick, Director, Development Services - Mar 27, 2024 - 9:18 AM



Doug Sweet, Chief Administrative Officer - Mar 27, 2024 - 9:20 AM



Planning Report 2024-08

Draft Plan Approval, Phase 2,
Ducharme Lane Residential
Subdivision (Ward 2)

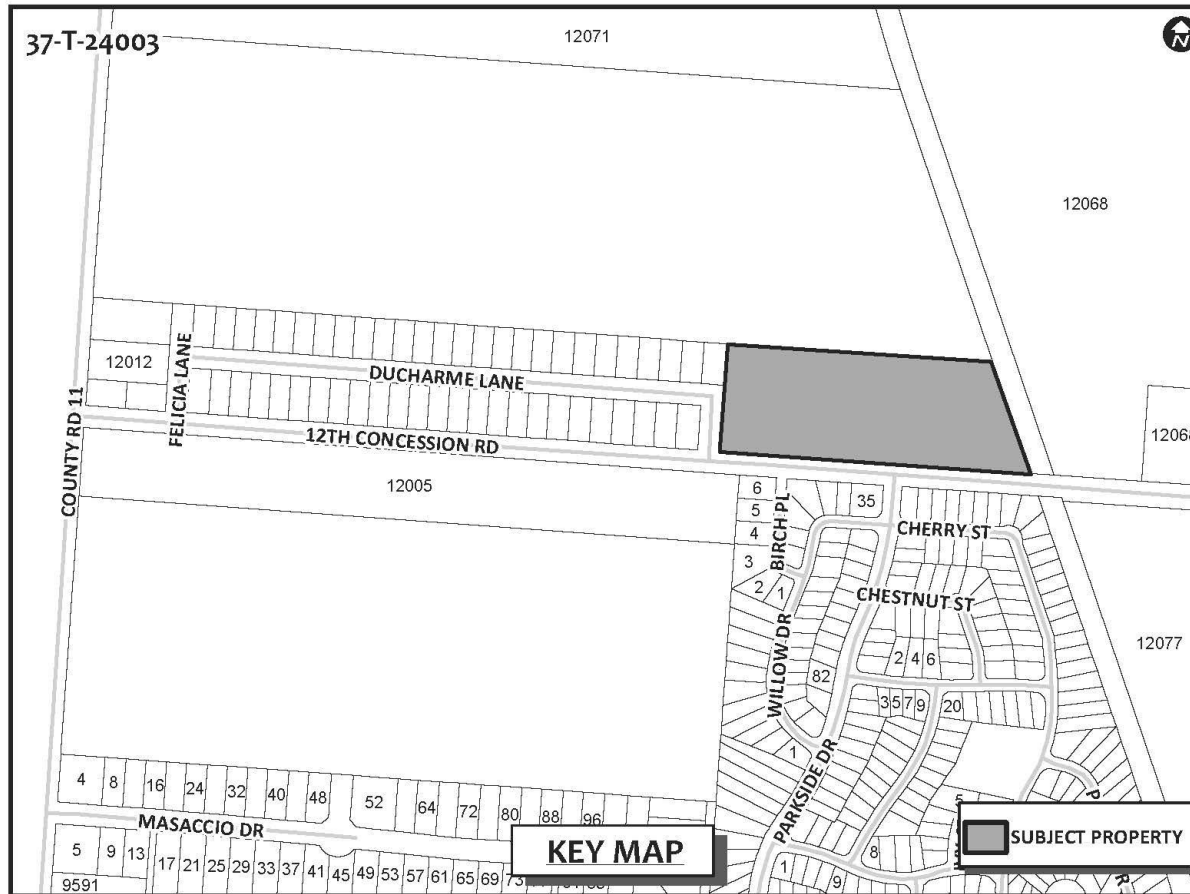
Tuesday April 2, 2024

Purpose of Report

- 1) To provide members of Council and the public with information respecting a Draft Plan of Subdivision for Phase 2 of the Ducharme Lane Residential Subdivision (Ward 2), and,
- 2) To recommend Draft Plan Approval to the County of Essex with conditions.

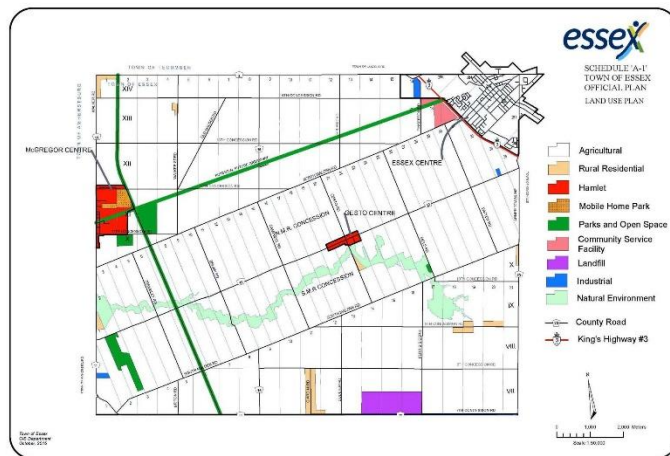
Subject Lands

Subject Lands



Subject Lands

- Located in **McGregor Secondary Settlement Area**
- Designated “**Hamlet**” in Official Plan
- Zoned to permit Low Density Residential Dwellings (Single Detached) under Bylaw 1037
- Planning authorities must encourage residential intensification in settlement areas



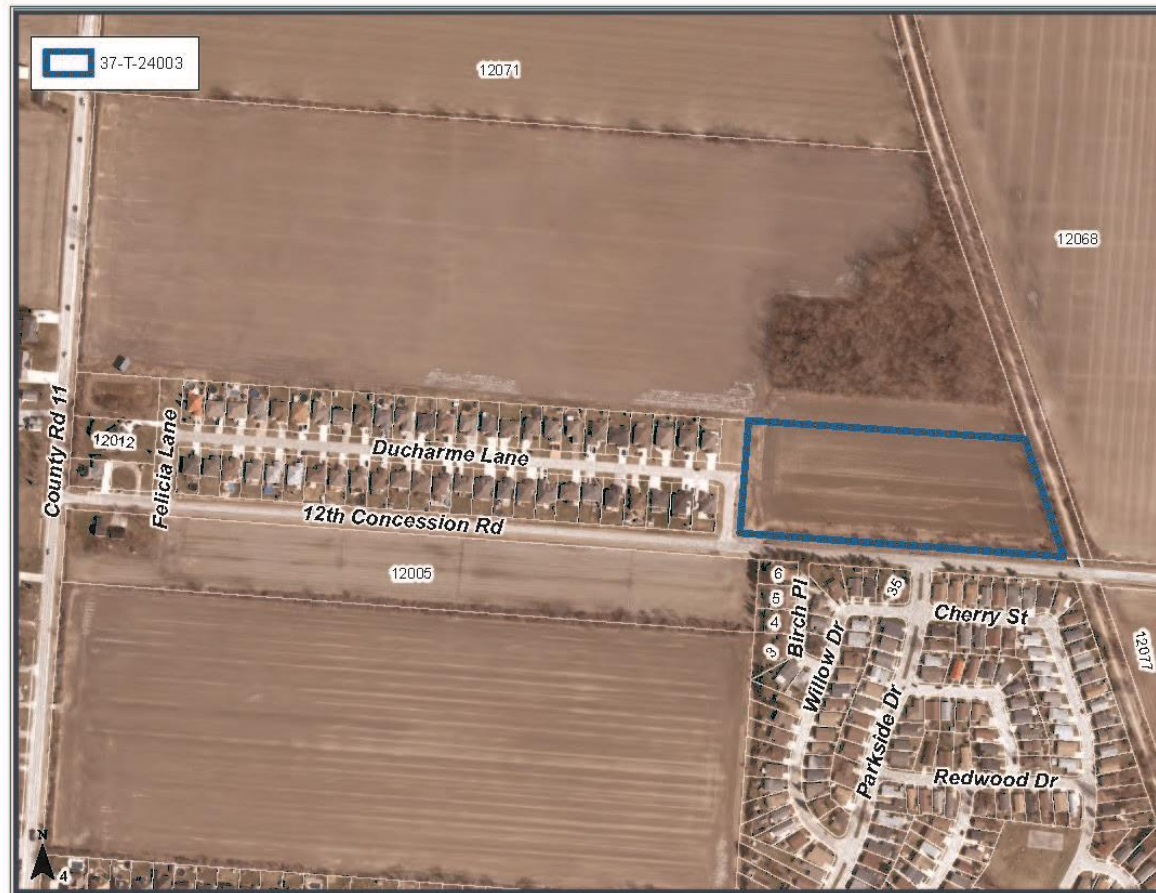
Subject Lands

- Vacant lands on the West Side of Ducharme Lane, north of 12th Concession Road
- Zoned to permit Low Density Residential Dwellings (Single Detached) under Bylaw 1037
- Subject to a Holding (H) Zone restriction under Bylaw 1037

Subject Lands

- Adjacent to existing low density residential development along Ducharme Lane
- Adjacent to the Greenway, an active transportation system now owned and managed by the Essex Region Conservation Authority (ERCA)

Subject Lands



Subject Lands

Environmental Considerations:

- Natural Heritage Feature exists to the North and natural vegetation exists along the easterly property limit adjacent the Greenway
- Located within ERCA's regulated Area

Subject Lands

Servicing Considerations:

- Lands are accessed from the 12th Concession Road (Local Road) which connects to County Road 11
- Municipal water and sanitary services are available and through the Town of Amherstburg

Proposed Plan of Subdivision

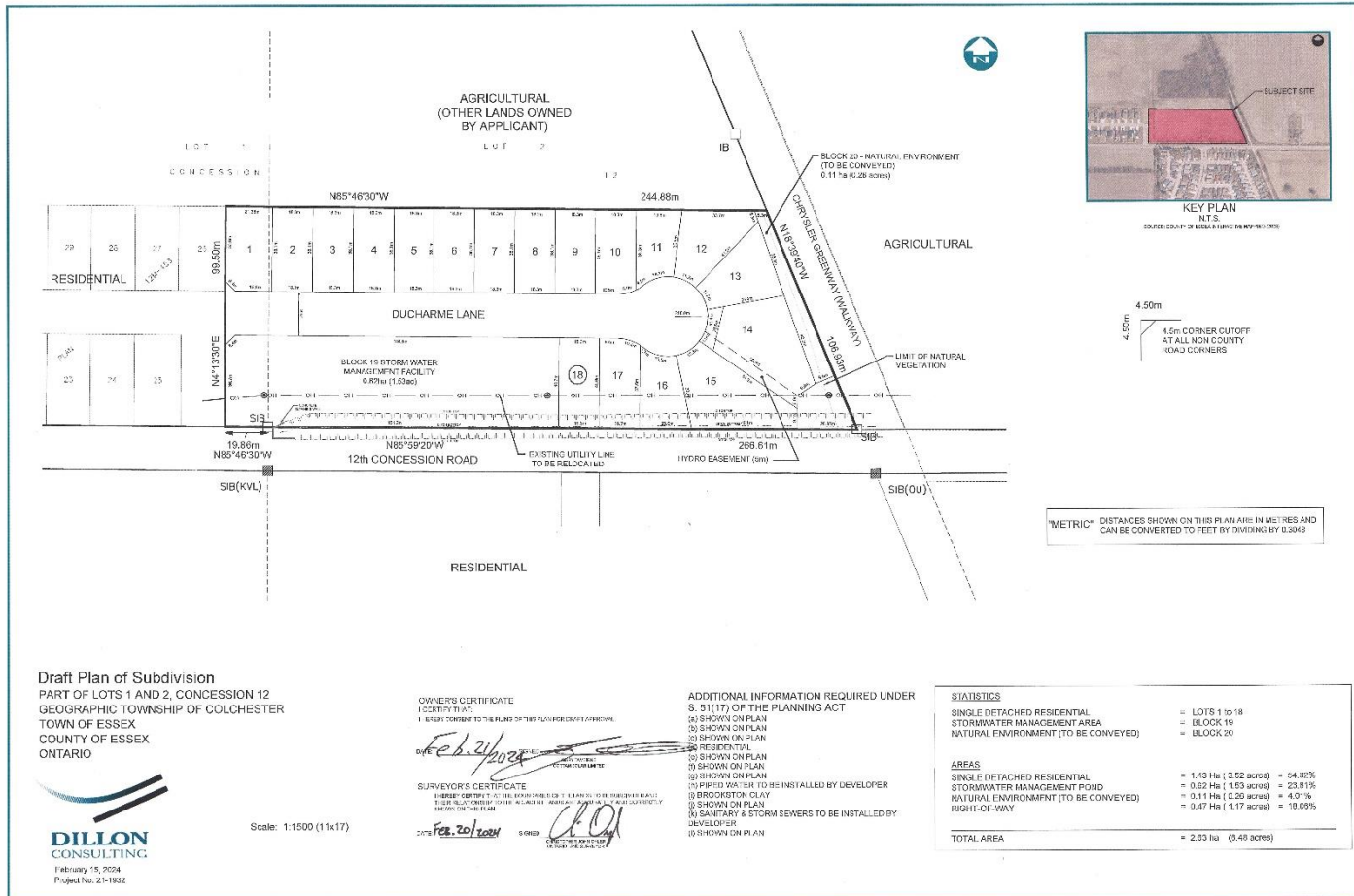
Proposed Plan of Subdivision

- Applicant: 1128737 Ontario Limited (c/o Gary Taveirne)
- Proposing the creation of eighteen (18) lots for the construction of eighteen (18) *single-detached dwelling units*

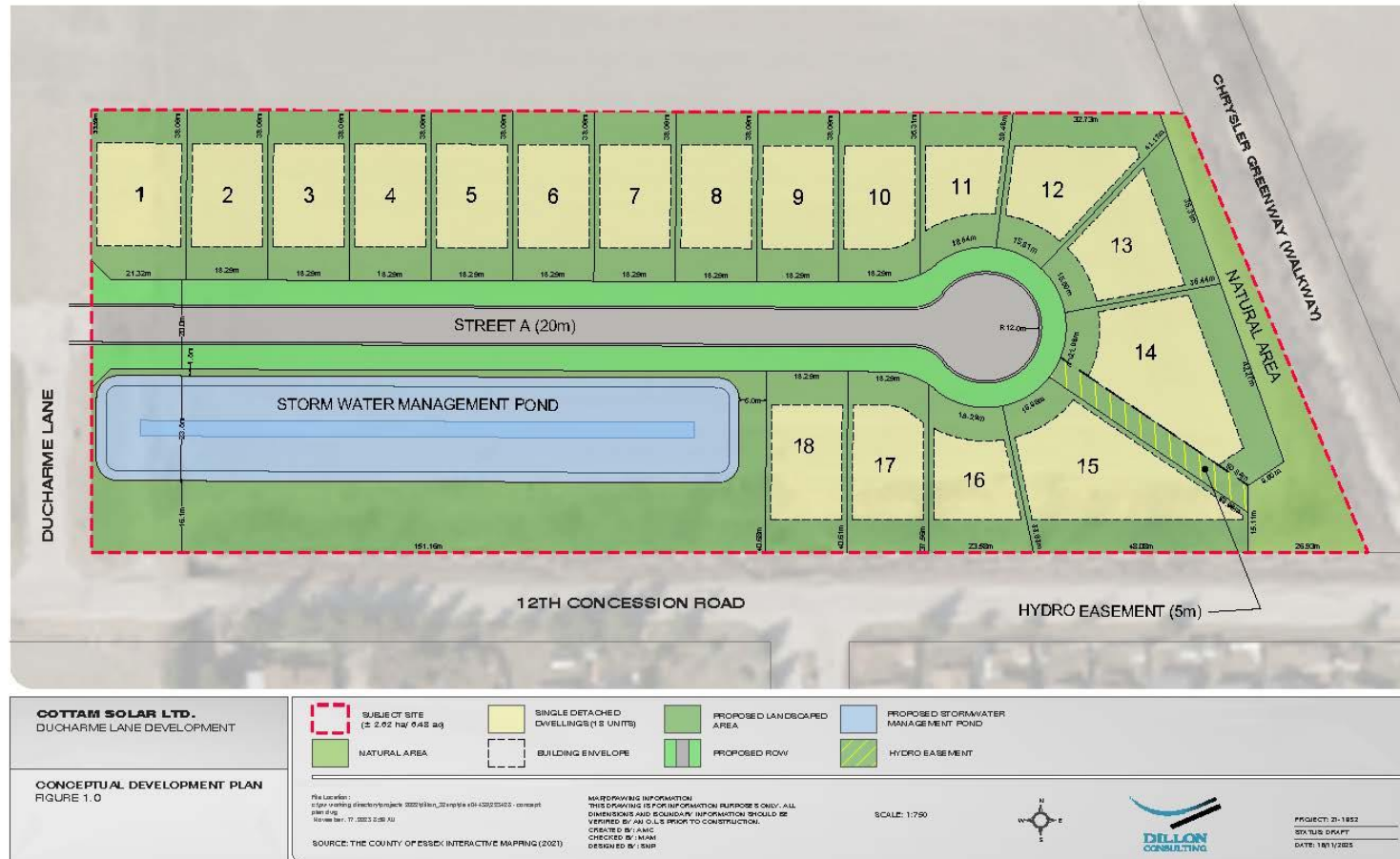
Proposed Plan of Subdivision

- A *Single-detached dwelling* is defined as one dwelling having one (1) dwelling unit.

Proposed Plan of Subdivision



Proposed Plan of Subdivision



Proposed Plan of Subdivision

Required Studies (Received and Approved):

- Stage 1 and 2 Archaeological Assessment
- Setback Opinion Memo for Natural Heritage Feature
- Functional Servicing Report
- Stormwater Management Report
- Water Servicing Memo

Proposed Plan of Subdivision

- The proposed plan is in keeping with the land use designation under the Official Plan and lot regulations for the established zoning district under Bylaw 1037

Agency Comments

Agency Comments

Town of Essex

- Recommend approval of the Draft Plan of Subdivision, subject to the following conditions:
 - Applicant to enter into a development agreement with the Town
 - Applicant to provide cash in lieu of parkland
 - Applicant to provide easement for drain maintenance over lots abutting walker drain
 - Condition respecting sanitary allocation

Next Steps

Next Steps

1. **April 2, 2024:** Council to provide resolution of support with recommended conditions as presented in Planning report 2024-08,
2. County of Essex will provide their Notice of Decision with conditions to the Applicant and Town,
3. Town of Essex Planning services will prepare a Subdivision Agreement for Council adoption with the recommended conditions,
4. Applicant will sign the agreement and commence construction on municipal services (roads, water, sanitary, storm , electrical)
5. Applicant has three (3) years to satisfy all the conditions of draft plan approval,
6. Final approval of subdivision from County of Essex is granted following completion of all conditions and installation of services, allowing the individual lots to be sold.
7. Hold is removed and building permits for dwelling construction can be issued.

Questions



Report to Council

Department: Corporate Services
Division: Finance and Business Services
Date: April 2, 2024
Prepared by: Kate Giurissevich, CPA/CA, Director, Corporate Services/ Treasurer
Report Number: Finance and Business Services-2024-02
Subject: 2024 Union Water Supply System Wholesale Water Rate
Number of Pages: 3

Recommendation(s)

That Report "Finance and Business Services-2024-02" entitled 2024 Union Water Supply System Wholesale Water Rate prepared by Kate Giurissevich, CPA,CA, Director, Corporate Services/ Treasurer dated April 2, 2024 be received, and

That Council approve an amendment to Schedule "A" to By-Law Number 2291 to reflect the new fee presented by Union Water Supply System (UWSS) effective April 1, 2024.

Purpose

Bylaws and Amendments to By-Laws require Council approval.

Background and Discussion

On January 25th, 2024 a letter was received by the Town from UWSS regarding their 2024 increase. This rate increase is \$0.0214 per cubic meter and is effective April 1, 2024. The **Town's current water rates are detailed in By-law 2291**, where the adopted rate at January 1, 2024 was \$0.71 per Cubic Metre, therefore the new revised rate for UWSS is \$0.7339.

Effective January 1, 2024, Union Water Supply System is now a Municipal Services Corporation and as such, the Town is required to separately show their Treatment and Transmission Rate. Only certain residents with access to the UWSS system have this rate applied. The rate is for operating and capital expenditures required to operate the UWSS and was approved by the UWSS Board. This rate was previously included in the volume rate for Ward ½ residents.

Financial Impact

There is no financial impact to the Town as the collection of the UWSS rate is remitted back to UWSS.

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:	2024 UWSS Wholesale Water Rate - Finance and Business Services-2024-02.docx
Attachments:	- 01-25-24 Ltr to CAOs Rate Increase 2024 (REVISED).reviewed.pdf - Bylaw 2291 - Water and Sanitary Sewer Rates with Schedules A and B.pdf Amendement.pdf
Final Approval Date:	Mar 22, 2024

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

A handwritten signature in black ink, appearing to read "Doug Sweet", with a stylized flourish extending from the end.

Doug Sweet, Chief Administrative Officer - Mar 22, 2024 - 1:23 PM



Union Water Supply System Inc.

P.O. Box 340, 1615 Union Avenue, Ruthven, Ontario, N0P 2G0

Telephone: 519-326-1668

Email: rbouchard@unionwater.ca

www.unionwater.ca

SENT BY: email

Original sent January 25, 2024

(REVISED February 28, 2024)

Municipality of Leamington
111 Erie St. N.
Leamington, Ontario
N8H 2Z9

Attention: Mr. Peter Neufeld, Chief Administrative Officer

Town of Kingsville
2021 Division Road North
Kingsville, Ontario
N9Y 2Y9

Attention: Mr. John Norton, Chief Administrative Officer

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

Attention: Mr. Doug Sweet, Chief Administrative Officer

Municipality of Lakeshore
419 Notre Dame Street
Belle River, Ontario
N0R 1A0

Attention: Mr. Truper McBride, Chief Administrative Officer

Dear CAOs,

RE: Union Water Supply System Wholesale Water Rates Increase effective April 1, 2024

At its meeting on January 17, 2024, the Union Water Supply System Inc. Board of Directors passed the following resolution:

No. UWSS-03/24

Moved by: Director Shmoranz

Seconded by: Director Kissner

That the Union Water Supply System Inc. Board of Directors (Board) adopts the Proposed 2024 Operational and Capital Budget for the Union Water Supply System.

Union Water Supply System Inc. - 2024 Rate Increase Letter
(Revised)

And further, that the Board adopts an increase of \$0.0214 per cubic metre for the UWSS Treatment and Transmission Rate (Rate). The new proposed Rate for 2024 would be \$0.7339 per cubic meter.

Carried

Please note that the change in the wholesale rate is effective April 1, 2024.

Please do not hesitate to contact me if you have any questions or comments.

Yours truly,



Rodney Bouchard, CEO
Union Water Supply System Inc.
kmj

cc: Laura Rauch, Katie McLean, Shannon Belleau, Nelson Carvalho, Ryan McLeod, Margaret Schroeder, Shaun Martinho, Kevin Girard, Kate Giurissevich, Rob Mackie, Garry Punt, Krystal Kalbol, Justin Rousseau

Description of Water Charge and Ward in which Charge Applies		Amount of Charges
Schedule "A" to By-Law Number 2291		
Water Rates and Charges Effective January 1, 2024		
Monthly Base Charge:		
Ward 1	\$	21.31
Ward 2	\$	21.31
Ward 3	\$	21.31
Ward 4	\$	21.31
Charge per Cubic Metre of Water Consumed:		
Ward 1 - UWSS Wholesale Rate*	\$	0.71
Ward 1 - Distribution Rate	\$	0.78
Ward 2 - Wholesale Rate*	\$	0.71
Ward 2 - UWSS Wholesale Rate*	\$	0.78
Ward 2 - Town System	\$	1.49
Ward 3 - UWSS Wholesale Rate*	\$	0.71
Ward 3 - Distribution Rate*	\$	1.00
Ward 3 - Town System	\$	1.71
Ward 4 - Town System	\$	1.71
Deposit - New Water Accounts (Tenants)	\$	129.57
Deposits increased by CPI - Total (12-month change) - Ontario September 2023 of 3.8%		
*Rate that is collected for Union Water Supply System as they are now a Municipal Services Corporation		

April 1, 2024

0.73

0.73

0.73



Report to Council

Department: Community Services
Division: Parks and Facilities
Date: April 2, 2024
Prepared by: Vince Murphy, Assistant Manager, Parks and Facilities
Report Number: Parks and Facilities-2024-03
Subject: Colchester Harbour Security Services RFQ-CS-24-002
Number of Pages: 3

Recommendation(s)

That Parks and Facilities -2024-03 entitled Colchester Harbour Security Services RFQ-CS-24-002 prepared by Vince Murphy, Assistant Manager, Parks and Facilities, dated April 2,2024 be received, and

That Council award the Colchester Harbour Security Services RFQ-CS-24-002 to Inesa Security Services for the 2024 Harbour season from May 1st to October 14th, 2024., and

That Council allow the contract to be extended for the 2025 and 2026 Harbour Season, pending Inesa Security fulfills the RFQ requirements in 2024.

Purpose

In accordance with the Town's Procurement and purchasing By-Law Number 2129 a Request for Quotation was issued for the Harbour Security Services for the 2024 season, with an option to extend for 2025 and 2026. The vendor Inesa Security Services has provided the most cost-effective hourly rates for the services requested under the RFQ-CS-24-002.

Background and Discussion

The Security vendor will be responsible for the protection of property and ensure that all policies of the Harbour are complied with. The vendor is to provide security services at the Colchester Harbour and park grounds from May 1 until Canadian Thanksgiving Monday of each year, seven (7) days per week during the hours of 10:00pm until 6:00am.

A Request for Quotation **was posted on the Town's website and closed on March 06, 2024.** Prior to the closing of the RFQ process administration conducted a mandatory site meeting on Wednesday February 28, 2024, at 100 Jackson Street, in Harrow to review the scope of work and expectations of the Colchester Harbour Security Services RFQ-CS-24-002.

There were seven (7) vendors who bid on this proposal. All seven (7) were at the mandatory site meeting. The results are listed below.

Bidder Name	Regular Hourly Rate including H.S.T.	Over Time Hourly Rate including H.S.T.	Holiday Hourly Rate including H.S.T.
Security First Ltd	\$28.00	\$42.00	\$42.00
Signal of Windsor	\$27.88	\$41.82	\$41.82
Edmond Protection and Consulting Inc	\$27.00	NIL	\$55.00
Lotus Security Services	\$28.00	\$42.00	\$42.00
Inesa Security Services	\$23.00	NIL	\$34.50
2871958 Ontario Inc	\$25.00	\$25.00	\$25.00
G Force Security Inc	\$23.65	\$35.48	\$35.48

Inesa Security Services submitted the lowest Regular Hourly Rate, and they are the previous service provider for this location with satisfactory services. The lowest bid for Holiday Hourly Rate was submitted by 2871958 Ontario Inc. However, these hourly rate submissions must be

reviewed in combination, not individually. There are five days of Holiday in each Harbour Season which includes Victoria Day, Canada Day, Civic Holiday, Labour Day and Thanksgiving. The total extra costs of holiday pay between the lowest bidder, 2871958 Ontario Inc., and Inesa are \$380.00 (i.e. \$9.5 X 8 hours X 5 days = \$380.00). This pricing difference will be offset by the total expected savings from the Regular Hourly Rate Bid. For example, the additional holiday cost is \$380.00, divided by the regular hourly difference of \$2.00 (Inesa bid vs 2871958 Ontario Inc.) means that after 190 hours (or 23.75 days) the savings are realized. As a result, Inesa Security Services submitted the Overall Lowest Offer and is recommended be the successful bidder.

Financial Impact

There is no financial impact as this expenditure was included in the approved 2024 operating budget.

Consultations

Jackson Tang, Assistant Manager, Finance and Business Services

Rodney Klie, Manager, Parks, and Facilities

Jake Morassut, Director, Community Services

Kate Giurissevich, Director, Corporate Services/Treasurer

Doug Sweet, CAO

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:	Colchester Harbour Security Services RFQ-CS-24-002 Results - Parks and Facilities-2024-03.docx
Attachments:	
Final Approval Date:	Mar 22, 2024

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



Jake Morassut, Director, Community Services - Mar 22, 2024 - 1:20 PM



Kate Giurissevich, Director, Corporate Services - Mar 22, 2024 - 1:24 PM



Doug Sweet, Chief Administrative Officer - Mar 22, 2024 - 1:27 PM



Report to Council

Department: Infrastructure Services

Division: 24

Date: April 2, 2024

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

Report Number: Capital Works and Asset Management-2024-04

Subject: 2024 and 2025 Asset Management Plan Consulting
Services

Number of Pages: 4

Recommendation(s)

That Capital Works and Asset Management-2024-04 entitled 2024 and 2025 Asset Management Plan Consulting Services by Erica Tilley, Assistant Manager, Capital Work & Asset Management dated April 2, 2024 be received, and

That Council award the 2024 and 2025 Asset Management Plan consulting services to PSD Citywide Ltd. in the amount of \$90,871.68, including non-refundable Harmonized Sales Tax.

That Council approve the additional funding of \$30,871.68 above the approved 2024 Capital Budget of \$60,000 **from the Town's** Ontario Community Infrastructure Reserve.

Purpose

In accordance with the Town Procurement By-Law Number 2129, Council approval is required to waive the requirement for a competitive process under Section 22.02. Council approval is required for requests outside of the Approved Budget.

Background and Discussion

In 2015, O. REG. 588/17 ASSET MANAGEMENT PLANNING FOR MUNICIPAL INFRASTRUCTURE was created under the Infrastructure for Jobs and Prosperity Act by the Province of Ontario. Under this regulations, lower-tier municipalities were required to institute and maintain asset management plans and policies. This regulation has required specific reporting dates for core and non-core assets.

The below diagram, Figure 1, **details the timeline of O.REG.588/17 requirements.** The Town's original Asset Management Plan (AMP) was developed in 2017. The legislation requirements have continued to evolve since then with the development of an Asset Management Policy being required in 2019. Updates were completed to the AMP for the 2022 submission to include details regarding core assets. Additional updates to the AMP are required for the 2024 submission to include details regarding non-core assets and extensive updates for 2025 submission to include financial planning details.

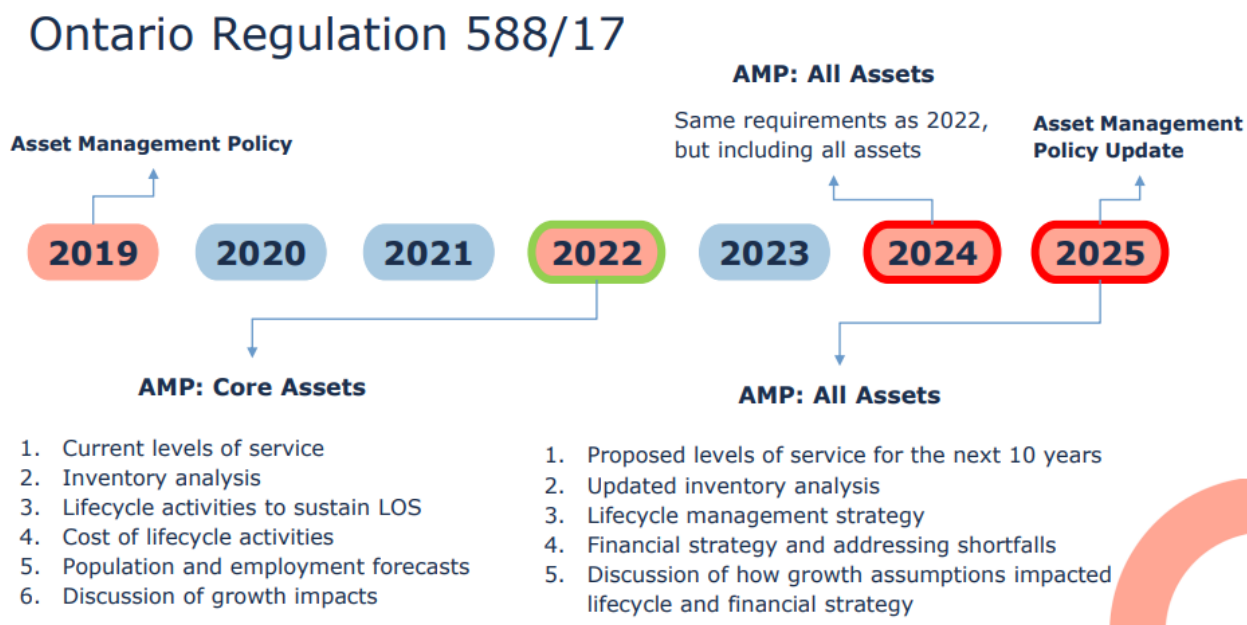


Figure 1: Ontario Regulation 588/17 (Special Council Meeting Presentation - October 3, 2022 (Asset Management Plan))

Since the Town's first AMP in 2017, the Town of Essex has used a third-party consultant, PSD Citywide, to host and maintain our asset management database. In 2022, the Town of Essex completed its 2022 Asset Management Plan (AMP), which was also prepared by PSD Citywide for the Town's core assets. The AMP can be found on the Town's website under Townhall – Publications, Plans and Reports – Asset Management Plan.

As displayed in Figure 1 above, the next deadline to be complaint to O. REG. 588/17 will require an update to the AMP for non-core assets by July 1, 2024. The Town has already been performing a cleanup of our non-core assets in our PSD Citywide database but requires further assistance to complete the final reporting documents by the deadline. The 2024 approved budget includes \$60,000 for this work.

In 2025, there will be extensive updates to AMP required by legislation as of July 1, 2025, which includes, but is not limited to the final proposed levels of service for each asset, including lifecycle management and financial strategy for a 10-year period.

The Town's Asset Management Team had reached out to PSD Citywide for assistance in meeting our 2024 & 2025 Requirements. PSD Citywide indicated to the Town that to be complaint for the 2025 submission, updates would take approximately 12 months to complete. Additionally, there is a cost savings of approximately \$7,800 when enlisting PSD Citywide to complete both annual requirements simultaneously commencing this year.

Administration is therefore recommending that the consulting services for these reports be single sourced to PSD Citywide to prepare and finalize our 2024 and 2025 Asset Management Requirements. As mentioned above, PSD Citywide prepared the previous report, and this would ensure continuity, efficiency and provide a cost savings by combining their efforts this year.

Financial Impact

As per the 2024 approved budget, \$60,000.00 has been allocated for the 2024 non-core asset works. A quote was solicited by the Asset Management Team from PSD Citywide in the amount of \$90,871.68 including non-refundable Harmonized Sales Tax. The quote includes the required work for both the 2024 and 2025 Regulation Requirements, AMP reports, asset management clean-up and making the reports AODA accessible. The 2024 Approved Budget has already allocated \$60,000 for asset management services (funded from Ontario Community Infrastructure Fund (OCIF)) and Administration recommends that the remaining \$30,871.68 above the approved 2024 Capital Budget be funded from the OCIF Reserve. A **portion of this work won't be completed until 2025**, but given the savings on combining the 2024 and 2025 requirements, administration believes the most fiscally responsible decision is to approve the projects under one scope.

Consultations

Kevin Girard, Director, Infrastructure Services

David McBeth, Manager, Capital Works and Asset Management

Kate Giurissevich, CPA, CA, Director, Corporate Services/Treasurer

Link to Strategic Priorities

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

Report Approval Details

Document Title:	AMP Consulting Services - Capital Works and Asset Management-2024-04.docx
Attachments:	
Final Approval Date:	Mar 27, 2024

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



Kevin Girard, Director, Infrastructure Services - Mar 27, 2024 - 9:24 AM



Kate Giurissevich, Director, Corporate Services - Mar 27, 2024 - 3:08 PM



Doug Sweet, Chief Administrative Officer - Mar 27, 2024 - 3:31 PM



Report to Council

Department: Infrastructure Services
Division: Operations
Date: April 2, 2024
Prepared by: Norm Nussio C.E.T., CRS-I, Manager of Operations and Drainage
Report Number: Operations-2024-03
Subject: Deer Crossing Sign on 3rd Concession
Number of Pages: 3

Recommendation(s)

That Operations-2024-03 entitled "**Deer Crossing Sign on 3rd Concession**" prepared by Norm Nussio Manager of Operations and Drainage dated March 18, 2024, be received, and

That Council direct Administration to install the signs as recommended within this report.

Purpose

To provide a recommendation for the installation of a deer crossing sign on the 3rd concession.

Background and Discussion

At the January 15, 2024, Regular Council meeting, Council provided direction as a result of Councillor Brad **Allard's** notice of motion regarding the installation of a deer crossing sign on the 3rd concession in Harrow.

R24-01-016

That Council direct Administration to prepare a report and provide a recommendation on installing deer crossing signs at the wooded area on the 3rd concession near the Arner Townline.

Moved By Brad Allard
Seconded By Jason Matyi
Carried

After consultation with Essex Region Conservation Authority (ERCA), we have agreed that installing signs in the wooded area near the Arner Townline in the west bound and east bound lanes would be the most appropriate location and a map has been attached for **council's** review.

Financial Impact

The total cost to install the deer crossing signs are estimated to be approximately \$600.00 plus taxes and will be installed by Town of Essex Public Works Department and the cost will be funded under the 2024 operating budget. These signs **will also be included int the Town's** capital inventory for lifecycle replacement.

Consultations

Kevin Girard, Director of infrastructure Services

Essex Region Conservation Authority (ERCA)

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:	Deer Crossing Sign on 3rd Concession - Operations-2024-03.docx
Attachments:	- 3rdCon_DeerXing.pdf
Final Approval Date:	Mar 27, 2024

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

A handwritten signature in black ink, appearing to read 'K. Girard', with a large loop at the end.

Kevin Girard, Director, Infrastructure Services - Mar 27, 2024 - 9:25 AM

A handwritten signature in black ink, appearing to read 'Doug Sweet', with a long horizontal stroke at the end.

Doug Sweet, Chief Administrative Officer - Mar 27, 2024 - 9:29 AM

4th Concession Rd

County Rd 23

Suffolk Rd

3rd Concession Rd

County Rd 20

Iler Rd





Report to Council

Department: Infrastructure Services
Division: Environmental Services
Date: April 2, 2024
Prepared by: Kevin Girard, P.Eng., MBA
Director, Infrastructure Services
Kate Giurissevich, CPA, CA
Director, Corporate Services/Treasurer
Report Number: Environmental Services-2024-02
Subject: Housing-Enabling Water Systems Fund
Number of Pages: 17

Recommendation(s)

That Environmental Services 2024-02 entitled, "**Housing-Enabling Water Systems Fund Application**" prepared by Kevin Girard, Director, Infrastructure Services and Kate Giurissevich, Director of Corporate Services dated April 2, 2024 be received, and

That Council approve Option 1 or Option 2 as outlined below:

Option #1: Proceed with Grant Application

That Council direct Administration to make an application to the Housing-Enabling Water Systems Fund for the design and construction of the Colchester Water Pollution Control Plant;

That Council appoint Stantec Consulting Ltd. to provide engineering design services in the amount of \$2,143,065.60 (including non-refundable HST) to complete preliminary and detailed design of the Colchester Water Pollution Control Plant in accordance with the completed request under Section 22 of the Town of Essex Procurement By-Law 2129; and

That Council authorize the expenditure of \$2,453,433.60 (including non-refundable HST) to complete the design of the Colchester Water Pollution Control Plant with funding of 16% from Ward 3 Wastewater Reserve and 84% from the Development Charges Reserves.

- OR -

Option 2: Do not proceed with Grant Application

That Council direct Administration to not submit the application for grant.

Purpose

In accordance with By-Law 1924 for the Delegation of Authority, Council approval is required **to submit an application for grant funding. In addition, Council's approval is required to waive** the requirements for proposals, tender and quotations for consulting and professional services **under Section 22.02 of the Town's Procurement and Disposal of Goods and Services By-Law.** Councils approval is also required for budget requests outside of the annual approved budget.

Background and Discussion

Housing-Enabling Water Systems Fund (HEWSF)

In November 2023, as part of the Building Faster Fund the Provincial Government announced the Housing-Enabling Water Systems Fund (HEWSF) to help achieve its goal to build 1.5 million homes by 2031. This grant is an investment from the Province of \$200 million over 3 years to help municipalities repair, rehabilitate, and expand critical drinking water, wastewater and stormwater in an effort to promote growth and enable housing development. *As of March 21, 2024, this was increased by the Province by \$625 million to a total of \$825 million in available funding.* The objective the of grant is to:

- Enable growth and housing opportunities;
- Increase access to potable water; and
- Increase treatment and/or management of wastewater and stormwater.

The Province will fund a maximum of 73% (up to \$35 million) with the municipality required to fund all remaining eligible project costs, or minimum of 27%. However, there is no information on how the funds will be disbursed, therefore, there is no way at this time to determine the amount of funding that may be offered to municipalities.

The project conditions set by the Province are:

- That construction cannot start before **September 30, 2024** and be completed by **March 31, 2027**.
- Project soft costs such as design are eligible back to April of 2023.
- Projects should enable housing.
- Project must have completed their Duty to Consult (DTC) and Environmental Assessments (EAs).
- **Projects should be informed by the Town's Asset Management Plan.**
- Buildings must meet or exceed applicable energy efficiency standards.
- Projects must meet or exceed the requirements of the highest published accessibility standards applicable.

Considering the criteria of the grant, the only project that would be applicable at this time is the expansion of the Colchester South Sewage Lagoon.

Colchester South Sewage Lagoon Expansion

On July 19, 2022, Council authorized Administration to complete an Environmental Assessment (EA) of the Colchester Sanitary System to address potential future residential growth in the Colchester and Lakeshore Residential Settlement Areas, namely the Colchester Bay

development along with multiple other subdivision development currently in the Planning stages of development.

On July 17, 2023, Council received and endorsed the results of the *“Colchester South Sewage Works Expansion – Schedule ‘C’ Municipal Class Environmental Assessment”* along with a presentation from the Engineering Consultant who completed the Environmental Study Report (ESR), Stantec Consulting. The report was finalized, and a Notice of Completion and subsequent 30-day public review process completed in December of 2023. A copy of the final report can be found on the Town’s website at <https://www.essex.ca/en/town-hall/publicationsplansandreports.aspx>.

The recommendation from the ESR endorsed by Council was to replace the existing wastewater lagoon system with a Sequencing Batch Reactor (SBR) Facility, similar to the design and layout of the current Essex Wastewater Pollution Control Plant located on North Malden Road. The recommendation from the December 2023 EA is to make system conveyance upgrades and to construct Phase 1 (in blue) of the SBR facility displayed in Figure 1. In detail, this project includes the following:

- Upgrades to lift stations No. 2, 3, 5, 6, and 7 within the conveyance system.
- Upgrades to influent (main) pumpstation No. 1 at the lagoon site
- Construct a Sequencing Batch Reactor (SBR) wastewater treatment facility, including:
 - Construction of new headworks - Screening & Grit Building
 - Three (3) SBR tanks
 - Two (2) Aerated Sludge Holding Tanks
 - Blower Building
 - Ultraviolet (UV) disinfection building
 - Decommission lagoon cells into wetlands and wet weather flow attenuation pond

Figure 1: Colchester Lagoon Expansion Conceptual Design



As per Table 11.2 of the Colchester South Sewage Works Expansion EA (Table 1 herein), the estimated cost of the necessary upgrades to the Colchester Sanitary System to accommodate future growth was displayed as follows:

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Table 1: Opinion of Probable Capital Cost for Preferred Solution (Table 11.2)

Item	Description	Probable Cost
1	Pumping Station No. 1 Upgrades	\$1,600,000
2	Pumping Station No.'s 2, 3, 5, 6, and 7 Upgrades	\$3,000,000
3	Wastewater Treatment Facility <ul style="list-style-type: none"> • Screening and Grit Building • Blower Building • SBR (Three Tanks) • Aerated Sludge Holding Tank (Two Tanks) • U.V. Disinfection Building 	\$24,000,000
Sub-total Construction Cost		\$28,600,000
Contingency Allowance (30%)		\$8,600,000
Engineering Allowance (15%)		\$5,600,000
TOTAL CAPITAL COST (excluding taxes)		\$42,800,000

Application to the Housing-Enabling Water Systems Fund

For the first time in a long time, there is a water system fund available that the Town of Essex would be eligible for. Considering the cost of the plant proposed in Table 1, this is an opportunity to construct the expansion to the system that might otherwise not be built by the Town or may be too financially burdensome on the Town and the development community. Therefore, it is the recommendation of Administration to proceed with an application to the Housing-Enabling Water Systems Fund for the improvements to the Colchester Wastewater System.

As the Town's engineer of record on many water projects as well as the engineering consultant of the Colchester Sewage Works Expansion EA, the Town has engaged Stantec Consulting to discuss the possibility of constructing this project in accordance with the conditions of the HEWSF application. Through their experience, it was determined that to build a plant of this nature takes approximately 24 months. Considering the Essex Pollution Control Plant,

construction completed in June 2006, took approximately 22 months, this timeframe seems practical given its similarity in technologies, layout, and conceptual design. Since the HEWSF requires that projects are to be completed before March 31, 2027, this would mean that the detailed design, tendering, and award of the construction contract would need to be completed by April of 2025. The design of a facility of this nature is complex and is estimated to take minimum of sixteen (16) months, however, as an international consulting firm, Stantec Consulting has committed to pooling global resources to design this facility on an accelerated schedule within one (1) year, including all necessary permits, permissions from MECP, and other review agencies. **Therefore, in order to complete this project in accordance with the HEWSF, it would require the Town to sole source to Stantec Consulting to complete the design starting immediately in April 2024 at a cost of \$2,143,065.60 including non-refundable HST, ahead of finding out whether we would be successful in our application to the fund.**

The proposed schedule drafted by the Town and Stantec is outlined in Table 2. It should be noted that this schedule does not include any contingency for major delays, however, it would be necessary in order to receive the full funding for this program.

Table 2: Project Schedule

Milestone	Description	Projected Date
Report to Council	Authorization to complete design and apply for HEWSF grant	April 2, 2024
Grant Application Due	Submit Grant by	April 19, 2024
Preliminary Design Initiation Meeting	Pre-Design Initiation Meeting	Early April 2024
Submission 1	Town Review of Draft Pre-Design Report, 30% Design Submission	May 2024
Submission 2	Permits and Approvals Application	June 2024
Submission 3	Final Pre-Design Report, 30% Design Submission	June 2024
Detailed Design Initiation Meeting	Detailed Design Initiation Meeting	June 2024
Announcement of Grant	Province notifies if we were successful or not	est. July 2024

Submission 4	Town Review of 60% Design Submission	September 2024
Submission 5	Town Review of 90% Design Submission	November 2024
Submission 6	Town Review of 100% Design Submission	Late December 2025
Submission 7	Submission of Tender Documents	Mid-January 2025
Tender Period	40 calendar days	February 2025
Tender Award	Report to Council	March 2025
Construction Start	Construction on Plant	April 2025
Construction Completion	Construction of Plant Completed	March 2027
Maintenance Period	1 year warrantee period completed	March 2028

In addition, the Town requested Stantec to provide a proposal to complete the contract administration and inspection services for the Town in order to be able to make a complete application to the HEWSF, which was provided at cost of \$2,322,000 (not including HST). With this information, the total cost of the project that would be included in the application are shown in Table 3.

Table 3: Estimated Cost of the Project

Item	Description	Estimated Cost
1	Pumping Station No. 1 Upgrade	\$ 1,600,000.00
2	Pumping Station No. 2, 3, 5, 6, 7	\$ 3,000,000.00
3	Wastewater Treatment Facility <ul style="list-style-type: none"> - Screening and Grit Building - Blower Building - Three (3) SBR tanks - Two (2) Aerated Sludge Holding Tanks - UV Disinfection Building 	\$ 24,000,000.00
Sub-Total Construction Cost		\$ 28,600,000.00
Contingency (25%)		\$ 7,150,000.00
Engineering Design		\$ 2,106,000.00
Miscellaneous Expenses		\$ 305,000.00
Engineering Contract Administration & Inspection		\$2,322,000.00
Total Cost		\$ 40,483,000.00
Total Construction Cost incl. net HST		\$ 41,195,500.80

Benefit vs. Risk

This section has been prepared to present Council with the potential risks associated with the project and grant application.

Risk: The Town completes the design of the plant but doesn't receive the provincial funding.

- The project will sit "shovel-ready" until Council commits to the increase in debt and funding sources proposed in the Financial Impact Section
- Will make this project more desirable for other grant applications in the future.
- Spending the money on the design now will be less expensive than it will be in the future due to anticipated inflationary increases.
- The Town would be required to take on debt (approx. \$1.9 million) which would be repaid through development charges as they are collected.

Risk/Benefit: The Town receives the full eligible funding from the province (73%).

- Council will have the option to review the terms of the agreement if we are successful in receiving any funding.
- If successful, Administration will make recommendations based on the proposed agreement from the province.
- The Town would then be required to fund the remaining 27% of the project which is broken down within the Financial Impact section
- Council still has the option to turn down funding when presented, however, the costs for design will have been incurred however there could be a negative political perception of refusing awarded grant money from both the local and upper tiers of government as well as the public.

Risk/Benefit: Billions needed in province-wide need for funding to accommodate growth, especially in light of changes to DC Act related to Bill 23.

- It's likely that funds will be disbursed to municipalities who provide the greatest potential for housing starts, which may be focused more on large cities, upper-tiers, joint applications, and municipalities in the GTA.
- Disbursement of funding could also be based on economic development growth in the region (i.e. Battery Plant, New International Bridge)

Risk/Benefit: The Town Builds the plant and growth stalls.

- Increased cost to operate the plant as opposed to the lagoon which would need to be **incorporated into the Town's Existing Wastewater Rates.**
- Development Charges reserve used for plant expansion expenses will take longer to recover. The Town would need to explore flexible payment arrangements in the case monies from Development Charges are not sufficient to cover the required payment. This could mean an increase in interest on the outstanding loan balance.
- SBR plant is more environmentally friendly (must meet more stringent effluent criteria) and helps **protects the Town's drinking water source at the Harrow-Colchester Water Treatment Plant.**
- An SBR plant will help to reduce phosphorus levels (cause of algal blooms and blue-green algae) in Lake Erie in accordance with the Western Basin of Lake Erie Collaborative Agreement signed by Ontario and Michigan in 2015.
- **The Town's current lagoon system is aging and becoming less reliable and will require significant capital in the medium term (5-10 year) horizon.**
- Building the plant will create a wet weather attenuation pond and upgrades to the liftstations which will reduce the risk of basement flooding in Colchester.

Financial Impact

As outlined within this report, to be eligible for the HEWSF, it is necessary to initiate the detailed design immediately and in advance of finding out if the Town had a successful grant

application. Therefore, this would require that Council authorize the single sourcing of Stantec Consulting in the amount of \$2,143,065.60 including non-refundable HST plus an additional budget of \$310,368.00 for miscellaneous expenses related to the project. This would require long-term debt borrowing by the Development Charge Reserve of approximately \$1.9 million given that neither the Wastewater Reserve nor Development Charge Reserve has sufficient balance to fund the entirety of the expense. Which means there is an incidental interest cost to this expenditure as well of \$229,867.84. The entire financial impact of proceeding with detailed design without having obtained the grant is described below in Table 4. **It's important to note that this would be the 'sunk' costs associated with the engineering design of the project should the Town not be successful in obtaining the HEWSF monies.**

Table 4: Sunk Costs if Application is Approved by Council

Option	Description	Estimated Cost including net HST	Source of Funding	Total Estimated Debt Required
Proceed with Application	Engineering Design & Miscellaneous Expenses	\$2,453,433.60	84% Development Charges and 16% Wastewater Reserves	\$1,947,445.27
	Internal Borrowing Interest on Long-term Debt (5-year loan)	\$229,867.84		
Project Total		\$2,683,301.44		

To see the complete picture of the grant application and the potential cost and funding impacts, Table 5 has been prepared to summarize the total costs and funding sources proposed for the project broken into two scenarios being either the grant is approved, or the grant is denied. Please note that the internal borrowing interest (financing costs) outlined in Table 4

have been removed from the Scenario 1 engineering design costs as a result of obtaining the grant. The **Town's consultant Watson's and Associates** identified that the Town portion can be covered by 84% Development Charges and 16% Wastewater Reserves.

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Table 5: Expenses and Funding for Grant Scenarios

SCENARIOS of Grant Outcome

	Description	Estimated Cost Including net HST	Source	Total Estimated Debt Required
SCENARIO 1: Grant APPROVED	Engineering Design & Miscellaneous Expenses*	\$2,453,433.60	73% Grant, 27% Town (84% Development Charges and 16% Wastewater Reserves)	\$8,943,139.58
	Interest on Long-term Debt (10-year loan)	\$2,168,750.03	100% Town (84% Development Charges and16% Wastewater Reserves)	
	Construction, Contingency, Permits, etc.	\$38,742,067.20	73% Grant, 27% Town (84% Development Charges and 16% Wastewater Reserves)	
Project Total		\$43,364,250.83		
Provincial Contribution		\$30,951,690.48		
Town Contribution		\$12,412,560.40		
SCENARIO 2: Grant DENIED	Engineering Design & Miscellaneous Expenses*	\$2,453,433,60	84% Development Charges and 16% Wastewater Reserves	\$40,402,951.42
	Interest on Long-term Debt (20-year loan)**	\$22,630,769.95		
	Construction, Contingency, Permits, etc.**	\$38,742,067.20		
Project Total		\$63,826,270.75		
100% Town Contribution		\$63,826,270.75		

* Would already be incurred as a result of the recommendation of this report

** Does not include any inflationary increases/decreases due to construction or financing

The two main funding sources of both scenarios include Development Charge Reserve and Wastewater Reserves. Development Charge Reserves are monies paid by developers or homebuilders on building permit issuance to the Town to fund the cost of growth-related

infrastructure. Wastewater Reserves are monies paid by users of the Wastewater System for the maintenance and renewal of that system. The overall principal for funding this project is a split of 84% from Development Charges as it is mainly to accommodate growth, and 16% from Wastewater Reserves as a portion of the project does improve existing infrastructure, as recommended by our consultant, Watson and Associates.

For Scenario 1, being successful in obtaining the grant, the grant would cover 73% of the design and construction costs with development charges funding approximately 23% and wastewater reserves 4%. Conceptually, the development charge for wastewater could be more than \$6,000 per single residential unit, compared to the existing charge of \$3,003.

For Scenario 2, without the grant, development charges would be required to fund 84% of the construction costs. Scenario 2 shifts most of the cost burden to developers, meaning that the Development Charge to be paid in Ward 3 will inherently increase substantially to cover this large, forecasted expenditure. Conceptually, the development charge for wastewater could be more than \$25,000 per single residential unit, compared to the existing charge of \$3,003. The remaining 16% would be funded through Water/Wastewater Reserves, which means an increase in rates would also be required to fund the plant expansion. This has been detailed below.

Debt Capacity

Should Council choose to proceed with the application of the grant, additional debt of approximately \$1.9 million would be incurred as neither the Development Charge Reserve nor the Wastewater Reserve has sufficient available balance to fund the impacts of the project. In both Scenario 1 and 2, additional debt would be required as detailed in Table 5.

When additional debt is incurred, the Town must review its Annual Repayment Limit (ARL) which is issued annually by the Minister of Municipal Affairs and Housing (MMAH). The ARL defines what new debt payments and principal amounts the Town could take without seeking further Ministry approval. The 2024 ARL states that the Town could obtain up to \$77 million in

new (external) debt under a 20-year term at 5%, which means that this new debt is within the ARL and would be permissible by MMAH. However, it is important to note that within Scenario 2, should the grant be denied, the Town would be using over half of the prescribed available debt capacity in the forecast range 2031-2041.

The Town should also review the MMAH Financial Indictors pertaining to new debt which defines the risk levels. In 2023, the Town had *moderate risk* for the Indicator “Debt Servicing Cost as a % of Revenue (DSC/Revenue)” which was at 6.3%. A projection was performed and in Scenario 1 the DSC/Revenue reaches up to 9.3% which would be *moderate risk and an estimated total debt balance of approximately \$29 million*. Scenario 2, the DSC/Revenue reaches up to 7.5% which would be *moderate risk and a total estimated debt balance of \$48 million*. *Note: all debt projections assume NO other debt is added in the forecast years.*

Operating/Rate Impacts

The Town is currently undergoing a study on its Water/Wastewater rates. This is done routinely to ensure that the fees charged are appropriate to cover current and expected operating and capital programs and requirements. The Consultant was able to prepare some preliminary rate impacts which have been detailed in Table 6.

There are operating expenditures that accompany the completion of the plant. These have been reflected in the proposed rate increase scenarios below.

Should the grant not be received, and expansion not considered, rate increases would still be required at 3%. This is due to inflationary impacts that were seen, mainly within the cost of chemicals as well as the OCWA contract. The Water Billing transition did not result in a rate increase.

Table 6: Scenarios for Ward 3&4 Wastewater Rates

Scenario	Current Monthly	Rate Impact 2027-2031	Estimated Town Average	Monthly \$ increase/ household	Estimated County-wide Average
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	Bill/ Household*		monthly bill/household*		monthly bill/ household*
Grant Approved	\$76.95	9%	\$83.87	\$6.92	\$65.21
Grant Denied- Expansion considered in 2031-2041		6%	\$81.56	\$4.61	
No expansion		3%	\$79.25	\$2.30	

**Based on 27m³ consumption.*

The projected material increases in expenses due to the payment of debt for the expansion and the operational impacts has essentially outpaced the growth (or new households) anticipated., which is the reason for the larger increase should the grant be received.

In situations such as this, without the potential of a grant, a rate increase should be incorporated into rates to address the future expansion, but the timing of the expansion would then be **driven by the Development Community. Arrangements such as “front-end” financing** could be considered where the interested developer(s) essentially prepays the development charge so that the infrastructure can be constructed, thus limiting the debt burden on the municipality, and ensuring that the growth is more certain.

Consultations

Doug Sweet, Chief Administrative Officer

Jackson Tang, Assistant Manger of Business Services

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:	Housing-Enabling Water Systems Fund Application - Environmental Services-2024-02.docx
Attachments:	- Procurement Section 22 - Design Services.pdf
Final Approval Date:	Mar 28, 2024

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



Kate Giurissevich, Director, Corporate Services - Mar 28, 2024 - 11:09 AM



Doug Sweet, Chief Administrative Officer - Mar 28, 2024 - 11:09 AM



Request to Council to Waive Requirement
for Proposals, Tenders and Quotations

33 Talbot St. S. t 519 776 7336
Essex, ON N8M 1A8 f 519 776 8811
www.essex.ca

Note: Requests to waive the requirement for Proposals, Tenders and Quotations are restricted to acquisitions that are predominantly or exclusively for consulting and professional services and must be made in accordance with Section 22.02 of By-Law No. 1043, Procurement & Disposal of Goods & Services Policy. Consulting and professional services means those services requiring the skills of a professional for a defined service and may include architects, engineers, surveyors, planners, financial consultants, lawyers, real estate agents or brokers, etc. Refer to Section 1.02 of the Policy for further examples of consulting and professional services.

1. REASON FOR REQUEST

This represents a formal request to Council to waive the requirement for proposals, tenders and quotations for Consulting and Professional Services under Section 22.02 of the Procurement and Disposal of Goods and Services Policy. This request is being made on the basis of the following criteria (please select at least one of the options below):

- ☒ The works to be performed by the consultant or professional service are a continuation of a previous project (Section 22.02(a) of the By-Law)
- ☒ The firm being recommended has demonstrated unique qualifications to undertake the project (Section 22.02(b) of the By-Law)
- ☒ The project is subject to time constraints (Section 22.02(c) of the By-Law)
- ☐ Other (provide explanation in 3. below)

2. NAME AND TYPE OF CONSULTING OR PROFESSIONAL SERVICE

Name of Professional Service: Stantec Consulting Ltd

Type of Professional Service (select one):

- ☒ Engineer
- ☐ Architect
- ☐ Surveyor
- ☐ Financial
- ☐ Planner
- ☐ Lawyer
- ☐ Real Estate Agent
- ☐ IT
- ☐ Appraiser
- ☐ Other (specify)

3. EXPLANATION OF REQUEST

Provide full explanation of how this request meets the criteria of Section 22.02 of By-Law No. 1043, Procurement & Disposal of Goods & Services Policy:

Stantec Consulting provided the services to complete the Colchester Sanitary Sewage Expansion Environmental Assessment for this project. In addition, they have experience in completing the design of this treatment process in Essex as the engineer of record for the design and construction of the Essex Pollution Control Plant on North Malden Road.

Since the HEWSF grant requires that projects are to be completed before March 31, 2027, this would mean that the detailed design, tendering, and award of the construction contract would need to be completed by April of 2025. The design of a facility of this nature is estimated at a minimum of sixteen (16) months, however, as an international consulting firm, Stantec Consulting has committed to pooling global resources to design this facility on an accelerated schedule within one (1) year, including all necessary permits, permissions from MECP, and other review agencies. Therefore, in order to complete this project in accordance with the HEWSF, it would require the Town to sole source to Stantec Consulting to complete the design starting immediately in April 2024 ahead of finding out whether we would be successful in our application to the HEWSF fund.



4. REQUESTING DEPARTMENT INFORMATION	
Name of Department Head:	Kevin Girard
Department Name:	Infrastructure Services
Date of Request:	April 2, 2024

5. APPROVAL INFORMATION <i>(to be completed by the Mayor and the Clerk of the Town of Essex)</i>	
<input type="checkbox"/> Request Approved	<input type="checkbox"/> Request Not Approved
Date Approved/Not Approved:	
Mayor's Signature:	
Clerk's Signature:	



Report to Council

Department: Infrastructure Services

Division: Operations

Date: April 2, 2024

Prepared by: Norm Nussio C.E.T., CRS-I, Manager of Operations and Drainage

Report Number: Operations-2024-04

Subject: Results of Request for Tender- Supply of Wood-Brush Chipper 2024

Number of Pages: 4

Recommendation(s)

That Operations-2024-04 entitled Results of Request for Tender-Supply of Wood-Brush Chipper 2024 prepared by Norm Nussio Manager of Operations and Drainage dated April 2, 2024, be received, and

That Council award Request for Tender- Supply of Wood-Brush Chipper 2024 to Vermeer Canada Inc in the amount of \$135,340.80 including non-refundable Harmonized Sales Tax, and

That Council approve an additional \$340.80 to be funded from Asset Management Reserve for capital project PW-24-0004.

Purpose

In accordance with the Town Procurement By-Law Number 2129, Council approval is required for purchases in excess of \$120,000.00. Council approval is required for expenditures that fall outside of the annual approved budget.

Background and Discussion

The Town's 2024 Capital Budget includes project number PW-24-0004 for the replacement of unit #547 (Vermeer Chipper). A Request for Tender following the guidelines as set out in the Town's Procurement By-Law Number 2129 was posted both on the Town's website and Merx, and closed on February 28, 2024, at 3:00:00 pm.

The Tenders were reviewed for arithmetic errors, completeness, legibility, revisions, and irregularities. In addition, there were no apparent unbalanced prices in the Schedule of Items and Prices. The results of the submitted tender prices are noted in Table below:

Name of tender	Total price including trade in value and non-refundable Harmonized Sales Tax (1.76%)
Allan Fyfe Equipment Ltd	\$131,007.85
Vermeer Canada Inc	\$135,340.08

Having confirmed with the lowest tenderer (Allan Fyfe Equipment Ltd), they are not able to meet all the required specifications as specified in the Tender document. It is recommended that this contract be awarded to the compliant bid (Vermeer Canada Ltd).

Financial Impact

The 2024 Capital budget included \$135,000.00 for project number PW-24-0004 for the replacement of Unit #547 (Vermeer Chipper). The total value of the tender is \$135,340.80 leaving a funding deficit of \$340.80 which is recommended to be covered by the towns Asset Management Reserve. Furthermore, as presented in the 2024 budget the current Vermeer Chipper unit #547 will be transferred to Community Services (CS-24-0007) which has \$26,950.00 in the 2024 capital budget to offset the remaining lifecycle cost for the purchase the currently owned Wood Chipper.

Consultations

Kevin Girard, Director of Infrastructure Service

Jackson Tang, Assistant Manager of Finance and Business Services

Ann Marie Unis, Manager of Finance and Business Services

Kate Giurissevich, Director, Corporate Services/ Treasurer

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:	Results of Request for Tender- Supply of Wood-Brush Chipper 2024 - Operations-2024-04.docx
Attachments:	
Final Approval Date:	Mar 27, 2024

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



Kevin Girard, Director, Infrastructure Services - Mar 27, 2024 - 9:25 AM



Doug Sweet, Chief Administrative Officer - Mar 27, 2024 - 9:30 AM

No Signature found

Kate Giurissevich, Director, Corporate Services - Mar 27, 2024 - 9:40 AM

Ministry of the Environment,
Conservation and Parks
1094 London Road
Sarnia, ON N7S 1P1
Tel.: 519 336-4030
Fax: 519 336-4280

Ministère de l'Environnement, de la
Protection de la nature et des Parcs
1094 chemin London
Sarnia, ON N7S 1P1
Tél.: 519 336-4030
Téléc.: 519 336-4280



File: SI-ES-ES-540
Essex DWS

March 22, 2024

The Corporation of the Town of Essex
33 Talbot Street South
Essex, Ontario
N8M 1A0

Attention: Doug Sweet, CAO
dsweet@essex.ca

Re: **January 2024 Inspection – Essex Drinking Water System**

Enclosed is a copy of the inspection report prepared for the Essex Drinking Water System. The report is based on conditions encountered at the time of inspection and subsequent follow-up.

There were no compliance issues identified during the inspection. Please review the report for detailed inspection findings.

If you have any questions, please contact me at (519) 466-0281.

Regards,

A handwritten signature in black ink, appearing to be "DD" or similar initials, enclosed within a circular scribble.

David Dominelli
Water Compliance Officer
Sarnia/Windsor District
Ministry of the Environment,
Conservation, and Parks



ESSEX DRINKING WATER SYSTEM (HARROW-COLCHESTER SOUTH)

Physical Address: 405 CLITHEROW ST, , ESSEX,
ON N0R 1G0

INSPECTION REPORT

Entity: THE CORPORATION OF THE
TOWN OF ESSEX
ONTARIO CLEAN WATER
AGENCY

Inspection Start Date: January 15, 2024

Inspection End Date: March 21, 2024

Inspected By: David Dominelli

Badge #: 1119

Inspected By: Marc Bechard

Badge #: 918



(signature)

NON-COMPLIANCE

This should not be construed as a confirmation of full compliance with all potential applicable legal requirements. These inspection findings are limited to the components and/or activities that were assessed, and the legislative framework(s) that were applied. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

If you have any questions related to this inspection, please contact the signed Provincial Officer.

RECOMMENDATIONS

This should not be construed as a confirmation of full conformance with all potential applicable BMPs. These inspection findings are limited to the components and/or activities that were assessed, and the legislative framework(s) that were applied. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

If you have any questions related to this inspection, please contact the signed Provincial Officer.

INSPECTION DETAILS

This section includes all questions that were assessed during the inspection.

Ministry Program: DRINKING WATER | **Regulated Activity:** DW Municipal Residential

Question ID	DWMR1001000	Question Type	Information
Legislative Requirement(s): Not Applicable			
Question: What was the scope of this inspection?			
Compliance Response(s)/Corrective Action(s)/Observation(s): <p>The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period. The ministry utilizes a comprehensive, multi-barrier approach in the inspection of water systems that focuses on the source, treatment, and distribution components as well as management practices.</p> <p>This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.</p> <p>This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.</p> <p>The inspection consisted of a review of the following documents:</p> <ul style="list-style-type: none"> - Municipal Drinking Water Licence (MDWL): 029-101, Issue Number: 3; - Drinking Water Works Permit (DWWP): 029-201, Issue Number: 3; - The Harrow-Colchester South WTP Operation and Maintenance Manual and Standard Operating Procedures (SOP's); - The Township of Essex distribution system SOP's; - Operational logs, sample results, maintenance records, monitoring data, and other records related to the operation of the water treatment plant and distribution system for the period of November 1, 2022 to December 31, 2023. <p>The physical inspection of the DWS and low lift station was conducted on January 23, 2024.</p>			

Question ID	DWMR1000000	Question Type	Information
Legislative Requirement(s): Not Applicable			

Question:

Does this drinking water system provide primary disinfection?

Compliance Response(s)/Corrective Action(s)/Observation(s):

This drinking water system provides for both primary and secondary disinfection and distribution of water.

Question ID	DWMR1012000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Does the owner have a harmful algal bloom monitoring plan in place that meets the requirements of the MDWL?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner had a harmful algal bloom monitoring plan in place.			

Question ID	DWMR1014000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Is there sufficient monitoring of flow as required by the MDWL or DWWP issued under Part V of the SDWA?			
Compliance Response(s)/Corrective Action(s)/Observation(s): There was sufficient monitoring of flow as required by the Municipal Drinking Water Licence or Drinking Water Works Permit issued under Part V of the SDWA. Condition 2.1.1 under Schedule C of the MDWL requires that continuous flow measurement and recording be undertaken to monitor the flow rate and daily volume of treated water from the treatment works to the distribution system. Condition 2.1.2 under Schedule C of the MDWL requires that continuous flow measurement and recording be undertaken to monitor the flow rate and daily volume of water that flows into the treatment works. Flow meters are in place to monitor raw water flow into the treatment works and treated water flow at POE to the distribution system.			

Question ID	DWMR1016000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Is the owner in compliance with the conditions associated with maximum flow rate or the rated capacity conditions in the MDWL issued under Part V of the SDWA?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner was in compliance with the conditions associated with maximum flow rate or the rated capacity conditions in the Municipal Drinking Water Licence issued under Part V of the SDWA. Condition 1.1 under Schedule C of the MDWL limits the volume of treated water from the Harrow-Colchester South Water Treatment Plant to the distribution system to a maximum of 10,228 m ³ / day. A review of flow monitoring data provided by the operating authority confirmed that the above rated capacity was not exceeded over the inspection review period. The maximum recorded daily volume from the treatment plant to the distribution system was 6,243 m ³ in June, which is approximately 61% of the rated capacity of the works.			

Question ID	DWMR1018000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Has the owner ensured that all equipment is installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner had ensured that all equipment was installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit.			

Question ID	DWMR1020000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Is the owner/operating authority able to demonstrate that, when required during the inspection period, Form 1 documents were prepared in accordance with their Drinking Water Works Permit?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner/operating authority was in compliance with the requirement to prepare Form 1 documents as required by their Drinking Water Works Permit during the inspection period.			

Question ID	DWMR1021000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Is the owner/operating authority able to demonstrate that, when required during the inspection period, Form 2 documents were prepared in accordance with their Drinking Water Works Permit?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner/operating authority was in compliance with the requirement to prepare Form 2 documents as required by their Drinking Water Works Permit during the inspection period.			

Question ID	DWMR1114000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Does the owner have evidence that, when required, all legal owners associated with the DWS were notified of the requirements of the Licence & Permit?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner had evidence that required notifications to all legal owners associated with the Drinking Water System had been made during the inspection period.			

Question ID	DWMR1025000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Were all parts of the drinking water system that came in contact with drinking water (added, modified, replaced or extended) disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All parts of the drinking water system were disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit.			

Question ID	DWMR1023000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 1-2 (2);			

Question:

Do records indicate that the treatment equipment was operated in a manner that achieved the design capabilities required under Ontario Regulation 170/03 or a DWWP and/or MDWL issued under Part V of the SDWA at all times that water was being supplied to consumers?

Compliance Response(s)/Corrective Action(s)/Observation(s):

Records indicated that the treatment equipment was operated in a manner that achieved the design capabilities required under O. Reg. 170/03 or a Drinking Water Works Permit and/or Municipal Drinking Water Licence issued under Part V of the SDWA at all times that water was being supplied to consumers.

Question ID	DWMR1024000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 1-2 (2);			
Question: Do records confirm that the water treatment equipment which provides chlorination or chloramination for secondary disinfection purposes was operated as required?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Records confirmed that the water treatment equipment which provides chlorination or chloramination for secondary disinfection purposes was operated so that at all times and all locations in the distribution system the chlorine residual was never less than 0.05 mg/l free or 0.25 mg/l combined.			

Question ID	DWMR1033000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 7-2 (3); SDWA O. Reg. 170/03 7-2 (4);			
Question: Is the secondary disinfectant residual measured as required for the large municipal residential distribution system?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The secondary disinfectant residual was measured as required for the large municipal residential distribution system.			

Question ID	DWMR1030000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 7-2 (1); SDWA O. Reg. 170/03 7-2 (2);			

Question:

Is primary disinfection chlorine monitoring being conducted at a location approved by MDWL and/or DWWP issued under Part V of the SDWA, or at/near a location where the intended CT has just been achieved?

Compliance Response(s)/Corrective Action(s)/Observation(s):

Primary disinfection chlorine monitoring was conducted at a location approved by Municipal Drinking Water Licence and/or Drinking Water Works Permit issued under Part V of the SDWA, or at/near a location where the intended CT has just been achieved.

Question ID	DWMMR1032000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 7-3 (2);			
Question: If the drinking water system obtains water from a surface water source and provides filtration, is continuous monitoring of each filter effluent line being performed for turbidity?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Continuous monitoring of each filter effluent line was being performed for turbidity.			

Question ID	DWMMR1035000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 6-5 (1)1-4; SDWA O. Reg. 170/03 6-5 (1)5-10;			
Question: Are operators examining continuous monitoring test results and are they examining the results within 72 hours of the test?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Operators were examining continuous monitoring test results and they were examining the results within 72 hours of the test.			

Question ID	DWMMR1038000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 6-5 (1)1-4;			
Question: Is continuous monitoring equipment that is being utilized to fulfill O. Reg. 170/03 requirements performing tests for the parameters with at least the minimum frequency specified in the Table in Schedule 6 of O. Reg. 170/03 and recording data with the prescribed format?			

Compliance Response(s)/Corrective Action(s)/Observation(s):

Continuous monitoring equipment that was being utilized to fulfill O. Reg. 170/03 requirements was performing tests for the parameters with at least the minimum frequency specified in the Table in Schedule 6 of O. Reg. 170/03 and recording data with the prescribed format.

Question ID	DWMR1037000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 6-5 (1)1-4; SDWA O. Reg. 170/03 6-5 (1)5-10; SDWA O. Reg. 170/03 6-5 (1.1);			
Question: Are all continuous monitoring equipment utilized for sampling and testing required by O. Reg. 170/03, or MDWL or DWWP or order, equipped with alarms or shut-off mechanisms that satisfy the standards described in Schedule 6?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All continuous monitoring equipment utilized for sampling and testing required by O. Reg. 170/03, or Municipal Drinking Water Licence or Drinking Water Works Permit or order, were equipped with alarms or shut-off mechanisms that satisfy the standards described in Schedule 6.			

Question ID	DWMR1040000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 6-5 (1)1-4; SDWA O. Reg. 170/03 6-5 (1)5-10;			
Question: Are all continuous analysers calibrated, maintained, and operated, in accordance with the manufacturer's instructions or the regulation?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All continuous analysers were calibrated, maintained, and operated, in accordance with the manufacturer's instructions or the regulation.			

Question ID	DWMR1108000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 6-5 (1)1-4; SDWA O. Reg. 170/03 6-5 (1)5-10; SDWA O. Reg. 170/03 6-5 (1.1);			
Question: Where continuous monitoring equipment used for the monitoring of free chlorine residual, total chlorine residual, combined chlorine residual or turbidity, required by O. Reg. 170/03, an			

Order, MDWL, or DWWP issued under Part V, SDWA, has triggered an alarm or an automatic shut-off, did a qualified person respond in a timely manner and take appropriate actions?

Compliance Response(s)/Corrective Action(s)/Observation(s):

Where required continuous monitoring equipment used for the monitoring of chlorine residual and/or turbidity triggered an alarm or an automatic shut-off, a qualified person responded in a timely manner and took appropriate actions.

Question ID	DWMR1099000	Question Type	Information
Legislative Requirement(s): Not Applicable			
Question: Do records show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O. Reg. 169/03)?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Records did not show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O. Reg. 169/03). A microbiological sample collected on October 2, 2023 returned a result of 1 cfu for Total Coliforms. Corrective actions were taken including re-sampling as directed by the Health Unit and MECP. The re-sample results were non-detect for E.coli and Total Coliforms.			

Question ID	DWMR1081000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 10-2 (1); SDWA O. Reg. 170/03 10-2 (2); SDWA O. Reg. 170/03 10-2 (3);			
Question: For LMR systems, are all microbiological water quality monitoring requirements for distribution samples being met?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All microbiological water quality monitoring requirements prescribed by legislation for distribution samples in a large municipal residential system were being met. Schedule 10-2. (1) (a) of O. Reg 170/03 requires that the owner and the operating authority of a Large Municipal Residential System serving 100,000 people or less ensures at least 8 distribution system samples plus 1 for every 1000 people served are collected from the distribution system each month, with at least one of the samples being taken each week. The sample are to be tested for E. Coli and total coliforms. Additionally, 25 percent of the samples are to be tested for general bacteria as a heterotrophic plate count.			

A review of sampling records for the inspection review period showed the owner and operating authority meets the distribution system microbiological sampling requirements.

Question ID	DWMR1083000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 10-3;			
Question: For LMR systems, are all microbiological water quality monitoring requirements for treated samples being met?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All microbiological water quality monitoring requirements prescribed by legislation for treated samples were being met. Schedule 10-3. of O. Reg 170/03 requires that the owner of a drinking water system and the operating authority ensures that a treated water sample is collected at least once per week and tested for E. Coli, total coliforms, and general bacteria as a heterotrophic plate count. A review of sampling records for the inspection review period showed the owner and operating authority are meeting the treated water microbiological sampling requirements.			

Question ID	DWMR1096000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 6-3 (1);			
Question: Do records confirm that chlorine residual tests are being conducted at the same time and at the same location that microbiological samples are obtained?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.			

Question ID	DWMR1084000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-2;			
Question: Are all inorganic water quality monitoring requirements prescribed by legislation conducted within the required frequency?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All inorganic water quality monitoring requirements prescribed by legislation were conducted within the required frequency.			

Schedule 13-2. of O. Reg 170/03 requires that the owner and the operating authority of a drinking water system that has a surface water raw water supply collect at least one sample every 12 months and test for the inorganic parameters listed in Schedule 23 of the regulation.

A review of sampling records confirmed that the required samples are being collected and tested for the required inorganic parameters.

Sampling and testing was last completed in May of 2023.

Question ID	DWMR1085000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-4 (1); SDWA O. Reg. 170/03 13-4 (2); SDWA O. Reg. 170/03 13-4 (3);			
Question: Are all organic water quality monitoring requirements prescribed by legislation conducted within the required frequency?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All organic water quality monitoring requirements prescribed by legislation were conducted within the required frequency. Schedule 13-4. of O. Reg 170/03 requires that the owner and the operating authority of a drinking water system that has a surface water raw water supply collect at least one sample every 12 months and test for the organic parameters listed in Schedule 24 of the regulation. A review of sampling records confirmed that the required samples are being collected and tested for the required organic parameters. Sampling and testing was last completed in May of 2023.			

Question ID	DWMR1086000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-6.1 (1); SDWA O. Reg. 170/03 13-6.1 (2); SDWA O. Reg. 170/03 13-6.1 (3); SDWA O. Reg. 170/03 13-6.1 (4); SDWA O. Reg. 170/03 13-6.1 (5); SDWA O. Reg. 170/03 13-6.1 (6);			
Question: Are all haloacetic acid water quality monitoring requirements prescribed by legislation conducted within the required frequency and at the required location?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All haloacetic acid water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location. Schedule 13-6.1. requires that the owner and the operating authority of a drinking water system collect at least one sample in each calendar quarter from a point in the distribution system or plumbing that is likely to have elevated potential for the formation of haloacetic			

acids and test the sample for haloacetic acids.

A review of sampling records confirmed that the required sampling is being completed.

Question ID	DWMR1087000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-6 (1); SDWA O. Reg. 170/03 13-6 (2); SDWA O. Reg. 170/03 13-6 (3); SDWA O. Reg. 170/03 13-6 (4); SDWA O. Reg. 170/03 13-6 (5); SDWA O. Reg. 170/03 13-6 (6);			
Question: Have all trihalomethane water quality monitoring requirements prescribed by legislation been conducted within the required frequency and at the required location?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location. Schedule 13-6. requires that the owner and the operating authority of a drinking water system collect at least one sample in each calendar quarter from a point in the distribution system or plumbing that is likely to have elevated potential for the formation of trihalomethanes and test the sample for trihalomethanes. A review of sampling records confirmed that the required samples are being collected.			

Question ID	DWMR1088000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-7;			
Question: Are all nitrate/nitrite water quality monitoring requirements prescribed by legislation conducted within the required frequency for the DWS?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All nitrate/nitrite water quality monitoring requirements prescribed by legislation were conducted within the required frequency. Schedule 13-7. requires that the owner and the operating authority of a drinking water system collect at least one water sample every three months and test for nitrate and nitrite. A review of sampling records confirmed that the required sampling is being completed.			

Question ID	DWMR1089000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-8;			

Question:

Are all sodium water quality monitoring requirements prescribed by legislation conducted within the required frequency?

Compliance Response(s)/Corrective Action(s)/Observation(s):

All sodium water quality monitoring requirements prescribed by legislation were conducted within the required frequency.

Question ID	DWMR1090000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 13-9;			
Question: Where fluoridation is not practiced, are all fluoride water quality monitoring requirements prescribed by legislation conducted within the required frequency?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All fluoride water quality monitoring requirements prescribed by legislation were conducted within the required frequency.			

Question ID	DWMR1094000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Are all water quality monitoring requirements imposed by the MDWL and DWWP being met?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All water quality monitoring requirements imposed by the MDWL or DWWP issued under Part V of the SDWA were being met.			

Question ID	DWMR1101000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 17-1; SDWA O. Reg. 170/03 17-10 (1); SDWA O. Reg. 170/03 17-11; SDWA O. Reg. 170/03 17-12; SDWA O. Reg. 170/03 17-13; SDWA O. Reg. 170/03 17-14; SDWA O. Reg. 170/03 17-2; SDWA O. Reg. 170/03 17-3; SDWA O. Reg. 170/03 17-4; SDWA O. Reg. 170/03 17-5; SDWA O. Reg. 170/03 17-6; SDWA O. Reg. 170/03 17-9;			
Question: For LMR Systems, have corrective actions (as per Schedule 17 of O. Reg. 170/03) been taken to address adverse conditions, including any other steps as directed by the Medical			

Officer of Health?

Compliance Response(s)/Corrective Action(s)/Observation(s):

Corrective actions (as per Schedule 17), including any other steps that were directed by the Medical Officer of Health, had been taken to address adverse conditions.

Question ID	DWMR1104000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 16-6 (1); SDWA O. Reg. 170/03 16-6 (2); SDWA O. Reg. 170/03 16-6 (3); SDWA O. Reg. 170/03 16-6 (3.1); SDWA O. Reg. 170/03 16-6 (3.2); SDWA O. Reg. 170/03 16-6 (4); SDWA O. Reg. 170/03 16-6 (5); SDWA O. Reg. 170/03 16-6 (6);			
Question: Were all required verbal notifications of adverse water quality incidents immediately provided as per O. Reg. 170/03 16-6?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All required notifications of adverse water quality incidents were immediately provided as per O. Reg. 170/03 16-6.			

Question ID	DWMR1060000	Question Type	Legislative
Legislative Requirement(s): SDWA 31 (1);			
Question: Do the operations and maintenance manuals meet the requirements of the DWWP and MDWL issued under Part V of the SDWA?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.			

Question ID	DWMR1062000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 7-5;			
Question: Do records or other record keeping mechanisms confirm that operational testing not performed by continuous monitoring equipment is being done by a certified operator, water quality analyst, or person who meets the requirements of O. Reg. 170/03 7-5?			

Compliance Response(s)/Corrective Action(s)/Observation(s):

Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.

Question ID	DWMR1071000	Question Type	BMP
Legislative Requirement(s): Not Applicable			
Question: Has the owner provided security measures to protect components of the drinking water system?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The owner had provided security measures to protect components of the drinking water system.			

Question ID	DWMR1073000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 128/04 23 (1);			
Question: Has the overall responsible operator been designated for all subsystems which comprise the drinking water system?			
Compliance Response(s)/Corrective Action(s)/Observation(s): The overall responsible operator had been designated for each subsystem.			

Question ID	DWMR1074000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 128/04 25 (1);			
Question: Have operators-in-charge been designated for all subsystems which comprise the drinking water system?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Operators-in-charge had been designated for all subsystems which comprise the drinking water system.			

Question ID	DWMR1075000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 128/04 22;			
Question: Do all operators possess the required certification?			
Compliance Response(s)/Corrective Action(s)/Observation(s): All operators possessed the required certification.			

Question ID	DWMR1076000	Question Type	Legislative
Legislative Requirement(s): SDWA O. Reg. 170/03 1-2 (2);			
Question: Do only certified operators make adjustments to the treatment equipment?			
Compliance Response(s)/Corrective Action(s)/Observation(s): Only certified operators made adjustments to the treatment equipment.			

DWS Name: ESSEX DRINKING WATER SYSTEM (HARROW-COLCHESTER SOUTH)
DWS Number: 210000130
DWS Owner: THE CORPORATION OF THE TOWN OF ESSEX
Municipal Location: ESSEX

Regulation: O.REG. 170/03
DWS Category: DW Municipal Residential
Type of Inspection: Focused
Inspection Date: Jan-15-2024
Ministry Office: Windsor Area Office

Maximum Risk Rating: 500

Inspection Module	Non Compliance Risk (X out of Y)
Capacity Assessment	0/30
Certification and Training	0/42
Logbooks	0/14
Operations Manuals	0/14
Reporting & Corrective Actions	0/70
Source	0/0
Treatment Processes	0/218
Water Quality Monitoring	0/112
Overall - Calculated	0/500

Inspection Risk Rating: 0.00%

Final Inspection Rating: 100.00%

DWS Name: ESSEX DRINKING WATER SYSTEM (HARROW-COLCHESTER SOUTH)
DWS Number: 210000130
DWS Owner Name: THE CORPORATION OF THE TOWN OF ESSEX
Municipal Location: ESSEX

Regulation: O.REG. 170/03
DWS Category: DW Municipal Residential
Type of Inspection: Focused
Inspection Date: Jan-15-2024
Ministry Office: Windsor Area Office

All legislative requirements were met. No detailed rating scores.

Maximum Question Rating: 500

Inspection Risk Rating: 0.00%

FINAL INSPECTION RATING: 100.00%



374028 6TH LINE • AMARANTH ON • L9W 0M6

March 12, 2024

Hon. Paul Calandra
Minister of Municipal Affairs and Housing

Sent by email to: Paul.Calandra@pc.ola.org

Re: Operational Budget Funding

At its regular meeting of Council held on March 6, 2024, the Township of Amaranth Council passed the following resolution.

Resolution #: 4

Moved by: G Little

Seconded by: A. Stirk

Whereas all Ontario municipalities are prohibited from running budget deficits for operating purposes, and;

Whereas all Ontario municipalities have similar pressures with respect to aging infrastructure and operating costs for policing, and;

Whereas the City of Toronto has recently received Provincial funding to cover a \$1.2 billion dollar operating shortfall and approximately \$12 million in Federal and Provincial funding for their Police operating budget, and;

Whereas the City of Toronto has the lowest tax rates in the Province, approximately 40% less than the average Dufferin rural municipal tax rate.

Be it Resolved That the Township of Amaranth call on the Province of Ontario to treat all municipalities fairly and provide equivalent representative operational budget funding amounts to all Ontario municipalities.

CARRIED

Please do not hesitate to contact the office if you require any further information on this matter.

Yours truly,

Nicole Martin, Dipl. M.A.
CAO/Clerk
C: Premier of Ontario; AMO; Ontario Municipalities

March 18, 2024

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

DELIVERED VIA EMAIL

Dear Premier Ford:

Re: Motion regarding solutions to resolve significant financial and budgetary pressures relating to infrastructure development, maintenance and repairs

Please be advised that at its regular meeting of March 12, 2024, Loyalist Township Council passed the following resolution:

Resolution 2024-49

Moved by Councillor Budarick
Seconded by Councillor Parks

WHEREAS the Province of Ontario has agreed to assume responsibility for the Gardiner Expressway and the Don Valley Parkway from the City of Toronto, which will be uploaded to the Province of Ontario;

AND WHEREAS like the City of Toronto, The Corporation of Loyalist Township and all municipalities in the Province of Ontario are experiencing significant financial and budgetary pressures including those related to infrastructure development, maintenance and repairs, and are seeking reasonable solutions to address the same while balancing their financial books;

AND WHEREAS the uploading of municipal highway infrastructure to the Province of Ontario or, alternatively, appropriately increasing the Ontario Community Infrastructure Fund to Ontario municipalities will assist municipalities in addressing such financial challenges;

AND BE IT RESOLVED THAT:

- a. The Province of Ontario:



- upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally-owned highways throughout the Province of Ontario to the Ontario Ministry of Transportation; or
 - alternatively, if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities.
- b. A copy of this resolution be circulated the Honourable Prabmeet Singh Sarkaria, the Ontario Minister of Transportation; MPP Ric Bresee, Hastings, Lennox & Addington; the Association of Municipalities of Ontario; all municipalities in Ontario.

Kind Regards,

A handwritten signature in blue ink that reads "Anne Kantharajah".

Anne Kantharajah
Township Clerk

Cc: the Hon. Prabmeet Singh Sarkaria, the Ontario Minister of Transportation
Ric Bresee, M.P.P., Hastings, Lennox & Addington
Association of Municipalities
All municipalities in Ontario
Jim Hegadorn, Mayor, Loyalist Township
Rebecca Murphy, CAO, Loyalist Township
Councillor Budarick, Loyalist Township
Councillor Parks, Loyalist Township



19 March 2024

Canadian Wildlife Service
Environment and Climate Change Canada
4905 Dufferin Street
Downsview ON M3H 5T4

Dear Municipality,

We are writing to request your support in raising awareness of legal requirements under the federal *Species at Risk Act* (SARA) for the protection of Chimney Swift and its habitat.

The Chimney Swift is a threatened migratory bird that consumes flying insects and plays an important role in managing insect populations. Chimney Swifts typically nest and roost in chimneys with interior walls constructed of stone, brick, cement, concrete or tile, but can occasionally be other vertical structures such as barns, silos, woodsheds, artificial towers or abandoned buildings. A description of the species' residence is attached and is available online here: <https://species-registry.canada.ca/index-en.html#/documents/667>. Publicly available bird survey data indicate that Chimney Swifts nest and roost within your municipal boundaries.

Environment and Climate Change Canada understands that chimneys and other structures used by Chimney Swift require periodic maintenance or may need to be removed for health and safety reasons or as part of development projects. **Given that redevelopment or other major projects will require a municipal building permit, your staff may be well-positioned to notify those project proponents of potential for Chimney Swift to be present and the legal obligations under SARA when projects involving the alteration or removal of chimneys (or similar structures) are brought forward in building permit applications.** Often, landowners are not aware that a chimney on their property may be used by Chimney Swift and that their project may have the potential to impact this species. Environment and Climate Change Canada's Canadian Wildlife Service can provide assistance in determining what, if any, regulatory requirements exist under SARA.

The Chimney Swift is listed as Threatened under both SARA and Ontario's provincial *Endangered Species Act*. Under SARA, the Minister of Environment and Climate Change Canada (ECCC) is required to develop a recovery strategy for Threatened and Endangered species, to help guide the actions needed to stop or reverse their decline. The final *Recovery Strategy for the Chimney Swift in Canada* provides information about the species, identifies major threats to the species and its habitat, and recommends strategies to conserve and recover the species. It is available on the Species at Risk Public Registry: <https://species-registry.canada.ca/index-en.html#/consultations/2971>.

The federal SARA contains measures for the protection and recovery of species at risk in Canada. It contains prohibitions against the killing, harming, harassing, capturing, taking, possessing, collecting, buying, selling or trading of individuals of endangered, threatened and extirpated species listed on

Schedule 1 of the Act (s.32). The Act also contains a prohibition against the damage or destruction of their residences (i.e., dwelling place) (s.33). The federal *Migratory Birds Convention Act* (MBCA) also protects the Chimney Swift, their nests, and eggs. The protections under SARA and the MBCA apply wherever migratory birds are found in Canada. Provincial protections and restrictions also apply.

The Questions & Answers document provides more information on the Chimney Swift and what can be done to help its recovery for your information: <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/related-information/questions-answers-conservation-chimney-swift.html>.

We would appreciate if you could direct proponents that will be undertaking activities that can affect this species and their habitat to the following website: <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/related-information/chimney-swift-conservation-permitting.html>. Likewise, proponents can contact ECCC-CWS at wildlifeontario@ec.gc.ca for advice about SARA permitting. In addition to federal requirements, there may also be provincial requirements. Proponents can contact the Ministry of the Environment, Conservation and Parks (MECP) for more information: SAROntario@ontario.ca.

Thank you for your support in helping to recover this species. If you have any questions regarding this request, please contact SpeciesAtRisk.Ontario@ec.gc.ca to arrange for a discussion.

Sincerely,

Canadian Wildlife Service – Ontario Region
Environment and Climate Change Canada

Attached:

- Description of Residence for the Chimney Swift (*Chaetura pelagica*) in Canada

March 14, 2024

Re: Item for Discussion – Resolution of Support Regarding Request to the Province of Ontario for New Provincial-Municipal Fiscal Framework

At its meeting of March 13, 2024, the Council of the Corporation of the Town of Bracebridge ratified motion #24-GC-053, regarding Resolution of Support Regarding Request to the Province of Ontario for New Provincial-Municipal Fiscal Framework, as follows:

“WHEREAS the current provincial-municipal fiscal arrangements are undermining Ontario’s economic prosperity and quality of life;

AND WHEREAS nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year;

AND WHEREAS municipal revenues, such as property taxes, do not grow with the economy or inflation;

AND WHEREAS unprecedented population and housing growth will require significant investments in municipal infrastructure;

AND WHEREAS municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises;

AND WHEREAS inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity;

AND WHEREAS property taxpayers – including people on fixed incomes and small businesses – can’t afford to subsidize income re-distribution programs for those most in need;

AND WHEREAS the province can, and should, invest more in the prosperity of communities;

AND WHEREAS municipalities and the provincial government have a strong history of collaboration;

NOW THEREFORE, BE IT RESOLVED THAT the Town of Bracebridge calls on the Province of Ontario commit to undertaking, with the Association of Municipalities of Ontario, a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario;

1000 Taylor Court
Bracebridge, ON
P1L 1R6 Canada

AND FURTHER THAT a copy of this motion be sent to the Premier of Ontario; the Minister of Municipal Affairs and Housing; the Minister of Finance; the Local Member of Provincial Parliament; the Association of Municipalities of Ontario; the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); the Muskoka and Area Indigenous Leadership Table (MAILT); and all Ontario Municipalities.”

In accordance with Council's direction, I am forwarding you a copy of the resolution for your reference.

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,

A handwritten signature in black ink, appearing to read 'L. McDonald', written in a cursive style.

Lori McDonald
Director of Corporate Services/Clerk



VIA EMAIL:
All Ontario municipalities

Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0
www.puslinch.ca

March 14, 2024

RE: 9.3.1 Report ADM-2024-010 Enbridge Gas Follow-Up

Please be advised that Township of Puslinch Council, at its meeting held on February 28, 2024 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2024-072: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Council receives report ADM-2024-010 regarding the follow-up to the Enbridge Gas Presentation on February 7, 2024; and

Whereas access to natural gas is important to residents and businesses in our community for affordability and reliability; and

Whereas the Ontario Energy Board's (OEB) decision on Phase 1 of the Enbridge Gas 2024 rebasing application, issued on 21 December 2023, has concerning implications including putting into question the future access to natural gas that support of economic development, affordable housing growth, and energy reliability in communities such as the Township of Puslinch; and

Whereas Ontario is growing and access to affordable energy to support this growth for homes and businesses is crucial, and is a measured approach to energy transition as not having access to natural gas will stifle economic growth and put housing and energy affordability at risk; and

Whereas delivery rates for electricity in rural areas are significantly more costly than delivery rates in urban centres creating an inequity for those living in rural areas; and



Whereas Bill 165: Keeping Energy Costs Down Act, 2024, if passed, would reverse a December 2023 decision by the OEB that requires consumers to pay the cost of connecting a new home to natural gas infrastructure up front instead of over a period of 40 years; and

Whereas Bill 165: Keeping Energy Costs Down Act, 2024, if passed, would increase the OEB's Leave to Consult threshold from \$2 million to \$10 million, requiring that fewer energy projects would need OEB orders to construct a new pipeline resulting in project streamlining and focusing OEB approvals on larger, more complex projects;

Therefore be it resolved:

1. That the Township of Puslinch supports Bill 165: Keeping Energy Costs Down Act, 2024; and
2. That the Township of Puslinch supports a measured approach to Ontario's energy transition; and
3. That the Township of Puslinch recognizes that there may not be enough electricity available to replace the energy provided by natural gas and meet the increased demand from electrification; and
4. That Natural gas must continue to play an integral role in meeting the energy needs of Ontario; and
5. That the Township of Puslinch supports the need for equitable electricity delivery rates in rural areas and natural gas offers an affordable option for these rural areas at this time; and
6. That the Township of Puslinch supports the work the Government of Ontario has done to date, including the Natural Gas Expansion Program and Electrification and Energy Transition Panel's call for a clear policy on the role of natural gas to secure access to affordable energy; and
7. That this resolution be circulated to the President of AMO, Colin Best, Hon. Doug Ford, Premier of Ontario, Hon. Todd Smith, the Minister of Energy, Hon. MPP Arnott, Hon. MPP Rae, all Ontario municipalities as significant actors to ensuring the need for natural gas in



Ontario as part of a measured approach towards energy transition, and submitted to municipalaffairs@enbridge.com; and further

That Council direct staff to consult with Enbridge Gas on the next steps associated with commencing the Community Natural Gas Expansion Program in Puslinch subject to the passing of Bill 165: Keeping Energy Costs Down Act, 2024.

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,

Justine Brotherston
Municipal Clerk

CC:
Premier of Ontario, Hon. Doug Ford,
Minister of Energy, Hon. Todd Smith
Hon. MPP Arnott,
Hon. MPP Rae,
All Ontario municipalities



March 22nd, 2024

The Honourable Lisa Thompson
Ministry of Agriculture, Food and Rural Affairs
11th Floor
77 Grenville St.
Toronto, ON M5S 1B3

RE: Township of Adelaide Metcalfe – Request to Increase Tile Drain Loan Limit

Dear Minister Thompson,

On March 18, 2024, the Township of Adelaide Metcalfe Council approved the following resolution:

WHEREAS farm drainage is of paramount importance in Ontario due to its significant impact on agricultural productivity and sustainability. Effective drainage systems help mitigate waterlogging, control soil moisture levels, and enhance soil structure, thereby optimizing growing conditions for crops;

WHEREAS improved drainage also facilitates timely field operations, reduces erosion, and minimizes nutrient runoff, contributing to environmental conservation efforts;

WHEREAS Ontario's diverse agricultural landscape, where weather variability is common, well-maintained drainage systems play a crucial role in ensuring stable yields, economic viability, and long-term resilience for farmers across the Province;

WHEREAS the Tile Loan Drainage Act, R.S.O 1990, c. T.8 allows for the borrowing of money for the purpose of constructing drainage works;

WHEREAS the maximum annual limit for these loans, unchanged since 2004, is currently set at \$50,000.

WHEREAS costs for Tile Drainage has increased markedly since 2004;

NOW THEREFORE the Council of the Township of Adelaide Metcalfe requests that the Province through the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) consider increasing the maximum annual Tile Loan limit to a minimum of \$100,000.

AND THAT this resolution be circulated the Honourable Lisa Thompson – Ministry of Agriculture, Food and Rural Affairs (OMAFRA), the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), and all Ontario municipalities.

Your consideration of Council's request is appreciated.

Kind regards,

A handwritten signature in dark ink, appearing to be 'MB', with a long horizontal line extending to the right.

Michael Barnier
Clerk & Manager of Legislative Services
Township of Adelaide Metcalfe
mbarnier@adelaidemetcalfe.on.ca

Cc: Association of Municipalities of Ontario (AMO)
Rural Ontario Municipal Association (ROMA)
All Ontario Municipalities

recognize the senders email address. Do not click links or open attachments unless you recognize the sender, the senders email address and know the content is safe.

(Un message en français suivra)

**Ministry of Seniors
and Accessibility**

Minister

College Park
777 Bay Street
5th Floor
Toronto ON M7A 1S5

**Ministère des Services aux
aînés et de l'Accessibilité**

Ministre

College Park
777, rue Bay
5e étage
Toronto (Ontario) M7A 1S5



March 2024

Dear Mayor, Reeve and Members of Council:

I am writing to invite you to submit a nomination for the 2024 [Ontario Senior of the Year Award](#).

This award gives each municipality the opportunity to honour one of their local seniors who, after age 65, has made outstanding contributions to enrich the social, cultural, and civic life of their community.

The deadline for nominations is April 30, 2024.

For more information on how to submit a nomination online, please visit the [Senior of the Year](#) webpage. Once you submit a nomination, a personalized certificate with your nominee's name will be sent to you. I encourage you to present it to your nominee in June in conjunction with Seniors Month.

The Ontario government is delighted to celebrate Seniors Month with municipalities across the province. Seniors have generously given their time, knowledge and expertise to make this province the best place in this country to live and work. It is important that we take the time to celebrate our older population and their valuable contributions.

If you have any questions about the upcoming 2024 Ontario Senior of the Year Award, please contact the Ontario Honours and Awards Secretariat at OntarioHonoursAndAwards@ontario.ca.

Thank you in advance for your support of local seniors and Seniors Month.

Sincerely,



Raymond Cho
Minister for Seniors and Accessibility

**Ministry of Seniors
and Accessibility**

Minister

College Park
777 Bay Street
5th Floor
Toronto ON M7A 1S5

**Ministère des Services aux
aînés et de l'Accessibilité**

Ministre

College Park
777, rue Bay
5e étage
Toronto (Ontario) M7A 1S5



Mars 2024

Monsieur le Maire/Madame la Mairesse, Préfet/Préfète et Membres du Conseil :

Je vous écris pour vous inviter à soumettre une candidature pour le [Prix de la personne âgée de l'année de l'Ontario](#) de 2024.

Ce prix donne à chaque municipalité l'occasion d'honorer une personne âgée exceptionnelle de sa localité après l'âge de 65 ans pour les contributions qu'elle a apportées à l'enrichissement de la vie sociale, culturelle et civique de sa communauté.

La date limite de soumission des candidatures est le 30 avril 2024.

Pour obtenir de plus amples renseignements concernant la façon de soumettre une candidature en ligne, veuillez visiter la page Web du [Prix de la personne âgée de l'année de l'Ontario](#). Une fois que vous aurez soumis une candidature, un certificat personnalisé avec le nom de votre candidat(e) vous sera envoyé. Je vous encourage à le présenter à votre candidat(e) en juin dans le cadre du Mois des aînés.

Le gouvernement de l'Ontario est ravi de célébrer le Mois des aînés avec les municipalités de toute la province. Les personnes âgées ont généreusement donné leur temps, leurs connaissances et leur expertise pour faire de cette province le meilleur endroit au pays où vivre et travailler. Il est important que nous prenions le temps de célébrer nos aînés et leurs précieuses contributions.

Si vous avez des questions au sujet du Prix de la personne âgée de l'année de l'Ontario de 2024, veuillez communiquer avec le Secrétariat des distinctions et prix de l'Ontario à l'adresse suivante : OntarioHonoursAndAwards@ontario.ca

Merci d'avance pour votre soutien aux personnes âgées de votre région et au Mois des aînés.

Sincèrement,



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

Award Information

The Ontario Senior of the Year Award gives each municipality in Ontario the opportunity to honour one outstanding local Ontarian who after the age of 65 has enriched the social, cultural or civic life of his or her community.

Who is eligible?

Your nominee must be:

- At least 65 years of age.
- A resident of Ontario.
- A living person who has made their community a better place to live.
- Nominated by a municipality in Ontario.

Nominations will not be accepted if they are self-nominated for elected federal, provincial, municipal representatives or for political appointees.

How are the recipients selected?

If nomination criteria are met, a certificate will be mailed to the municipality within three to four weeks of receiving the submission.

Required Information

- Municipality Information
- Nominee's name and contact information (home address, telephone number, email etc.)
- Municipal representative contact information (name, business address, telephone number, email etc.)

For the deadline date, please visit www.ontario.ca/honoursandawards or contact the Volunteer Recognition Unit:

Telephone: 416-326-0206

Toll Free: 1-833-986-4022

VRS: 437-538-4850

Email: OntarioVolunteerServiceAwards@ontario.ca

Instructions

For the deadline date, please visit www.ontario.ca/honoursandawards or contact the Volunteer Recognition Unit.

Nominations are not accepted by email. Please send completed forms to the following address:

Volunteer Recognition Unit

Ministry of Citizenship and Multiculturalism
1075 Bay St, 7th Floor
Toronto, ON M5S 2B1

Telephone: 416-326-0206

Toll Free: 1-833-986-4022

VRS: 437-538-4850

Email: OntarioVolunteerServiceAwards@ontario.ca

Website: www.ontario.ca/honoursandawards

Your comments regarding the form and process are welcome. Please email your comments directly to us at the above email address.

Municipality Information - Step 1 of 5

Name of Municipality/Township

Business Address

Street No.	No. Suffix	Street Name	Street Type	Street Direction	Unit/Suite/Apt
Delivery Mode			PO Box No. (e.g., 123456)	Rural Route No. (e.g., 123456)	
<input type="checkbox"/> General Delivery <input type="checkbox"/> Mobile Route <input type="checkbox"/> Post Office Box					
<input type="checkbox"/> Rural Route <input type="checkbox"/> Suburban Service					
City			Province	Postal Code (e.g., M7A2R9)	
Primary Telephone Number (e.g., 555-555-5555 x555)			Alternate Telephone Number (e.g., 555-555-5555 x555)		
Email (e.g. email@address.com)					

Preferred Language of Communication ☐ English ☐ French

Nominee Information - Step 2 of 5

Form of address (e.g. Dr., Honourable, Sargent, Reverend, Elder)

First Name	Last Name
------------	-----------

Home Address

☐ City Address ☐ Rural Route or PO Box Address

Street No.	No. Suffix	Street Name	Street Type	Street Direction	Unit/Suite/Apt
Delivery Mode			PO Box No. (e.g., 123456)	Rural Route No. (e.g., 123456)	
<input type="checkbox"/> General Delivery <input type="checkbox"/> Mobile Route <input type="checkbox"/> Post Office Box					
<input type="checkbox"/> Rural Route <input type="checkbox"/> Suburban Service					
City			Province	Postal Code (e.g., M7A2R9)	

Primary Telephone Number (e.g., 555-555-5555 x555)

Alternate Telephone Number (e.g., 555-555-5555 x555)

Email (e.g. email@address.com)

Preferred Language of Communication ☐ English ☐ French

Ceremony Presentation Date - Step 3 of 5

Please provide the ceremony presentation date, if confirmed. (mm/dd/yyyy)

Certificate will be mailed within three to four weeks of receiving the submission.

Municipal Representative Information - Step 4 of 5

Form of address (e.g. Dr., Honourable, Sargent, Reverend, Elder)

First Name

Last Name

Position/Title

Primary Telephone Number (e.g., 555-555-5555 x555)

Alternate Telephone Number (e.g., 555-555-5555 x555)

Email (e.g. email@address.com)

Preferred Language of Communication ☐ English ☐ French

Declaration - Step 5 of 5

The Ontario government is committed to ensuring the privacy of your personal information. In accordance with subsection 39(2) of the *Ontario Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.F.31, the personal information collected on this form is necessary to the proper administration of the **Ontario Senior of the Year** which is a program that is consistent with the mandate of the Ministry prescribed under s. 4 of the *Ministry of Citizenship and Culture Act*, R.S.O. 1990, c. M.18. The personal information collected are used solely for the determination of nominee's eligibility and review and recommendation by the selection body.

The personal information collected in this nomination package belongs in perpetuity to the nominator and cannot be shared for purposes other than the administration of the program without express written consent of the nominator.

For further information, please contact:

Manager, Volunteer Recognition Unit
Ministry of Citizenship and Multiculturalism
Telephone: 416-326-0206 (toll free: 1-833-986-4022)
1075 Bay St, 7th Floor
Toronto, ON M5S 2B1

☐ I confirm my nominee meets the eligible requirements and hereby certify that I am a municipal representative or designate and declare that all information provided in this application is true and accurate in every respect.

Nominator Signature

Date



This communication, including any attachments, is intended only for the use of the addressee(s) to this email and is confidential. If you are not an intended recipient or acting on behalf of an intended recipient, any review, disclosure, conversion to hard copy, dissemination, reproduction or other use of any part of this communication is strictly prohibited. If you receive this communication in error or without authorization, please notify the originator immediately and remove it from your system.

From: Cori McLean [REDACTED]

Sent: March 20, 2024 6:00 PM

To: Joe Garon [REDACTED]

Subject: Re: Fun Fest

Hey Joe!

This is my formal resignation from the Fun Fest Committee.

Thank you again for the opportunity to be a part of the Fun Fest! I learned so much, & met so many great people along the way!

Good luck with everything!

Cori McLean

[REDACTED]

[REDACTED]



The Corporation of the Town of Tecumseh

March 25, 2024

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

Attention: Joseph Malandrucolo, Director, Legal & Legislative Services/Clerk

Dear Joe:

Re: OPP Detachment Board Appointments and Administration

The Council of the Town of Tecumseh, at its regular meeting held March 19, 2024, gave consideration to reports CAO-2024-02 entitled “OPP Detachment Board Appointments” and CAO-2024-03 entitled “OPP Detachment Board Administration”, a copy of which is enclosed.

At their meeting, Tecumseh Council passed the following resolutions:

CAO-2024-02 – OPP Detachment Board Appointments

Motion: RCM – 51/24

“That Report CAO-2024-02 entitled “OPP Detachment Board Appointments” **be received.”**

Motion: RCM – 52/24

“That Mayor Gary McNamara **be appointed** as the Town of Tecumseh Council representative for the Essex County OPP Detachment Board – North, effective April 1, 2024, being the date the *Community Safety and Policing Act, 2019* comes into force.”

Motion: RCM – 53/24

“That the preferred option as outlined in this report regarding appointment of a local community representative proceed with Option 2 for the remainder of this term of office and Option 3 selected for the terms of office following the 2026 municipal elections;

And that Paul Sweet **be appointed** as the local community representative on the new Essex County OPP Detachment Board-North for the remainder of this term in office.”

Motion: RCM – 54/24

“That the preferred option outlined in this report regarding appointment of an at-large community representative be Option 1 selected for the remainder of this term in office and Option 2 selected for the terms of office following the 2026 municipal elections;

And that Christopher Hales **be selected** as the at-large representative and his name be forwarded as the Town of Tecumseh’s recommendation to the Town of Essex and Municipality of Lakeshore for their consideration.”

CAO-2024-03 – OPP Detachment Board Administration

Motion: RCM – 55/24

“That Report CAO-2024-03 entitled “OPP Detachment Board Administration” **be received**;

And that authorization **be given** for the Town of Tecumseh to provide administrative support to the new Essex County OPP Detachment Board – North;

And further that authorization **be given** to Administration to create a new Administrative Support position dedicated to the OPP Detachment Board – North and proceed with drafting a job description and advertisement for the position;

And furthermore, that the administrative components relating to municipal liaison support and proposed meeting schedule **be approved**;

And furthermore, that the financial administration and compensation provisions outlined within Report CAO-2024-03 **be approved**;

And furthermore, that the proposed arrangements regarding the OPP Detachment Board – North administration **be forwarded** as the Town of Tecumseh’s recommendations, subject to concurrence with the Town of Essex and Municipality of Lakeshore, for their consideration;

And furthermore, that the administrative and financial arrangements approved by the three member municipalities **be recommended** to the newly formed Essex County OPP Detachment Board – North for its adoption.”

Please consider this letter as confirmation of the Town of Tecumseh’s action on the above matter.

Following Essex Council’s consideration in the above matters, we look forward to receiving confirmation of the adopted resolution(s).

Yours very truly,



Robert Auger, LL.B.
Director Legislative Services & Clerk

RA/kb

Attachments

1. CAO-2024-02 OPP Detachment Board Appointments
2. CAO-2024-03 OPP Detachment Board Administration

cc: Doug Sweet, Chief Administrative Officer



The Corporation of the Town of Tecumseh

Chief Administrative Officer

To: Mayor and Members of Council

From: Margaret Misek-Evans, Chief Administrative Officer

Date to Council: March 19, 2024

Report Number: CAO-2024-02

Subject: OPP Detachment Board Appointments

Recommendations

It is recommended:

That Report CAO-2024-02 entitled “OPP Detachment Board Appointments” **be received**;

And that Council **appoint** Mayor Gary McNamara to be the Town of Tecumseh Council representative on the new Essex County OPP Detachment Board – North, effective April 1, 2024, being the date the *Community Safety and Policing Act, 2019* comes into force;

And further that direction **be given** on the preferred option as outlined in this report regarding appointment of a local community representative with Option ___ selected for the remainder of this term of office and Option 3 selected for the terms of office following the 2026 municipal elections;

And furthermore, that direction **be given** on the preferred option as outlined in this report regarding appointment of an at-large community representative with Option 1 selected for the remainder of this term of office and Option 2 selected for the terms of office following the 2026 municipal elections;

And furthermore, that the selection for the at-large community representative **be forwarded** as the Town of Tecumseh’s recommendation to the Town of Essex and the Municipality of Lakeshore for their consideration.

Background

On March 26, 2019, Ontario passed the [Community Safety and Policing Act, 2019](#) (CSPA), as part of the *Comprehensive Ontario Police Services Act, 2019*. Once in force, as of April 1, 2024, the CSPA will replace the current *Police Services Act, 1990* (PSA).

At the May 25, 2021 Regular Meeting of Council, [Report CAO-2021-09](#) was presented outlining the new CSPA requirements and endorsement of the two board model as the preferred detachment board composition. On October 25, 2023, the Ministry of the Solicitor General (Ministry) sent a letter to all local municipalities confirming that the Essex County OPP Detachment Board proposal had been approved by the Solicitor General.

To prepare for the CSPA coming into effect, the Ministry provided a [description of the regulation](#) for public review and feedback, that will set out OPP Detachment Board compositions and other related matters. Council endorsed Administration's comments in response to the description regulation, as identified in [Report CAO-2024-01](#), and the Town's feedback was forwarded to the Ministry.

As part of the next steps, the Ministry has advised the new board is to be in place on or about April 1, 2024. The current Police Service Board (PSB) ceases to be in effect at that time. A by-law to disband the current PSB is forthcoming in March to give effect to its discontinuance. Town Administration are working with the Town of Essex and Municipality of Lakeshore to develop the administrative components of the new board for consideration by each respective Council.

This report addresses the first order of business, which is the local representative appointments to the new Essex County OPP Detachment Board – North. Each of the three municipalities represented by the new Board must make two appointments: a Council representative and a local community representative. The three municipal Councils must concur on one at-large representative. The provincial appointments to the new Board will be made by the Public Appointments Secretariat. For Council's information, the composition of the current PSBs for each of the municipalities is as follows:

Town of Tecumseh

Name	Board Position	Type of Appointment
Christopher Hales	Chair	Community Member - Council Appointment
Paul Sweet	Vice Chair	Provincial Appointment
Mayor Gary McNamara	Member	Council Appointment
Councillor Rick Tonial	Member	Council Appointment
Marc Gomes	Member	Provincial Appointment

Town of Essex

Name	Board Position	Type of Appointment
Mayor Sherry Bondy	Chair	Council Appointment
Councillor Kim Verbeek	Vice Chair	Council Appointment
David Kigar	Member	Community Member – Council Appointment
Timothy Meloche	Member	Provincial Appointment
Karen Robertson	Member	Provincial Appointment

Municipality of Lakeshore

Name	Board Position	Type of Appointment
Ed Hooker	Chair	Provincial Appointment
John Quennell	Vice Chair	Provincial Appointment
Mayor Tracey Bailey	Member	Council Appointment
Deputy Mayor Kirk Walstedt	Member	Council Appointment
Julie Johnston	Member	Community Member-Council Appointment

Comments

As approved by the Ministry, on October 25, 2023, the board composition for the Essex County OPP Detachment Boards is as follows:

Board	Communities Serviced	Council Seats	Community Representative Seat(s)	Provincial Appointment Seat(s)	Total Seat(s)
1	Town of Essex, Municipality of Lakeshore, Town of Tecumseh	3	4	2	9
2	Town of Kingsville, Municipality of Leamington, Pelee Township, Caldwell First Nation	4	3	2	9

In accordance with the CSPA, appointment or reappointment of a member to the board shall consider:

“33 (a) the need to ensure that the police service board is representative of the area it serves, having regard for the diversity of the population in the area;

(b) the need for the police service board to have members with the prescribed competencies, if any, and;

(c) any applicable diversity plan.”

The CSPA stipulates that persons are not eligible to be a member of the board if they are:

- a judge/justice of the peace
- member of a police service, a special constable or a First Nations Officer
- any person who practices criminal law as a defence counsel or as a prosecutor
- a director, officer or employee of a prescribed policing provider
- a former member of a police services unless the police service board does not maintain a police service that the person was a member of and at least one year has passed since the person ceased to be a member of any police service.

Council Representative

Each of the three municipalities are required to appoint one (1) member of Council. The description of the regulation proposes the term of a municipal appointment not to exceed the term of the Council that made the appointment. For continuity in this term of office, Council should consider appointing one of its current members to the new Board. As Councillor Tonial is a former member of the current police service, he is not eligible to serve on the new Board. Therefore, it is recommended that Council appoint Mayor Gary McNamara as the Council representative to the Essex County OPP Detachment Board – North. This will provide for continuity during the transition to the new Board.

For Council’s information, the Town of Essex Council appointed Mayor Sherry Bondy as their Council representative to the new Detachment Board on December 4, 2023. The Municipality of Lakeshore appointed Mayor Tracey Bailey as their Council representative on March 5, 2024.

Community Representative

Each of the three municipalities is required to appoint one (1) community representative, together with one (1) at-large community representative (3 municipal community representatives + 1 at-large representative = 4 seats). The description of the regulation proposes the term of a joint appointment not to exceed four (4) years. For each appointment, each municipal Council must adhere to S. 33 a) of the CSPA as well as the ineligibility criteria set out above.

Each of the community representatives for Tecumseh, Essex and Lakeshore must live in the respective municipality while the at-large representative must live in any of Tecumseh, Essex or Lakeshore.

Options: Community Representative

With respect to the Town of Tecumseh community representative (1 seat), the following options are put forward for consideration:

1. Reappoint the current Town of Tecumseh community member for the remainder of this four (4) year term.
2. Appoint one (1) of the current Town of Tecumseh provincial appointed members as the community member for the remainder of this four (4) year term.
3. Proceed with a public call for applications for a community representative, in line with defined qualifications for the remainder of this four (4) year term. This option could support the new diversity obligations under the CSPA. Current community and provincial appointees would be eligible to apply, if desirous.

For Option 3 above, Administration has developed a set of qualifications for Council's consideration. It is recommended that community representatives be a Canadian citizen, 18 years of age or older, and possess a demonstrated knowledge and understanding of community issues, experience working on a committee/board or volunteer involvement and be a strategic thinker with proven communication and interpersonal skills. Academic and/or career background in corporate or public governance, law, public policy, social services, mental healthcare, or similar would be ideal.

Notwithstanding the options above for the remainder of this term of office, it is recommended that Option 3 be selected as the appointment process for forthcoming terms commencing after the 2026 municipal elections.

Letters of interest for the community representative and at-large appointments have been received and are appended to the report. ([Attachment 1](#))

Options: At-Large Representative

For the at-large representative, concurrence must be achieved by all three municipalities for the successful candidate. Senior Administration from the collective municipalities have discussed geographic rotation of the at-large representative to allow for equitable representation from each municipality. The at-large member appointment could be rotated based on a +/- 1-year term or for the entire term. For example, an at-large representative residing in the Town of Tecumseh would serve a 1-year term, followed by a Municipality of Lakeshore and then a Town of Essex resident. In the alternative, an at-large representative residing in the Town of Tecumseh could serve the remainder of the current 4-year term, thereafter the next two 4-year terms would see the

appointment of at-large members from each of Lakeshore and Essex. In discussions with our Advisor from the Ministry, the 1-year rotation is considered to be too short for any new member to fully assimilate into the Board appointment, particularly if they lack any prior experience.

The following two options are proposed for the at-large member appointment:

1. For the initial appointment of a member to serve for the remainder of this term of office, each municipal Council could appoint an eligible member from their existing Board to serve for a +/- 1-year term. For example, for the remainder of 2024, the at-large member would be from Tecumseh, for 2025 the member would be from Lakeshore and for 2026, the member would be from Essex. Following this term of office, Option 2 would take effect.
2. Under the same qualification criteria as for the municipal community representatives (outlined above for Option 3), a call for application for the at-large representative could be posted. Prior to such posting, the three municipalities must first agree on the order of geographic rotation for the term appointments. For example, a neutral ordering based on alphabetical order would indicate the first 4-year term appointment would be from Essex, followed by Lakeshore, then followed by Tecumseh. Appointment of an at-large member from the pool of applicants must be agreed upon by all three municipalities regardless of which municipality the applicant is from.

Administration recommends Option 1 for this term of office and Option 2 going forward, commencing after the 2026 municipal elections. This two-tiered appointment strategy would accomplish the following advantages:

- For the first term of the new Board, it would facilitate the (re-)appointment of Detachment Board members with prior board experience. As there are several administrative matters to be determined in this initial term as well as input to Board policies and the local action plan, it would be helpful to have members that have had prior Board experience as well as exposure to the development of the CSPA and its regulations over the past 5 years.
- Option 1 above would assist with meeting the timeline of new Board appointments, with members in place by April 1, 2024, as there would be no need for a notification period and consideration of applications by all three Councils.
- Whilst the Advisor has expressed concern over short-term appointments to the Board (+/- 1 year), a shorter rotation of appointments for the remainder of this term of office coupled with the appointment of experienced members helps to allay these concerns.

- Over the longer term, Option 2 will assist with meeting the diversity requirements set out in the CSPA and provide opportunities for more members of the public to apply for a position on the Board. It will also facilitate a fair geographic representation over the three municipalities.

At their March 4, 2024 regular meeting, the Town of Essex appointed Dave Kigar (current PSB community member) as the community member representative for the new Board until the end of this Council term and approved the selection for the at-large member follow Option 1, as listed above, for the remainder of the term of Council and then Option 2, as noted above, to take effect with the new term of Council in 2026.

Similarly, on March 5, 2024 the Municipality of Lakeshore appointed their current community representative, Julie Johnston, as the community member for the new Board for the remainder of this term of office. Council approved proceeding with Option 1 for the appointment of the at-large member and Option 2 for the terms of office following the 2026 municipal elections.

Provincial Representative

Provincial appointments (2 seats) will be at the pleasure of the Minister through the Public Appointments Secretariat. Current provincial appointees' term will conclude as of the date the CSPA comes into effect. It is our understanding that the current Provincial appointees will be contacted by the Secretariat to determine their interest in continuing to serve as Board members. However, currently there are six (6) Provincial appointees serving the three local boards. As only two (2) will remain, the other four (4) may be eligible to be appointed as local community representatives, should they wish to continue their service.

It is the intention to have the municipal Council and community representatives appointed as of or close to April 1, 2024. While awaiting provincial appointments, the partial board can continue determining the administrative components, including cost sharing formulas between the municipalities for the new board. Subsequent reports will be presented to Council to stand up the new board.

Consultations

Ron LeClair, Ministry of Solicitor-General Advisor to the OPP Police Service Boards in Essex County
Senior Administration from Municipalities within the Essex County OPP Detachment Board - North

Financial Implications

There are no financial implications associated with this report.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Christina Hebert, BA (Hons), MA, Dipl. M.A.
Deputy Clerk – Clerks Services & Policy Advisor

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Community and Provincial Representative Letters of Interest

-----Original Message-----

From: Paul Sweet

Sent: Thursday, February 29, 2024 2:45 PM

To: Margaret Misek-Evans <mevans@tecumseh.ca>

Subject: Town of Tecumseh Community Appointment to Essex North OPP Police Services Board

Margaret Misek-Evans
CAO
Town of Tecumseh
Margaret

Please accept this email as my formal indication to the Council of the Town of Tecumseh of my interest in being considered for appointment as a Community Representative to the Essex North OPP Police Services Board.

I would be pleased to provide an updated Curriculum Vitae if required. Of note to my consideration for this appointment, my career has included a position with the Ministry Of the Solicitor General as a Policing Advisor for the Province of Ontario.

Thanking you and Council for your consideration.

Sincerely

Paul Sweet

From: Gomes, Marc

Sent: Wednesday, March 6, 2024 11:32 AM

To: Margaret Misek-Evans <mevans@tecumseh.ca>

Cc: Brian Hillman <bhillman@tecumseh.ca>; Ellen Preuschat <epreuschat@tecumseh.ca>

Subject: Tecumseh OPP Community Appointments

Hi Margaret,

Sorry for my delay in sending this email.

I would like to let my name stand for a possible Community or At Large appointment to the revised OPP Police Board. I believe that the continuity of the board is very important at this point of a major transition of amalgamating three separate boards into one. My past experience and understanding of Police Governance would be an asset to the board.

Thank you for your consideration.

Regards,

Marc

From: Christopher Hales

Sent: Monday, March 11, 2024 6:33:51 PM

To: Margaret Misk-Evans mevans@tecumseh.ca

Subject: Participation in the North Shore OPP Detachment Board

Margaret:

Please accept this email as my confirmation that I am keenly interested in being part of the new North Shore Police Services Board forming on April 1, 2024. I would be willing to serve as either the Tecumseh community representative or as the single representative-at-large. There is a long list of things this new board will need to accomplish in the next year and I feel that I have the board experience to be a positive voice for adequate and effective policing in our communities.

Thank you for your consideration of my expression of interest.

Chris Hales

Chair, Tecumseh Police Services Board



The Corporation of the Town of Tecumseh

Chief Administrative Officer

To: Mayor and Members of Council

From: Margaret Misek-Evans, Chief Administrative Officer

Date to Council: March 19, 2024

Report Number: CAO-2024-03

Subject: OPP Detachment Board - Administration

Recommendations

It is recommended:

That Report-CAO-2024-03 entitled “OPP Detachment Board – Administration” **be received**;

And that authorization **be given** for the Town of Tecumseh to provide administrative support to the new Essex County OPP Detachment Board – North;

And further that authorization **be given** to Administration to create a new Administrative Support position dedicated to the OPP Detachment Board – North and proceed with drafting a job description and advertisement for the position;

And furthermore, that the administrative components relating to municipal liaison support and proposed meeting schedule **be approved**;

And furthermore, that the financial administration and compensation provisions outlined within Report CAO-2024-03 **be approved**;

And furthermore, that the proposed arrangements regarding the OPP Detachment Board – North administration **be forwarded** as the Town of Tecumseh’s recommendations, subject to concurrence with the Town of Essex and the Municipality of Lakeshore, for their consideration;

And furthermore, that the administrative and financial arrangements approved by the three member municipalities **be recommended** to the newly formed Essex County OPP Detachment Board – North for its adoption.

Background

On March 26, 2019, Ontario passed the [Community Safety and Policing Act, 2019](#) (CSPA), as part of the *Comprehensive Ontario Police Services Act, 2019*. Once in force, as of April 1, 2024, the CSPA will replace the current *Police Services Act, 1990* (PSA).

At the May 25, 2021 Regular Meeting of Council, [Report CAO-2021-09](#) was presented outlining the new CSPA requirements and endorsement of the two board model as the preferred detachment board composition. On October 25, 2023, the Ministry of the Solicitor General (Ministry) sent a letter to all local municipalities confirming that the Essex County OPP Detachment Board proposal had been approved by the Solicitor General.

To prepare for the CSPA coming into effect, the Ministry provided a [description of the regulation](#) for public review and feedback, that will set out OPP Detachment Board compositions and other related matters. Council endorsed Administration's comments in response to the description regulation, as identified in [Report CAO-2024-01](#), and the Town's feedback was forwarded to the Ministry.

As part of the next steps, the Ministry has advised the new board is to be in place on or about April 1, 2024. The current Police Service Board (PSB) ceases to be in effect at that time. A by-law to disband the current PSB is forthcoming to give effect to its discontinuance. Town Administration is working with the senior administrations of the Town of Essex and Municipality of Lakeshore (collectively the "Senior Administration") to develop the administrative components of the new board for consideration by each respective Council. This report centres on the initial administrative components.

Concurrent to this report, Council will consider the local representative appointments to the new Essex County OPP Detachment Board – North (Board).

Comments

Senior Administration from the three municipalities recommend the overall Board administration to be undertaken by Tecumseh on a fee for service basis, including overhead expenses such as the Administrative Support, financial support services, use of the electronic agenda management software (eScribe), records management, website, livestreaming, hosting meetings, etc. incurred by the host municipality.

Details regarding financial oversight will be forthcoming in a separate report on the Board budget, together with arrangements to be facilitated through a cost-sharing agreement.

Administration

a) Administrative Support

Each of the three municipalities do not have the staffing resources to provide dedicated Administrative Support for the new Board. However, Tecumseh's current Administrative Support (Executive Assistant to the CAO) will assist the new Board in this role on an interim basis.

To carry out the various Board secretariat, administrative and coordination duties, it is recommended that a new position ("Administrative Support") specifically for the Board administration be created and that Council authorize Administration to proceed with drafting a job description and advertising for this proposed new position. It is anticipated that this position will be part-time. The staffing enhancement costs will be outlined in the upcoming budgetary report.

b) Municipal Liaison Support

For the three municipalities, two CAOs currently serve as PSB Secretaries (Tecumseh and Essex), with the Corporate Leader – Legal Counsel acting as Municipal Liaison for Lakeshore. It is jointly recommended that the Municipal Liaison support role continue with representation from each municipality to provide the new Board with governance support in an advisory capacity.

c) Meetings

In accordance with Section 43 of the CSPA, at least four (4) meetings shall be held per year. Senior Administration collectively recommends six (6) meetings per year, with any additional meetings and closed meetings to be held at the call of the Chair.

Tecumseh will host and livestream the Board meetings initially and subject to the Board's preference thereafter.

Financial Administration and Compensation

Section 67 (3) of the CSPA provides for remuneration and expenses of the Board in the regulation. The current description of the regulation provided by the Ministry references the amount of remuneration will be determined by unanimous agreement by the municipalities within the detachment area, or the Province will determine the amount to be paid if an agreement cannot be reached. Board costs are to be allocated equally unless a different arrangement is unanimously agreed to.

Jointly, Senior Administration proposes compensation in accordance with Tecumseh's current remuneration model, as set out in the table below:

Remuneration (2024 annual rate)	Chair \$3,651 Members \$2,947 Administrative Support (interim) \$2,947 Municipal Liaison \$2,947
Per diem*	\$200 full day \$100 half day

*Per diems are provided for training/conferences only; no meeting per diem would be provided.

The compensation for the dedicated Administrative Support will be determined once the job description has been created and the pay evaluated.

Related travel expenses would be per the respective municipal policy until the new Board adopts a consolidated travel policy.

Notwithstanding that the recommendations outlined within this report were derived jointly with Senior Administration from Essex and Lakeshore, all recommendations regarding the administrative and financial arrangements are subject to the concurrence of the Councils of the Town of Tecumseh, the Town of Essex and the Municipality of Lakeshore and eventual adoption by the newly formed Essex County OPP Detachment Board - North.

Consultations

Legislative Services & Clerk

Financial Services

Ron LeClair, Ministry of Solicitor-General Advisor to the OPP Police Service Boards in Essex County

Senior Administration from Municipalities within the Essex County OPP Detachment Board - North

Financial Implications

For the balance of 2024, the new Board is expected to operate within the remaining balances of the cumulative approved budgets of the three member municipalities (Tecumseh, Lakeshore, Essex).

As the new Board is intended to be administered through Tecumseh, actual Town costs incurred to administer the program will be recovered equally from the three participating municipalities.

At this time, no additional cost to the Town is anticipated as a result of the new Board structure and second quarter implementation, and the Town's share of costs towards the new Board is expected to be within the remaining balance of the Town's approved 2024 PSB budget.

Link to Strategic Priorities

Applicable	
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Christina Hebert, BA (Hons), MA, Dipl. M.A.
Deputy Clerk – Clerks Services & Policy Advisor

Reviewed by:

Robert Auger, LL.B.
Director Legislative Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None

From: noreply@esolutionsgroup.ca
To: [Clerks](#)
Subject: Festival Committee - New Response Completed for Essex Festival Committee Application
Date: Wednesday, March 27, 2024 4:08:55 PM

WARNING: This email originated from someone who is not sending from a Town of Essex email address. Reply only if you recognize the senders email address. Do not click links or open attachments unless you recognize the sender, the senders email address and know the content is safe.

Hello,

Please note the following response to Essex Festival Committee Application has been submitted at Wednesday March 27th 2024 4:05 PM with reference number 2024-03-27-011.

- **Last Name or Single Name**

Back

- **First Name**

Caitlin

- **Street Number**

[REDACTED]

- [REDACTED]

- **Town**

Essex

- **Postal Code**

[REDACTED]

- **Email Address**

[REDACTED]

- **Primary Phone Number**

[REDACTED]

- **Availability (Check all that apply)**

Daytime, Evening

- **Are you comfortable with committee meetings being livestreamed for public viewing?**

Yes

- **Do you have access to electronic communication? (i.e., email)**

Yes

- **Have you read the Terms of Reference for this Committee?**

Yes

- **Are you 18 years of age or older?**

Yes

- **The Committee may either meet in person or virtually via teleconferencing technology. Would you be able to attend both in person and/or virtual meetings?**

Yes

- **What is (or was) your occupation?**

Event Management Professor, and Event Planner. Photographer

- **Please tell us about your interest in serving on this Committee. What do you hope to contribute, and how would you support the Committee?**

Would love to be part of the committee to provide a great experience for the town of Essex!

- **Please tell us about your community involvement and employment background, including any skills and experience relevant to this position. What were your roles and responsibilities?**

I've worked on the Santa's Village committee, and I'm an Event Planner by trade.

- **Outline your experience planning events and fundraising.**

10 years! I now teach event management

- **Date of Signature**

3/27/2024

[This is an automated email notification -- please do not respond]



The Corporation of the Town of Essex
Committee of Adjustment Meeting Minutes

February 13, 2024, 5:00 pm
Location: Essex Municipal Building, 33 Talbot Street South

Present: Chair - Pocock, Phil
Member - Child, Matthew
Member - Lester, Dorene
Member - Sauve, Danny

Absent: Vice Chair - Baker, William

Also Present: Corinne Chiasson, Secretary-Treasurer, Senior Planner
Sarah Girard, Planning Assistant
Ian Rawlings, Junior Planner
Marsha Buchta, Planning Clerk

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

The Chair called the meeting to order at 5:01 p.m.

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. Declarations of Conflict of Interest

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

4. Adoption of Published Agenda

4.1 Committee of Adjustment Meeting Agenda for February 13 2024

COA24-02-14

Moved By Dorene Lester
Seconded By Danny Sauve

That the published agenda for the February 13 2024 Committee of Adjustment Meeting be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Committee of Adjustment Minutes for January 16 2024

COA24-02-15

Moved By Matthew Child

Seconded By Dorene Lester

That the minutes of the Committee of Adjustment meeting held January 16 2024 be adopted as circulated.

Carried

6. Reports from Administration/Applications

6.1 B-05-24 Merle and Margaret Howie & Denis Morton, 1282 Gore Road

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 1282 Gore Road, formerly known as Colchester South. The applicants are proposing to sever a ± 0.186 ha (0.46 acre) parcel from the existing ± 43.26 ha (106.9 acres) agricultural lot to be added to the adjacent property identified as 1276 Gore Road. The retained agricultural lot is proposed to have an area of ± 43.07 ha (106.44 acres). The applicant is proposing this consent for the purposes of a lot addition.

Ian Rawlings, Junior Planner, provided an overview of the application by way of a Report from the Planning Services Department (attached hereto as Schedule 'A') where by the report recommended the approval of the application.

COA24-02-16

Moved By Danny Sauve

Seconded By Matthew Child

That application B-05-24 be approved to sever a ± 0.186 ha (0.46 acres) parcel from the existing ± 43.26 ha (106.9 acres) agricultural lot for the purpose of a lot addition be approved, subject to the following condition(s):

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, be submitted to the satisfaction of the Town of Essex;
2. That the appropriate documents for the conveyance be prepared and suitable for registration. All copies shall have original signatures and one digital copy will remain as a record with the Town;
3. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
4. That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;

5. That the severed parcel be consolidated with the lands known as 1272 Gore Road. In accordance with Subsection 3 of Section 50 of the Planning Act, the applicant shall submit to the Secretary-Treasurer satisfactory evidence that the transferee of the severed portion of the property and the owner of the abutting property are identical, together with an undertaking from the applicant's solicitor to consolidate the severed portion and the abutting into one parcel. Within thirty days of the issuance of the certificate of consent to sever, the applicant shall provide evidence to the Secretary-Treasurer that an application to consolidate parcels has been filed with the Land Registry Office;
6. That the applicant obtain the necessary approvals and install an access to the retained lands to the satisfaction of the Corporation of the Town of Essex;
7. That a variance or other measure satisfactory to the Corporation of the Town of Essex be obtained to mitigate any necessary setback reductions between the proposed lot line and the existing outbuilding;
8. That all of the above conditions be fulfilled on or before February 13, 2026, as per Section 53(41) of the Planning Act, R.S.O. 1990.

Carried

6.2 B-04-24 Donald Brisebois, 420 Dunn Road

A consent application has been received by the Town of Essex Committee of Adjustment for the lands located at 420 Dunn Road, formerly Colchester South. The applicants are proposing to sever a ± 602 square metre (6,480 square foot) parcel from the existing $\pm 1,471.58$ square metre (15,840 square foot) residential lot. The retained residential lot is proposed to have an area of ± 869.57 square metres (9,360 square feet). The applicant is proposing this consent for the creation of one (1) residential lot.

Ian Rawlings, Junior Planner, provided an overview of the application by way of a Report from the Planning Services Department (attached hereto as Schedule 'A') where by the report recommended the approval of the application.

Ian Rawlings, Junior Planner, advised the members that the Infrastructure and Drainage Departments provided comments. The Infrastructure Department stated that they had concerns with rainwater discharge. The Drainage department recommended at the cost of the applicant a drainage report under Section 65 of the Drainage Act be done by an Engineer and provided to the Town for review prior to the Consent being finalized.

Matthew Child, Member, stated he had concerns with the language within condition 6 of the recommended conditions of the application. He continued that he has concerns that the Section 65 report may not be completed within the time frame and may state that there is no capacity.

Corinne Chiasson, Senior Planner, stated that the applicant is fully aware of the timeframe and the financial commitment to do the Section 65 Report. She continued to state that the application has 2 years to complete the condition and through the report they will be reviewing a small area of the drain that truncates adjacent to the property.

Dan Sauve, Member, stated that he has concerns that the lot doesn't compare to the lots in the area. He questioned if the 1.2 metre setback would be efficient for the watershed off of the existing accessory structure.

Mr. Rawlings, stated that the applicant provided a 220 square metres drawing that accommodates the required setback.

Miss Chiasson, stated that Colchester is a unique Hamlet and this lot provides an opportunity for infill in an older neighborhood with no negative impacts. The application was circulated in January to all neighbouring properties within 60 metres and no negative responses were provided.

COA24-02-17

Moved By Matthew Child

Seconded By Dorene Lester

That application B-04-24 be approved to sever a \pm 602 square metre (6,480 square foot) parcel from the existing \pm 1,471.58 square metre (15,840 square foot) residential lot for the creation of a one (1) lot be approved, subject to the following condition(s):

1. That a draft reference plan prepared by an Ontario Land Surveyor, be submitted to the Town of Essex Secretary-Treasurer for review. Once the draft is reviewed and deemed acceptable, the reference plan can be numbered, dated, signed and registered. A copy of the registered plan is required to be sent to essexplanning@essex.ca prior to the issuance of the consent certificate;
2. That the appropriate documents for the conveyance be prepared and suitable for registration. All copies shall have original signatures and one digital copy will remain as a record with the Town;
3. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
4. That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
5. That the applicant pay the applicable parkland dedication fee charged against the lot created by consent and that the payment be made prior to the stamping of the deeds and/or issuance of the certificate;
6. That, at the expense of the applicant, a section 65 Engineering report under the Drainage Act be completed and deemed satisfactory by the Drainage Superintendent to ensure the capacity of the drain can handle additional water runoff and assess this property into the drain;
7. That, at the expense of the applicant, the required drainage works be installed, and appropriate permits and agreements be entered into to ensure that that the severed property establishes a proper drainage system/outlet, to the satisfaction of the Corporation of the Town of Essex;

8. That all of the above conditions be fulfilled on or before February 13, 2026, as per Section 53(41) of the Planning Act, R.S.O. 1990.

Carried

7. Adjournment

COA24-02-18

Moved By Dorene Lester

Seconded By Danny Sauve

That the meeting be adjourned at 5:28 p.m.

Carried

8. Future Meetings

March 19 2024, at 5 p.m. at Town Hall, Council Chambers, 33 Talbot Street South.

Chair

Recording Secretary



Essex Centre BIA Board Meeting Minutes

Tuesday, February 27, 2024, 6:00pm

Location: Essex Centre Sports Complex, 60 Fairview Ave W, Essex, ON

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at

clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

Present: Stephanie Winger, Chair
Kim Dennison, Vice Chair
Gregg Laframboise, BIA Board Member
Kelly Baillargeon, Coordinator
Nelson Silveira, Manager, Economic Development, Town of Essex
Andrea Schinkel, Schinkels' Meat Market
Mesba Qasim, Essex Libro Credit Union

Regrets: Jelena Adzic, Treasurer
Greg Schinkel, BIA Board Member
Katie McGuire-Blais, Ward 1 Councillor

1. Call to Order

The Chair called the meeting to order at 6:03pm

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. Declarations of Conflict of Interest

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

4. Adoption of Published Agenda

4.1. Essex Centre BIA Board Meeting Agenda for February 27, 2024

BIA24-02-001

Moved by K. Dennison

Seconded by G. Laframboise

That the published agenda for the February 27, 2024 Essex Centre BIA Board Meeting be adopted as presented.

Carried

5. Adoption of Minutes

5.1. Essex Centre BIA Board Meeting Minutes for January 23, 2024

BIA24-02-002

Moved by G. Laframboise

Seconded by K. Dennison

That the minutes of the Essex Centre BIA Board Meeting held January 23, 2024 be adopted as circulated.

Carried

6. Correspondence

6.1. Treasurer's Report- 2024 Budget Review

The Board reviewed the attached Treasurer's Report.

6.2. Written Report form Council Representative

Councillor McGuire-Blais provided the following written report:

- Essex Town council approved the submission of an application for the Ontario's Rural Economic Development (RED) program which will be used to hire a business ambassador to assist with small business grant writing, digital training etc.;
- Mayor Bondy and Councillor Katie McGuire-Blais walked through the downtown core to pick up garbage;
- Would like to encourage our small businesses to keep the area in front of their business, tidy especially now with the new tree guards which tent to collect trash;
- Suggests that the BIA create an initiative to help deal with the increased garbage on the main streets in Essex. An idea would be to host garbage pickups every 6 weeks and provide coffee, hot chocolate and a snack to volunteers. Possibly an idea for those youth looking for volunteer hours. The town does not have the resources to staff people to walk around and pick up garbage;
- The Sip n' Shop committee met and would like to formally invite the BIA to once again provide sponsorship as well as providing \$500 worth of BIA Downtown Dollars for the grand prize winner of the event passport program;
- The Sip n' Shop committee would like to offer shopping bags to shoppers and would like to know if the BIA would like to supply 400 of them. These bags would have the BIA logo on them. This decision needs to be made soon as bags could take up to 8 weeks for delivery;
- The Sip n' Shop committee will be limiting the number of guests this year to 600 but increasing the ticket price from \$30- \$35

BIA24-02-003

Moved by K. Dennison

Seconded by G. Laframboise

That the correspondence listed in Agenda Item 6 be received.

Carried

7. Appointment to the Board of Directors

7.1. Nomination of the Board Chair

Stephanie Winger was nominated as Board Chair and accepted the nomination.

BIA24-02-004

Moved by K. Dennison

Seconded by G. Laframboise

That Stephanie Winger be appointed as Board Chair.

Carried

7.2. Nomination of the Vice-Chair

Kim Dennison was nominated as Board Vice-Chair and accepted the nomination.

BIA24-02-005

Moved by K. Dennison

Seconded by G. Laframboise

That Kim Dennison be appointed as Vice Chair.

Carried

8. Membership

8.1. Member Requests

Several businesses have expressed interest in hosting a "Hop n' Shop" event on Thursday, March 28, 2024. Businesses will stay open until 8pm. They are requesting that the BIA provide entertainment and/or giveaways during the event to encourage added participation. Eight businesses have confirmed their participation thus far.

8.2. New Businesses/Closing/Change of location

The Broeckel Clinic Ribbon Cutting March 11, 9:30am located at 22a Centre Street, Essex.

Tagged it Paper Co. has rebranded and renamed their business to Soulegy. The website directory has been updated.

SX Communication is moving to new location.

Wendy's Fast food restaurant chain have erected a "coming soon" sign in the Essex Centre, however no site plan has been submitted.

BIA24-02-006

Moved by K. Dennison

Seconded by G. Laframboise

That the Member Updates listed in Agenda Item 8 be received.

Carried

9. Marketing and Promotions

9.1. Dine Essex Promotional Commercial Production

We have launched a new marketing campaign and have chosen four local restaurants to be prominently featured in our inaugural advertisement, showcasing the excellence within our downtown Essex community.

"Dine Essex" is a 60-second ad highlighting the best of our town through several featured businesses. The goal is to drive traffic to Essex by showcasing each establishment's unique offerings. With strategic promotion throughout Essex County, this opportunity provides significant regional exposure, benefiting our businesses and contributing to town wide promotion.

The four highlights businesses that will be featured in the first campaign are; Billy's Taphouse, Desi Fusion Essex, Brenko's House of Pizza and Acorn and Oak Coffee Company.

9.2. Valentine's Day Promotion Update

The promotion began in February and was hosted on Facebook. Five couples were randomly chosen and won \$100 worth of prizing from our downtown businesses. Prizing was delivered to the winners on February 13.

9.3. Spring Downtown Dollar Fall Campaign

RBC Essex have suggested hosting the Spring 2024 sale on Tuesday, May 28 or Tuesday, June 4. The BIA board would like to host the sale on Tuesday, May 28. Kelly will follow up with the RBC Manager.

9.4. Mother's and Father's Day Promotion

The Mother's Day promotion will run from May 5 until May 10. Five mothers will be chosen to win gift certificates from BIA businesses.

The Father's Day promotion will run from June 9 until June 14. Five fathers will be chosen to win gift certificates from BIA businesses,

9.5. Website Update

Kelly continues to work with Aaron from WP Web & Print Boutique, building the membership directory and content for the site.

BIA24-02-007

Moved by K. Dennison

Seconded by G. Laframboise

That the Marketing and Promotions updates listed in Agenda Item 9 be received.

Carried

10. Events

10.1. Downtown Essex Hop n' Shop

Kelly will reach out to the membership to gauge their interest and create a promotion campaign accordingly. The "Hop n' Shop" event is tentatively scheduled for Thursday, March 28 from 5pm-8pm. The BIA will supply downtown dollars and hire a character to visit the participating locations.

BIA24-02-009

Moved by K. Dennison

Seconded by G. Laframboise

That \$1,000 be allocated to the Hop n' Shop event for the purchase of Downtown Dollars and entertainment expenses.

Carried

10.2. Spring Downtown Street Event

To be determined at the later date.

10.3. Soap Box Derby

Kelly has been on contact with Scott Windram, Chairman of the Windsor Essex Soapbox Derby Association and Jake Morassut, Community Services Director, Town of Essex about hosting a Soapbox Derby in downtown Essex on Saturday, August 17, with a rain date of Sunday, August 18, 2024. The Windsor Essex Soapbox Derby Association have submitted a sponsorship request to the BIA Board.

10.4. BIA Business Mixer

A business mix and mingle to be hosting in late April at Billy's Taphouse. Kelly to confirm.

10.5. BIA Business Excellence Awards

The Harrow Chamber of Commerce is interested in partnering with the Essex BIA Board to host a joint Business Excellence Awards for both communities.

Kelly to reach out to their board chair to discuss options.

BIA24-02-010

Moved by K. Dennison
Seconded by G. Laframboise

That the Events updates listed in Agenda Item 10 be received.

Carried

11. Beautification

11.1. Street Banner Installation

The BIA Banners are set to be installed in the downtown core in 7-8 weeks.

The Essex Legion Branch 201 is embarking on a project called, Salute to our Veterans and would let to install banners on the street poles during the month of November. They have invited members of our board to meet to discuss the project.

The BIA Board would like to request that the town of Essex implement a banner policy and will be reaching out to town council for further discussion and direction.

11.2. Future Projects

Applications are now open for ***My Main Street***, a \$15-million Government of Canada investment, through the Federal Economic Development Agency for Southern Ontario to continue to support main street businesses and communities across southern Ontario.

The board will be researching ideas and reporting back to the board on projects and community activations that we could implement in the downtown core. Some ideas that were brought to the table were street markets, murals, music festival, parkette improvements, Heritage pavilion improvements, additional lighting etc.

BIA24-02-011

Moved by K. Dennison
Seconded by G. Laframboise

That the Beautification updates listed in Agenda Item 11 be received.

Carried

12. Governance

12.1. Constitution Update

A draft on an updated Essex Centre BIA constitution has been submitted to the Legal and Legislative Services at the Town of Essex, for review and suggestions.

BIA24-02-012

Moved by K. Dennison

Seconded by G. Laframboise

That the Governance updates listed in Agenda Item 12 be received.

Carried

13. Adjournment

BIA24-02-013

Moved by G. Laframboise

Seconded by K. Dennison

That the meeting be adjourned at 8pm.

Stephanie Winger – Chair

Kelly Baillargeon –Recording Secretary

2024 Budget vs. 2024 Actual TYD

2024
Budget

Notes '2024 Budget'

2024
Actual

REVENUES

Amounts Added to Taxes and Special Levies
43800-Business Improvement Levy (1st)
43800-Business Improvement Levy (2nd) Receive June 2024
43800-Business Improvement Levy Final Adjustments
Total Amounts Added to Taxes and Special Levies

\$	78,000
\$	78,000
\$	156,000

\$	83,102
\$	83,102

a1
a2
a3
a20

Investment and Other Income
49900-Revenue Contribution from Reserve (From 2023)
Total Investment and Other Income

\$	-
\$	-

b1
b2

TOTAL REVENUE

\$ 156,000

\$ 83,102

b20

EXPENSES

External Transfers
55900-Donations Grants
Total External Transfers

\$	500
\$	500

\$	-
\$	-

c1
c20

Salaries, Wages, Benefits and Personal Expenses (BIA Coordinator) 58900
50120-Wages
50500-CPP expense
50510-EI expense
Total Salaries, Wages, Benefits and Personal Expenses

\$	28,000
\$	1,400
\$	650
\$	30,050

\$	2,143
\$	112
\$	50
\$	2,305

d1
d2
d3
d20

Materials and Supplies
51100-Office Supplies
Total Materials and Supplies

\$	1,000
\$	1,000

\$	-
\$	-

e1
e20

51500-Supplies-Memberships and Special
Ribbon Cutting/Grand Openings
BIA Downtown Dollars (Spring Campaign)
BIA Downtown Dollars (Moonlight Madness Event)
BIA Downtown Dollars (Winter Campaign)
BIA Downtown Dollars - (Printable materials)
Halloween Parade (Candy & Volunteer Pizza)
Community Tree Lighting (Donation to Salvation Army)
Movie Night (August and October)
Business Excellence Award
OBIAA Annual Membership
OBIAA Annual Mtg, Travel & Ent
Meeting Snacks - Monthly Essex Centre BIA
Working Board Meetings (Dinner and Xmas appreciation)
AGM (Annual General Meeting)
Total Supplies-Memberships and Special

\$	500
\$	10,000
\$	500
\$	15,000
\$	1,000
\$	1,250
\$	100
\$	1,000
\$	1,500
\$	300
\$	2,500
\$	500
\$	1,250
\$	1,000
\$	36,400

\$10K BIA spend will give \$50K in bucks!

\$15K BIA spend will give \$75K in bucks!

\$	-
\$	-
\$	750
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	281
\$	1,032
\$	-
\$	-
\$	-
\$	2,063

f1
f2
f3
f4
f5
f6
f7
f8
f9
f10
f12
f13
f20

51820-Specialty Equipment & Capital Projects
Street Scape Xmas Lights -
Murals (Blimeys/Heritage Park)
Industrial Park Signage Updates
Website
Downtown Xmas Lighting - Snow flake fixing, town hall tree lights
BIA Signage/Flag poles
Planters - Fall
Planters - Winter
Total Specialty Equipment & Capital Projects

	Postponed
	Postponed
\$	150
\$	3,000
\$	650
\$	2,000
\$	2,000
\$	11,000
\$	18,800

	Postponed
	Postponed
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-

g2
g4
g8
g9
g5
g6
g7
g20

53500-Public Relations and Promotions
Swag BIA Print & Promos
Valentines Day (Feb)
St. Patricks Day (Mar)
Easter (Apr)
Mothers Day (May)
Fathers Day (Jun)
Fun Fest Sponsor Sip & Shop, Wine Mixer
Small Business Week
Christmas Parade (Dec)
Santa's Village (Dec)
Total Public Relations and Promotions

\$	2,000
\$	600
\$	200
\$	600
\$	1,000
\$	1,000
\$	3,500
\$	350
\$	13,000
\$	3,000
\$	25,250

\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-

h1
h7
h9
h8
h2
h3
h4
h5
h6
h20

53510-Advertising
Digital Media - Dine, Shop, Explore Campaign
Digital Media - Business commercial video spots (12 ads, each at \$625)
Digital Media - New Footage and Content for Website
Print Ads - Profiler (12 ads, 1 business per month)
Print Ads - Event Ads, 3 per year)
Social Media Boosting Ads on FB & Instagram
Website Hosting, domain renewal (Oliver Marketing)
Mail Chimp
Adobe License
Essex Food Bank Van Advertising
Canva (graphic design)
Holiday Lights Tour Prizing (Partnership with ACT Committee)
Total Advertising

\$	5,000
\$	9,000
\$	3,000
\$	6,000
\$	1,500.00
\$	1,500.00
\$	200.00
\$	350.00
\$	350.00
\$	300.00
\$	150.00
\$	1,000.00
\$	28,350

\$	1,654
\$	-
\$	-
\$	494
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-
\$	-

j1
j2
j3
j4
j5
j6
j7
j8
j9
j10
j20

Taxation Adjustments
57320-Tax Write Offs- Charities, Low Inc.
57370- Tax Write Offs- BIA
Tota Taxation Adjustments

\$	-
\$	300
\$	300

\$	-

k1
K3
k2

Utilities, Insurance and Property Taxes, Miscellaneous Services
54200-Communications-Telephone (Empire, Kelly's phone)
54320-Insurance General
50750-Mileage
53900-Miscellaneous Services
Total Utilities, Insurance and Property Taxes, Miscellaneous Services

\$	1,000
\$	50
\$	750
\$	250
\$	2,050

\$	-
\$	-
\$	-
\$	-
\$	-
\$	-

m1
m2
m3
m4
m5

TOTAL EXPENSES

\$ 142,700

\$ 6,515

n1

NET INCOME

\$ 13,300

\$ 76,588

p1

RESERVE EARNINGS (UP TO 2022)
Funding Balance of Capital Projects
New washrooms at Heritage Gardens (*1); Pulled from 2022 budget
Street Scape Banners
Total Funding Balance of Capital Projects
BALANCE RESERVE EARNINGS

\$	166,211
\$	45,000
\$	50,000
\$	95,000
\$	71,211

\$	180,000
\$	-
\$	180,000

q1
q2
q3
q4
q5

RUNNING CASH BALANCE
(INCLUDING RESERVE)

\$ 84,511

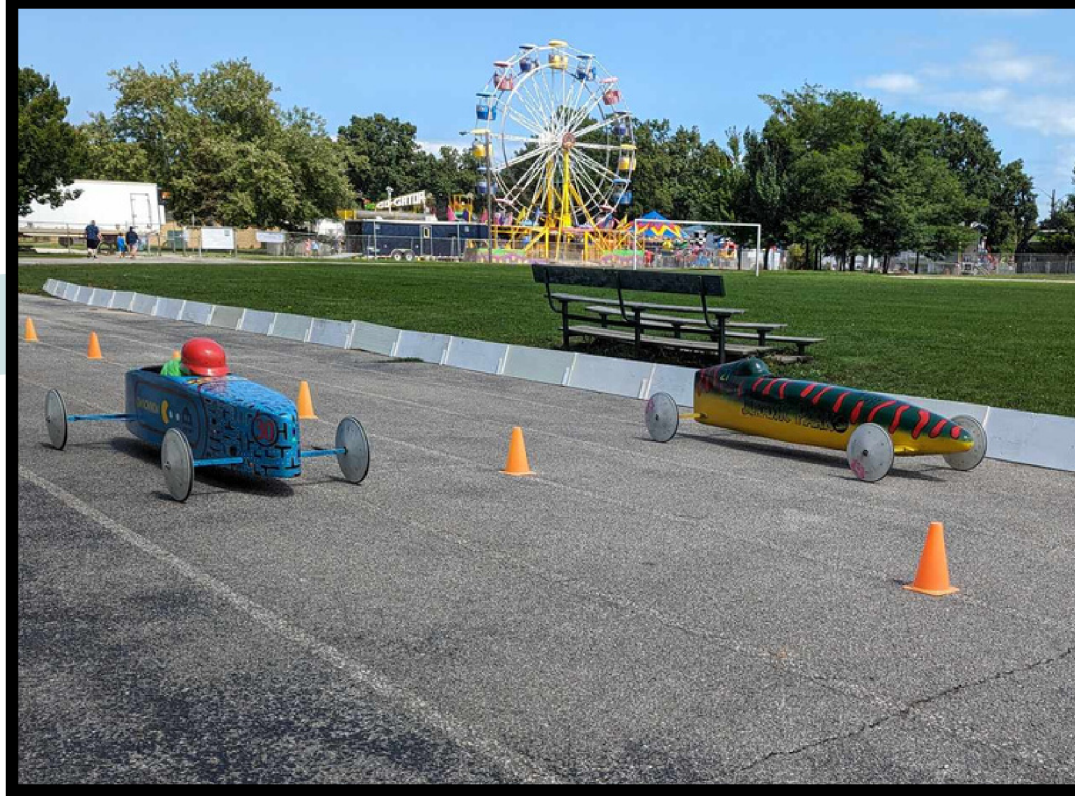
\$ 256,588

r1

Event Sponsorship 2024



Unlocking the
Potential of the Next
Generation through
STEM-related
Principles and Youth
Racing



Contact

Scott Windram : Founder / Chairman

Phone : (519) 567-3130

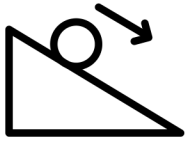
E-mail : info.wesda@gmail.com

Socal : <https://www.facebook.com/groups/wesda>

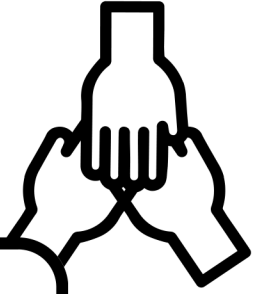
Website : <https://www.wesda.ca>

Address : 1673 Shawnee Rd Tecumseh On. N8N1S4





Windsor-Essex Soapbox Derby Association



About Us

Join the Windsor – Essex Soapbox Derby Association (WESDA), a non-profit youth sports organization founded in early 2023. We're dedicated to fostering sportsmanship, teamwork, a healthy lifestyle, family bonding, and STEM education through the heart-pounding action of gravity racing.

Since the early 1950s, soapbox derby racing has been a beloved tradition in Windsor-Essex. After several years' hiatus, we are thrilled to announce that we have brought it back to Windsor Essex county.

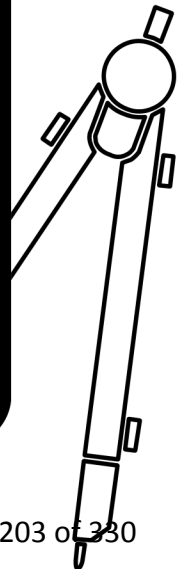
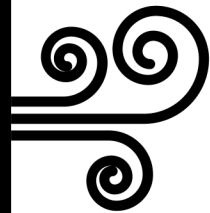
Our Triumph in 2023



After a thrilling race to the finish line in 2023 with events where we proudly participated at Windsor's Meet the Machine and races held at the Cornfest in Tecumseh, and the Children's Festival in Windsor, we are energized and ready for an even more exhilarating 2024 season. This year, we're taking it up a notch by looking too expanding our race locations, with the possibility of more exciting locations for our soapbox derby events. Stay tuned as we gear up for a season that promises more action, more fun, and more opportunities for the entire community to come together.

This is how we will roll

We're proud to announce the addition of a brand new race trailer and finish line structure. Construction started in early 2023 on these state-of-the-art enhancements, promising to elevate our racing events to new heights. With our finish line structure playing a vital role in our events, featuring track sensors and advanced finish line cameras for replays, these additions will not only ensure accurate race results but also bring added excitement for participants and spectators.



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Supporting our Youth and Community

WESDA is deeply committed to community involvement, actively participating in a diverse range of events throughout the year. Such as "Meet a Machine," where we offer hands-on experiences for community members. We also take immense joy in contributing to Children's Festivals, Fairs, Parades, and Halloween events, fostering a sense of joy and togetherness within our local neighborhoods.



Your sponsorship not only contributes to the thrill of the race but also plays a vital role in fostering sportsmanship, teamwork, and STEM education within our community. As a sponsor, your brand will be prominently featured, showcasing your commitment to the development of our youth and the betterment of Windsor – Essex.

Be a Driving Force

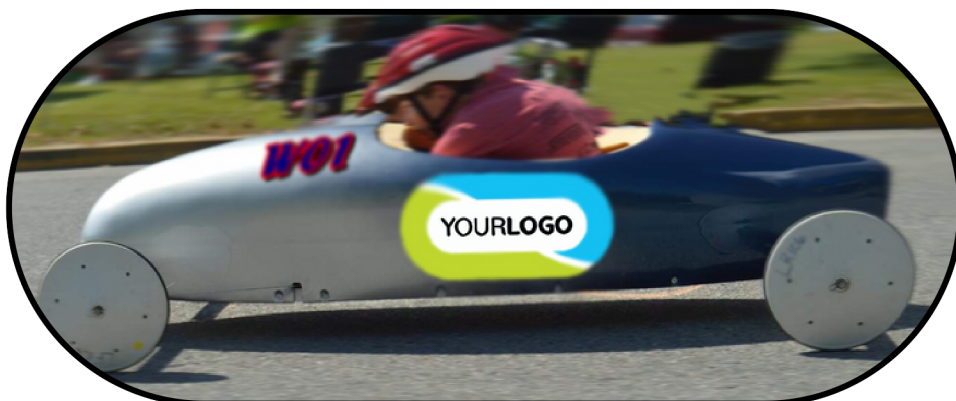
We invite Your Company/Organization to be a crucial part of this exhilarating journey. Your support ensures the success of our events, providing young racers with essentials like customized one-of-a-kind trophies, race day t-shirts, and refreshments. By partnering with us, you're not just supporting an event; you're investing in the dreams and aspirations of our young racers. Your contribution helps create unforgettable memories and enjoyable experiences.



Join Us in the Winner's Circle

Become a sponsor and join us at the winner's circle of community engagement.

In 2024, we have some compelling plans for the upcoming soapbox derby events. We are thrilled to offer a limited number of race cars as part of your sponsorship package. Not only will the sponsoring company or organization receive thanks for helping us put on a spectacular event, but if you choose to be one of our lucky car sponsors, you can also have your own designated driver roll their way to the finish line. Alternatively, you can choose to be a community sponsor and provide a community member with the chance to be your favorite driver! Furthermore, each car sponsor will play a role in sponsoring a WESDA community car where their logos will be placed on a car for WESDA to invite a community member to try this experience. Think of it as a win-win.



Community Giving

We are hopeful this year after all our expenses, to spread joy by raffling off a Soapbox Derby Car to a lucky Windsor Essex resident this holiday season. A portion from each sponsorship will contribute to this heartwarming initiative, by building a small pot to be able each year to bring this opportunity to one lucky family's holiday season while continuing to grow our sport. While we're still aligning all the details to this offering, we're hopeful to bring this opportunity to light in 2024.



Fast-Track to Success

As we take pride in being part of Windsor Essex, the automotive capital of Canada, we recognize the rich heritage and passion for excellence that defines our community. The roaring engines, the precision of design, and the pursuit of innovation are ingrained in our local DNA.

Our soapbox derby events not only revitalize the spirit of racing but also serve as a spark for the future engineers and innovators among us. In the heart of the automotive hub, we aim to ignite a passion for excellence that transcends generations.

As we propel soapbox derby cars down the track, we're also propelling the dreams of aspiring engineers, mechanics, and automotive enthusiasts. Your support not only fuels our events but also fuels the aspirations of those who may one day contribute to the legacy of automotive excellence in Windsor Essex county.

Join us in fostering a community where the thrill of racing converges with the pursuit of STEM excellence. Be a driving force in shaping the future of Windsor Essex – where passion meets innovation, and dreams accelerate towards a horizon of endless possibilities.





Sponsorship Benefit Options



Title/event Sponsor

Exclusive Sponsorship Level for Towns, Municipalities, Festivals, and Event Hosts

\$1000

1. event named after the organization / event
2. event name on one of a kind trophy
3. Include your branded merchandise and unique products at your race.
4. Large logo on portable signage at all WESDA events.
5. Large logo on race day shirt.
6. Social media mentions (Facebook and www.wesda.ca)
7. Announcement on Derby Day over the PA system.

Race car sponsorship

Limited availability. Contact us for more details regarding this sponsorship package and the details that go along with sponsoring a car. This is a first-come, first-served opportunity.

First year
\$900
Returning years
\$800

1. Provided a super stock soapbox derby car for use annually.
2. Extra Large logo on the provided car
3. Include your branded merchandise and unique products.
4. Large logo on portable signage at all WESDA events.
5. Large logo on race day shirt.
6. Social media mentions (Facebook and www.wesda.ca)
7. Announcement on Derby Day over the PA system.

Gold sponsorship: Multiple Available

\$600

1. Include your branded merchandise and unique products.
2. Medium logo on portable signage at all WESDA events.
3. Medium logo on race day shirt.
4. Social media mentions (Facebook and www.wesda.ca)
5. Announcement on Derby Day over the PA system.

Silver sponsorship: Multiple Available

\$400

1. Small logo on portable signage at all WESDA events.
2. Small logo on race day shirt.
3. Social media mentions (Facebook and www.wesda.ca)
4. Announcement on Derby Day over the PA system.

Bronze sponsorship: Multiple Available

\$200

1. (Text only) Name on portable signage at all WESDA events.
2. (Text only) Name on race day shirt.
3. Social media mentions (Facebook and www.wesda.ca)
4. Announcement on Derby Day over the PA system.



Sponsorship Form 2024

Please fill out the following information to express your interest in sponsoring our organization and events. Your generous support will greatly contribute to our mission and objectives. We are a not-for-profit organization. All proceeds benefit the WESDA Children & Youth Soapbox Derby Program. A PDF version is available by email upon request. Please inquire at info.wesda@gmail.com Thank you for considering sponsorship!

Contact Information:

Organization/Company: _____

Sponsor/Company Address: _____

Contact Name: _____ Telephone #: _____

Email: _____ Title: _____

Sponsorship level:

Please specify the Sponsorship you are willing to contribute, see the benefits page for break down of packages.

Title ☐ car ☐ Gold ☐ Silver ☐ Bronze ☐

Payment Details:

- ☐ Check Payable to [Windsor – Essex Soapbox Derby Association]
 - ☐ Check Enclosed
 - ☐ Option of picking up the donation in person at your convenience
- ☐ Bank Transfer (Please contact us for account details)
- ☐ Email Transfer (info.wesda@gmail.com)
(for Email Transfer please include in the notes "sponsorship level and company name")

Logo or Design:

Please provide your logo or design to be used in PNG format if it's available on your website. If applicable, kindly provide the link and location on your website.

Web Address: _____

Signature:

By signing below, I confirm that all the information provided is accurate, and I agree to the promotions outlined on the sponsorship benefits page.

Signature: _____ Date: _____

Thank you for your support! We will be in touch shortly to discuss the sponsorship details further.

Windsor – Essex Soapbox Derby Association (WESDA)

1673 Shawnee Rd, Tecumseh, ON N8N-1S4

www.wesda.ca

<https://www.facebook.com/groups/wesda>

info.wesda@gmail.com

(519)567-3130



The Corporation of the Town of Essex
By-Law Number 2316

Being a by-law to confirm the proceedings of the
March 18, 2024, 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 hereby 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 March 18, 2024, 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 March 18, 2024, 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 March 18, 2024.

Mayor

Clerk

Read a third time and finally passed on April 2, 2024.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 2299

Being a by-law to provide for the Austin C. Wright
Drain: Replacement Bridge for Nelner & New
Bridge for Broser, Geographic Township of
Colchester South, Project REI2023D017, Town of
Essex, County of Essex

WHEREAS the Town of Essex Drainage Department recommended that Council appoint a Drainage Engineer to prepare a drainage report for the Austin C. Wright Drain: Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, Town of Essex, County of Essex;

AND WHEREAS Section 78 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended, states that the Council of any municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the minor improvement projects permitted for the better use, maintenance or repair of the drainage works or of lands or roads; the municipality may undertake and complete the project in accordance with the report of an engineer following the prescribed process set out in O. Reg 500/21;

AND WHEREAS an Engineer's Drainage report dated November 22, 2023, and considered by the Drainage Board at its December 12, 2023, Consideration of Report meeting, has been procured and made by Gerard Rood, Professional Engineer, Rood Engineering Inc. and that the said report is attached hereto and forms part of this by-law as Schedule "A" hereto;

AND WHEREAS the Council of the Corporation of the Town of Essex is of the opinion that the said drainage works and/or improvements are warranted and desirable;

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

1. That the Engineer's Drainage report dated November 22, 2023, and considered by the Drainage Board at its December 12, 2023, Consideration of Report meeting and attached hereto as Schedule "A" to this By-Law is hereby adopted and that the said drainage works and/or improvements as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Town of Essex may borrow on the credit of the Corporation in the amount of \$106,000.00, the amount necessary for the construction of said drainage works.
3. That the Corporation may issue debentures for the amount borrowed less the total amount of:
 - Grants received under Section 85 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended;
 - Commuted payments made in respect of lands and roads assessed within the Municipality;
 - Money paid under Section 61(3) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended;

and such debentures shall be made payable: a) in the case of assessments in value of between \$1,500.00 and \$7,499.99 within (5) five years from the date of the debenture

and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s); or b) in the case of assessments in value of \$7,500.00 and greater, within (10) ten years from the date of the debenture and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s).

- 4. That a special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule, to be collected in the same manner as other taxes collected in each year for (5) five or (10) ten years (as applicable) after the passing of this by-law.
- 5. For paying the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon, shall be levied upon the whole rateable property in the Town of Essex, in each year for five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- 6. All assessments of \$1,499.99 or less are payable in the first year in which the assessment is imposed.
- 7. The by-law comes into force on the passing thereof and may be cited as “Austin C. Wright Drain: Replacement Bridge for Nelner and New Bridge for Broser”.

Read a first and a second time and provisionally adopted on January 15, 2024.

Mayor

Clerk

Read a third time and finally passed on [Month Day, Year].

Mayor

Clerk

AUSTIN C. WRIGHT DRAIN

Replacement Bridge for Nelner & New Bridge for Broser

Geographic Township of Colchester South



TOWN OF ESSEX
33 Talbot Street South
ESSEX, Ontario N8M 1A8
519-776-7336

Rood Engineering Inc.
Consulting Engineers
9 Nelson Street
Leamington, Ontario N8H 1G6
519-322-1621

Project REI2023D017
2023-11-22

November 22nd, 2023

Mayor and Municipal Council
Corporation of the Town of Essex
33 Talbot Street South
Essex, Ontario
N8M 1A8

Mayor Bondy and Members of Council:

AUSTIN C. WRIGHT DRAIN
Replacement Bridge for Nelner & New Bridge for Broser
Geographic Twp. of Colchester South
Project REI2023D017
Town of Essex, County of Essex

I. INTRODUCTION

In accordance with the instructions received from you on September 5th, 2023, as confirmed by the Town Drainage Superintendent, Lindsay Dean, we have prepared the following report that provides for the construction of a replacement bridge and a new access bridge in the Austin C. Wright Drain, in Part of Lot 16, Concession 5, in the Geographic Township of Colchester South. This report is intended to provide a replacement access bridge to serve the Parcel 800-00700 owned by Timothy & Cynthia Nelner for the access to the agricultural lands at MN 5862 on 5th Concession Road. The existing bridge was washed out during a severe storm event in August and emergency temporary repairs were provided. Emergency replacement was approved by the Minister of Agriculture and steps were taken for the quick construction of the “temporary” replacement bridge. Request for the new access was later added into the work scope. In addition, this report is also intended to provide a new access bridge for the Parcel 800-00750 owned by Michael & Christine Broser just west of MN 5862. The Austin C. Wright Drain is an open drain with a number of access bridges. The drain was constructed pursuant to the Drainage Act. A plan showing the Austin C. Wright Drain alignment, as well as the general location of the above-mentioned bridge, is included herein as part of the report.

Our appointment and the works related to the construction of the above-mentioned access bridges in the Austin C. Wright Drain, proposed under this report, is in accordance with Section 78 of the “Drainage Act, R.S.O. 1990, Chapter D.17 as amended 2021”. We have performed all of the necessary survey, investigations, etcetera for the proposed bridges, as well as the Austin C. Wright Drain, and we report thereon as follows.

II. BACKGROUND

From our review of the information provided from the Town's drainage files we have established the following reports that we utilized as reference for carrying out this project:

- | | | | |
|----|----------------------|------------------------|--------------------------|
| 1) | September 29th, 1947 | Austin C. Wright Drain | C.G.R. Armstrong, P.Eng. |
| 2) | July 14th, 1961 | Austin C. Wright Drain | C.G.R. Armstrong, P.Eng. |

The 1961 report by C.G.R. Armstrong, P.Eng. provided for general repairs and improvements to the entire length of the drain and has the latest profile for the grading of the drain.

We have utilized the plans within the Armstrong report to establish the size parameters for the drain and the details to be used in establishing the replacement bridge culvert and new bridge installation. We have also used this report to establish the drain profile grades, and to assist us in establishing the design grade for the subject farm access bridge installation and new bridge installation. The Schedule of Assessment in the latest drainage report was used as a guide to establish the upstream watershed area and flows to be used in the design of the bridges.

III. PRELIMINARY EXAMINATION AND ON-SITE MEETING

After reviewing all of the available drainage information and documentation provided by the Drainage Superintendent, we arranged with Town staff to schedule an on-site meeting for September 22nd, 2023. The following people were in attendance at said meeting: Tim Nelner, Cathy Sauerwein, Connie Sivyver, Bonnie Rilett, Lindsay Dean (Town of Essex Drainage Superintendent), Akhila Chinthagumpala (Rood Engineering), and Gerard Rood (Rood Engineering).

Details of the proposed bridge work were reviewed. It was confirmed that the replacement bridge should be located at the position of the existing structure near the west edge of the lawn area and have the same width as the existing bridge to allow better access for large equipment.

Ms. Dean outlined the emergency work that had to be carried out including steel plate installation, granular removal from the drain and leveling of the driveway with granular. The Town arranged for temporary repair of the structure to allow for safer access and egress to the parcel until it is replaced with the new structure. The old structure shows serious corrosion and rotted areas along the haunches of the steel pipe, and it will be abandoned and removed, and the drain bank will be stabilized as part of the work.

We advised the owner that the minimum standard top width for an access bridge is 6.10 metres (20 ft.) and that the bridge centreline location will need to be established with him. He was also advised that because the bridge is a replacement bridge, the cost of the new replacement access

bridge construction, as well as all the cost for the preparation of the Engineer's Report would be shared by the abutting owner and upstream lands and roads. Any cost for additional top width will be borne by the owner. It was established that the owner prefers a similar long pipe that will result in approximately a 10 metre (30') top width to allow for the current large agricultural equipment to access the parcel more easily. We went on to discuss that precast concrete blocks for the installation or rip rap rock on filter cloth sloped ends like those on the existing and other bridges were expected to be an economical end treatment. It is expected that the rip rap option would be used to match the existing bridge, but the Engineer would contact the owner if necessary to advise if there was any change to this. Mr. Nelner confirmed where the new bridge centreline should be located, approximately in line with the existing structure.

The overall drainage report procedure, future maintenance processes and grant eligibility were generally reviewed with the owners. They were also advised that the works will be subject to the approval of the Department of Fisheries and Oceans (D.F.O.), the Ministry of Natural Resources (M.N.R.F.), Ministry of Environment, Conservation and Parks (M.E.C.P.) and the Essex Region Conservation Authority (E.R.C.A.). We further discussed bridge maintenance, sizing, and material of the proposed bridge, suggesting that an aluminized corrugated steel pipe is expected to be employed.

Ms. Rilett asked why she was invited to the meeting when their lands are located downstream, and they won't be affected. Ms. Dean explained that the Town policy is to notify all owners within the drain watershed so that they are aware of any proposed works on the drain and to give them the opportunity to provide input at the meeting. Ms. Rilett advised that their lands at the south side of the road all drain to the south and should therefore not be assessed. Ms. Dean advised her that the road ditch along the south side would be checked for direction of flow and there would be no assessment to their parcel if going westerly and being downstream of the bridge work. She also advised her that any concerns with the road ditch should be brought to the Town Road Department. It was discussed that municipal drains are a user pay system and includes roads that are assessed for their areas contributing flows. The apportionment of costs will be set out in the drainage report. Ms. Dean explained the emergency bridge replacement process and then the drainage report process that will be followed. The Minister gave the emergency approval for the bridge work pursuant to the Drainage Act. She advised the owners that they can contact her or Mr. Rood if any questions come up.

On November 1st, 2023 we received an email from Lindsay Dean with the request for a new bridge culvert to be installed for the Broser parcel with the owners requesting a bridge similar to the Nelner bridge. The owner set out stakes for the location of the bridge on their frontage.

IV. FIELD SURVEY AND INVESTIGATIONS

Following the on-site meeting we arranged for our survey staff to perform a topographic survey, including taking the necessary levels and details to establish the design parameters for the installation of the replacement access bridge. After receiving the information on November 1st,

2023, for the new Broser bridge, we also arranged for our survey staff to perform additional topographic survey work as needed.

A benchmark was looped from previous work carried out on the drain and was utilized in establishing a site benchmark near the location of the bridges. We surveyed the drain both upstream and downstream of the proposed replacement access bridge and picked up the existing bridges and culvert elevations in order to establish a design grade profile for the installation of the replacement bridge. We also took cross-sections of the Austin C. Wright Drain at the general location of the proposed new bridge, as necessary for us to complete our design calculations, estimates and specifications.

The Town made initial submissions to the Essex Region Conservation Authority (E.R.C.A) regarding their requirements for the installation of the new replacement bridge to be constructed in the Drain. A response from the Conservation Authority was received via email on September 14th, 2023. E.R.C.A. stated that the portion of the Drain is located within a regulated area administered by E.R.C.A.. Accordingly, a permit or approval will be required by E.R.C.A. for the construction of the new replacement bridge in the affected portion of the Drain and will be issued for emergency works completed in accordance with an engineered design. Based on this information it will also be necessary to get the permit from E.R.C.A. for the new bridge.

Former Ministry of Natural Resources & Forestry (M.N.R.F.) agreements are replaced with new legislation provisions under Ontario Regulation 242/08, Section 23.9 administered by the Ministry of Environment, Conservation and Parks (M.E.C.P.), which allows repairs, maintenance and improvements to be conducted by the Municipality within existing municipal drains. These works are exempt from Sections 9 and 10 of the Endangered Species Act provided that the rules in the regulations are followed by the Municipality and their contractor. When eligible, the new regulations allow Municipalities to give notice to M.N.R.F. by registering their drainage activities through an online registry system.

For the purposes of establishing the watershed area upstream of the proposed replacement and new access bridges, and determining the bridge sizes required, we investigated and reviewed the past drainage reports on the Drain.

V. FINDINGS AND RECOMMENDATIONS

Prior to the preparation of our report, we reviewed the details of the replacement and new bridge installations including the end treatment options based on the regulatory restrictions and the cost estimates that we were to review.

Based on our detailed survey, investigations, examinations, and discussions with the affected property owners, we would recommend that the new access bridges be constructed in the Drain at the location and to the general parameters as established in our design drawings attached herein.

During the course of our investigations, this drainage project was discussed and reviewed with E.R.C.A., to deal with any Authority issues and comments related to this Municipal drain. To prevent flooding and adverse impacts upstream, the new structure needs to provide an equivalent level of service to the adjacent structures. Therefore, based on this, we have made provisions to use a corrugated steel pipe culvert for each bridge as set out below, similar to the existing structure being replaced and adjacent bridges. The Drain is located within the Regulated Area and is under the jurisdiction of the E.R.C.A., and therefore all work has to comply with the current mitigation provisions of the E.R.C.A. Details of these mitigation measures are included in the Specifications and **Appendix “REI-A”** forming part of this report.

As part of our investigations, a D.F.O. self screening assessment of the project was carried out. The mapping indicated no species at risk or critical habitat for the area of the bridge work. In the interest of fish habitat and migration, D.F.O. requires that the invert of any new bridge be embedded below the design or existing bottom of the drain a minimum of 10% of the bridge opening height to ensure a continued path for fish migration through the access bridge. The D.F.O. Species at Risk screening maps confirm that there are no Species at Risk Fish or Mussels identified in this area. Should any species be encountered, details of required mitigation measures are included in the Specifications and **Appendix “REI-A”** forming part of this report.

As is now required under the new Endangered Species Act, 2007 Provincial Legislation administered by the Ministry of Environment, Conservation & Parks (M.E.C.P.), we have reviewed the former M.N.R.F. agreement with the Town. The M.N.R.F. mapping has basically confirmed that there are no foreseen impacts to natural heritage features or endangered or threatened species on this project; therefore, a permit or agreement under the E.S.A. 2007 is not necessary at this time. The N.H.I.C. mapping was also checked, and a list of special species is included in the Appendix. Because turtles and snakes are mobile and snakes are indicated as sensitive in the area, we have included herein a copy of the M.N.R.F. mitigation requirements for them in **Appendix “REI-B”**.

Providing mitigation requirements are implemented it was concluded that present wildlife Species at Risk will be protected from negative impacts and will not contravene with Section 9 (species protection) or Section 10 (habitat protection) of the Endangered Species Act, 2007. Based on this information we find that the Town can proceed with the eligible replacement and new bridge construction in the drain as they are exempt under Sections 9 and 10 of the Act, provided that they follow the rules within Ontario Regulation 242/08. To address these requirements the Town has established comprehensive mitigation measures as well as species identification guides for reference. Copies of the measures and guides are available for viewing by any interested parties at the Town office.

Since all of the work will be carried out at the existing and proposed driveway and is primarily from within the road allowance and limits of the drain, and because full restoration will be provided, we find that there is no requirement for damages or allowances pursuant to Sections 29 and 30 of the Drainage Act.

Based on all of the above, we recommend that a new replacement access bridge be constructed in the Drain to serve the lands of Timothy & Cynthia Nelner and a new access bridge be constructed in the Drain to serve the lands of Michael & Christine Broser, in accordance with this report, the attached specifications and the accompanying drawings, and that all works associated with same be carried out in accordance with Section 78 of the "Drainage Act, R.S.O. 1990, Chapter D.17 as amended 2021".

VI. ESTIMATE OF COST

Our estimate of the total cost of this work including all incidental expenses is the sum of **ONE HUNDRED SIX THOUSAND DOLLARS (\$106,000.00)**, made up as follows:

CONSTRUCTION

Item 1)	Bridge 1 - STA 0+695; Provide all labour, equipment and material to construct a new access bridge consisting of 17 metres (55.8 ft.) of 1800mm diameter aluminized steel culvert with 125x25mm corrugations, 2.0mm thick, including quarried limestone rip rap on filter cloth end treatments, granular bedding and backfill, granular approaches, any tile diversions, excavation, compaction, removal and disposal of existing structure and salvage of steel plates delivered to the Town, loading, hauling, cleanup, and restoration, complete.	Lump Sum	\$	42,900.00
Item 2)	Bridge 2 - STA 0+132; Provide all labour, equipment and material to construct a new access bridge consisting of 17 metres (55.8 ft.) of 1800mm diameter aluminized steel culvert with 125x25mm corrugations, 2.0mm thick, including quarried limestone rip rap on filter cloth end treatments, granular bedding and backfill, granular approaches, any tile diversions, excavation, compaction, loading, hauling, cleanup, and restoration, complete.	Lump Sum	\$	40,600.00
Item 3)	Provide all labour and equipment to remove blockage in the drain at the emergency repair bridge and restore the general drain cross section including excavation, loading, hauling, cleanup, and restoration, complete.	Lump Sum	\$	1,550.00
	Estimated Net H.S.T. (1.76%) on Items Above		\$	1,496.00
TOTAL FOR CONSTRUCTION				\$ 86,546.00

INCIDENTALS

1) Report, Estimate, and Specifications	\$ 6,000.00
2) Survey, Assistants, Expenses, Drawings, Duplication Cost of Report and Drawings, Consideration Meeting, etc.	\$ 8,000.00
3) Estimated Cost of Preparing Tender Documents	\$ 1,000.00
4) Estimated Cost of Construction Supervision and Inspection (based on 4 days)	\$ 3,200.00
5) Estimated Net H.S.T. on Items Above (1.76%)	\$ 320.00
6) Estimated Cost of E.R.C.A. permit	\$ 500.00
7) Estimated Contingency Allowance	\$ 434.00
	<hr/>
TOTAL FOR INCIDENTALS	\$ 19,454.00
TOTAL FOR CONSTRUCTION (brought forward)	\$ 86,546.00
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TOTAL ESTIMATE	\$ 106,000.00
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VII. DRAWINGS AND SPECIFICATIONS

As part of this report, we have attached design drawings for the construction of the replacement access bridge and the new bridge. The design drawings show the subject bridge locations and the details of the new access bridge installations. The design drawings are attached to the back of this report and are labelled **Appendix “REI-E”**.

Also attached, we have prepared Specifications which set out the required construction details for the proposed bridge installations, which also includes Standard Specifications within **Appendix “REI-C”**.

VIII. SCHEDULE OF ASSESSMENT

We would recommend that all of the costs associated with the construction of the replacement access bridge, and the preparation of this Engineer’s report for said work, be assessed against the Timothy & Cynthia Nelner parcel, in Part of Lot 16, Concession 5, and all upstream affected

lands and roads in the Town of Essex for the replacement bridge. The costs associated with the construction of the new bridge for the Michael & Christine Broser parcel and the preparation of this Engineer's report for said work be assessed 100% to the parcel served by the new access bridge. A Schedule of Assessment has been prepared and included herein to indicate the lands and roads assessed for the replacement access bridge and the new bridge installation. The bridge owners share is shown as a Special Benefit to the parcel of each bridge.

It has been clearly established that the replacement access bridge and the new bridge are being provided to serve as the access from the 5th Concession Road to existing parcels with them and upstream agricultural lands involved in the assessment. Pursuant to the current Agricultural Drainage Infrastructure Program (A.D.I.P.) Policies that are in place, all of the lands designated as Farm Property Tax Class should be eligible for a grant from the Ontario Ministry of Agriculture, Food and Rural Affairs (O.M.A.F.R.A.) in the amount of 1/3 of their total assessment for this project.

Where a bridge structure has increased top width beyond the standard 6.10 metre (20.0 ft.) top width, all of the increased costs resulting from same are assessed 100% to the Owner, as provided for in the cost sharing set out below and in the attached Schedule of Assessment. The installation of a new first-time bridge is assessed 100% to the parcel served by the bridge and future maintenance cost is shared after the bridge has been installed and becomes part of the drainage works through the drainage report. The future sharing will be a Benefit to the bridge owner and Outlet Liability to the upstream lands and roads as set out in the attached assessment schedule for future maintenance to the new bridge with values pro-rated to the actual future cost.

IX. FUTURE MAINTENANCE

We recommend that the bridge structures as identified herein, be maintained in the future as part of the drainage works. We would also recommend that the bridges, for which the maintenance costs are to be shared with the upstream lands and roads within the watershed, be maintained by the Town and that said maintenance would include works to the bridge culvert, bedding, backfill and end treatment. Should concrete, asphalt, or other decorative driveway surfaces over these bridge culverts require removal as part of the maintenance works, these surfaces shall also be repaired or replaced as part of the works. Likewise, if any fencing, gate, decorative walls, guardrails, or other special features exist that will be impacted by the maintenance work, they are also to be removed and restored or replaced as part of the bridge maintenance work. However, the cost of the supply and installation of any surface materials other than Granular "A" material and the cost of removal and restoration or replacement, if necessary, of any special features, shall be totally assessed to the benefiting adjoining Owner(s) served by said access bridge.

After the completion of the construction of these access bridges, all of same shall be maintained in the future by the Town of Essex. Furthermore, if any maintenance work is required to the new access Bridge 1 in the future, we recommend that 54.6% of the future maintenance costs shall be assessed as a Benefit against the abutting property (Parcel 800-00700) being served by the access bridge, which is currently owned by Timothy & Cynthia Nelner, in Part of Lot 16,

Concession 5, and the remaining balance of 45.4% be assessed pro-rata against the upstream lands and roads based on their Outlet Liability assessment in the attached Schedule of Assessment for the construction with Special Benefit assessment removed. Similarly, we recommend that 49.5% of the future maintenance costs for Bridge 2 shall be assessed as a Benefit against the abutting property Parcel 800-00750 being served by the access bridge, which is currently owned by Michael & Christine Broser, and the remaining balance of 50.5% be assessed pro-rata against the upstream lands and roads based on their Outlet Liability assessment in the attached Schedule of Assessment for future maintenance of this bridge. This sharing reflects that the owners have requested a bridge slightly wider than the standard 6.1 metre (20 feet) top width that is normally shared between the owner and upstream affected lands and roads.

The above provisions for the future maintenance of the replacement access bridge and the new bridge being constructed under this report, shall remain as aforesaid until otherwise determined under the provisions of the "Drainage Act, R.S.O. 1990, Chapter D.17 as amended 2021".

All of which is respectfully submitted.

Rood Engineering Inc.

Gerard Rood

Gerard Rood, P.Eng.



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att.

ROOD ENGINEERING INC.

Consulting Engineers
9 Nelson Street
LEAMINGTON, Ontario N8H 1G6

SCHEDULE OF ASSESSMENT
AUSTIN C. WRIGHT DRAIN
(Nelner & Broser Bridges)
Town of Essex

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
		5th Concession Road		8.29	3.354	Town of Essex	\$ -	\$ 2,499.00	\$ -	\$ 2,499.00
Total on Municipal Lands.....							\$ -	\$ 2,499.00	\$ -	\$ 2,499.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
790-02801	4	16	5.249	7.00	2.833	Lise Lauzon	\$ -	\$ 384.00	\$ -	\$ 384.00
790-02802	4	16 & 17	5.269	2.50	1.012	Philip & Patricia Soucie	\$ -	\$ 137.00	\$ -	\$ 137.00
790-02850	4	16	5.220	2.50	1.012	Mark Labute & Angela Anderson- Labute	\$ -	\$ 137.00	\$ -	\$ 137.00
790-02900	4	17	1.157	2.86	1.157	Colleen Marcuzzi	\$ -	\$ 329.00	\$ -	\$ 329.00
790-02901	4	17	4.055	7.50	3.035	Norbert & Catherine Sauerwein	\$ -	\$ 411.00	\$ -	\$ 411.00
790-02902	4	17	4.055	7.50	3.035	Steven & Viktoria Bartel	\$ -	\$ 411.00	\$ -	\$ 411.00
790-02903	4	17	15.091	22.00	8.903	Rodrigue & Therese Levesque	\$ -	\$ 1,206.00	\$ -	\$ 1,206.00
790-02906	4	18	4.197	2.50	1.012	Maria Fehr	\$ -	\$ 137.00	\$ -	\$ 137.00
790-02907	4	18	4.059	1.00	0.405	Sandra Pare	\$ -	\$ 55.00	\$ -	\$ 55.00
790-02908	4	18	4.051	1.00	0.405	Robert & Bonnie Rilett	\$ -	\$ 55.00	\$ -	\$ 55.00
790-02909	4	18	4.051	1.00	0.405	Faro & Stefanie Briguglio	\$ -	\$ 55.00	\$ -	\$ 55.00
790-02940	4	17 & 18	5.229	7.00	2.833	Paul & Siobhan Finn	\$ -	\$ 384.00	\$ -	\$ 384.00
790-02950	4	18	5.168	2.50	1.012	Salvatore & Kimberly Galea	\$ -	\$ 137.00	\$ -	\$ 137.00
800-00102	4	18	5.075	12.54	5.075	James & Jeannette Sylvestre	\$ -	\$ 688.00	\$ -	\$ 688.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
800-00300	5	18	0.409	1.01	0.409	Michael & Phyllis Demarte	\$ -	\$ 161.00	\$ -	\$ 161.00
800-00550	5	17	0.291	0.72	0.291	Jacob Soucie	\$ -	\$ 126.00	\$ -	\$ 126.00
800-01200	5	17	19.886	41.00	16.592	Justin & Sara Kelley	\$ -	\$ 2,248.00	\$ -	\$ 2,248.00
800-01250	5	17	10.190	20.00	8.094	Kin Kwong	\$ -	\$ 1,097.00	\$ -	\$ 1,097.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ -	\$ 8,158.00	\$ -	\$ 8,158.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
800-00100	5	18	34.601	57.42	23.238	James & Jeannette Sylvestre	\$ -	\$ 3,148.00	\$ -	\$ 3,148.00
800-00200	5	18	9.834	24.30	9.834	Bradley & Anne Anger	\$ -	\$ 1,332.00	\$ -	\$ 1,332.00
800-00400	5	18	29.955	63.99	25.896	Francine Johnson	\$ -	\$ 3,508.00	\$ -	\$ 3,508.00
800-00500	5	17	19.202	44.28	17.920	Donald & Penny Anger	\$ -	\$ 2,428.00	\$ -	\$ 2,428.00
800-00600	5	17	20.643	51.01	20.643	Nicholas & Sheri Menard	\$ -	\$ 2,797.00	\$ -	\$ 2,797.00
800-00700	5	16	19.603	4.00	1.619	Timothy & Cynthia Nelner	\$ -	\$ 219.00	\$ 29,725.00	\$ 29,944.00
800-00750	5	16	20.603	0.00	0.000	Michael & Christine Broser	\$ -	\$ -	\$ 49,726.00	\$ 49,726.00
800-01300	5	17	10.060	24.86	10.061	Jason Hicks	\$ -	\$ 1,363.00	\$ -	\$ 1,363.00
800-01600	5	19	36.871	20.00	8.094	Brenda Anger	\$ -	\$ 1,097.00	\$ -	\$ 1,097.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ -	\$ 15,892.00	\$ 79,451.00	\$ 95,343.00

TOTAL ASSESSMENT	440.28	178.18	\$ -	\$ 26,549.00	\$ 79,451.00	\$ 106,000.00
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1 Hectare = 2.471 Acres
Project No. REI2023D017
November 22nd, 2023

SCHEDULE OF ASSESSMENT
AUSTIN C. WRIGHT DRAIN
(Broser Bridge Maintenance)
Town of Essex

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
		5th Concession Road		8.29	3.354	Town of Essex	\$ -	\$ 472.00	\$ -	\$ 472.00
Total on Municipal Lands.....							\$ -	\$ 472.00	\$ -	\$ 472.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
790-02801	4	16	5.249	7.00	2.833	Lise Lauzon	\$ -	\$ 72.00	\$ -	\$ 72.00
790-02802	4	16 & 17	5.269	2.50	1.012	Philip & Patricia Soucie	\$ -	\$ 26.00	\$ -	\$ 26.00
790-02850	4	16	5.220	2.50	1.012	Mark Labute & Angela Anderson- Labute	\$ -	\$ 26.00	\$ -	\$ 26.00
790-02900	4	17	1.157	2.86	1.157	Colleen Marcuzzi	\$ -	\$ 62.00	\$ -	\$ 62.00
790-02901	4	17	4.055	7.50	3.035	Norbert & Catherine Sauerwein	\$ -	\$ 77.00	\$ -	\$ 77.00
790-02902	4	17	4.055	7.50	3.035	Steven & Viktoria Bartel	\$ -	\$ 77.00	\$ -	\$ 77.00
790-02903	4	17	15.091	22.00	8.903	Rodrigue & Therese Levesque	\$ -	\$ 227.00	\$ -	\$ 227.00
790-02906	4	18	4.197	2.50	1.012	Maria Fehr	\$ -	\$ 26.00	\$ -	\$ 26.00
790-02907	4	18	4.059	1.00	0.405	Sandra Pare	\$ -	\$ 10.00	\$ -	\$ 10.00
790-02908	4	18	4.051	1.00	0.405	Robert & Bonnie Rilett	\$ -	\$ 10.00	\$ -	\$ 10.00
790-02909	4	18	4.051	1.00	0.405	Faro & Stefanie Briguglio	\$ -	\$ 10.00	\$ -	\$ 10.00
790-02940	4	17 & 18	5.229	7.00	2.833	Paul & Siobhan Finn	\$ -	\$ 72.00	\$ -	\$ 72.00
790-02950	4	18	5.168	2.50	1.012	Salvatore & Kimberly Galea	\$ -	\$ 26.00	\$ -	\$ 26.00
800-00102	4	18	5.075	12.54	5.075	James & Jeannette Sylvestre	\$ -	\$ 129.00	\$ -	\$ 129.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
800-00300	5	18	0.409	1.01	0.409	Michael & Phyllis Demarte	\$ -	\$ 30.00	\$ -	\$ 30.00
800-00550	5	17	0.291	0.72	0.291	Jacob Soucie	\$ -	\$ 24.00	\$ -	\$ 24.00
800-01200	5	17	19.886	41.00	16.592	Justin & Sara Kelley	\$ -	\$ 422.00	\$ -	\$ 422.00
800-01250	5	17	10.190	20.00	8.094	Kin Kwong	\$ -	\$ 206.00	\$ -	\$ 206.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ -	\$ 1,532.00	\$ -	\$ 1,532.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Hectares Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
800-00100	5	18	34.601	57.42	23.238	James & Jeannette Sylvestre	\$ -	\$ 591.00	\$ -	\$ 591.00
800-00200	5	18	9.834	24.30	9.834	Bradley & Anne Anger	\$ -	\$ 250.00	\$ -	\$ 250.00
800-00400	5	18	29.955	63.99	25.896	Francine Johnson	\$ -	\$ 659.00	\$ -	\$ 659.00
800-00500	5	17	19.202	44.28	17.920	Donald & Penny Anger	\$ -	\$ 456.00	\$ -	\$ 456.00
800-00600	5	17	20.643	51.01	20.643	Nicholas & Sheri Menard	\$ -	\$ 525.00	\$ -	\$ 525.00
800-00700	5	16	19.603	7.00	2.833	Timothy & Cynthia Nelner	\$ -	\$ 72.00	\$ -	\$ 72.00
800-00750	5	16	20.603	3.00	1.214	Michael & Christine Broser	\$ 4,950.00	\$ 31.00	\$ -	\$ 4,981.00
800-01300	5	17	10.060	24.86	10.061	Jason Hicks	\$ -	\$ 256.00	\$ -	\$ 256.00
800-01600	5	19	36.871	20.00	8.094	Brenda Anger	\$ -	\$ 206.00	\$ -	\$ 206.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ 4,950.00	\$ 3,046.00	\$ -	\$ 7,996.00

TOTAL ASSESSMENT	446.28	180.61	\$ 4,950.00	\$ 5,050.00	\$ -	\$ 10,000.00
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1 Hectare = 2.471 Acres
Project No. REI2023D017
November 22nd, 2023

SPECIFICATIONS**AUSTIN C. WRIGHT DRAIN****Replacement Bridge for Nelner & New Bridge for Broser****(Geographic Township of Colchester South)****TOWN OF ESSEX****I. GENERAL SCOPE OF WORK**

The Austin C. Wright Drain currently comprises of an open Municipal drain generally located along the north side of 5th Concession Road and extending from its outlet in the Hicks Drain at the west side of Lot 16 easterly to its upper end near the midpoint of Lot 19, Concession 5. The work under this project generally comprises of improvements to an existing access bridge serving the Nelner and Broser lands. The work on the Broser bridge being constructed includes the installation of a new culvert at the stake placed by the owner near Station 0+132 and the work on the Nelner bridge being constructed includes the removal of the deteriorated existing corrugated steel pipe structure and the salvage of steel plates used for temporary access repair and to be returned to the Town of Essex near Station 0+695; the installation of a new culvert near Station 0+695; new culvert end treatments comprising of sloped quarried limestone on filter cloth end protection; granular approaches and backfill; and granular transition areas.

All work shall be carried out in accordance with these specifications, the plans forming part of this drainage project, as well as the Standard Details included in **Appendix "REI-C"**. The bridge improvements and new construction shall be of the size, type, depth, etcetera, as is shown in the accompanying drawings, as determined from the Benchmarks, and as may be further laid out at the site at the time of construction. All work carried out under this project shall be completed to the full satisfaction of the Town Drainage Superintendent and the Consulting Engineer.

II. E.R.C.A. AND D.F.O. CONSIDERATIONS

The Contractor will be required to implement stringent erosion and sedimentation controls during the course of the work to help minimize the amount of silt and sediment being carried downstream into the Cedar Creek. It is intended that work on this project be carried out during relatively dry weather to ensure proper site and drain conditions and to avoid conflicts with sediment being deposited into the outlet drainage system. All disturbed areas shall be restored as quickly as possible with grass seeding and mulching installed to ensure a protective cover and to minimize any erosion from the work site subsequent to construction. The Contractor may be

required to provide temporary silt fencing and straw bales as outlined further in these specifications.

All of the work shall be carried out in accordance with any permits or authorizations issued by the Essex Region Conservation Authority (E.R.C.A.) or the Department of Fisheries and Oceans (D.F.O.), copies of which will be provided, if available, and the notes in **Appendix "REI-A"**. The Contractor is advised that no work may be carried out in the existing drain from March 15th to June 30th of any given year because the drain is directly connected to a downstream area that is classified as sensitive to impacts on aquatic life and habitat by E.R.C.A. and D.F.O.

As part of its work, the Contractor will implement the following measures that will ensure that any potential adverse effects on fish and fish habitat will be mitigated:

- a) As per standard requirements, work will not be conducted at times when flows in the drain are elevated due to local rain events, storms, or seasonal floods. Work will be done in the dry.
- b) All disturbed soils on the drain banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be hauled away and disposed of at a suitable site, or spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
- c) To prevent sediment entry into the Drain, in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with related Ontario Provincial Standards. It is incumbent on the proponent and their Contractors to ensure that sediment and erosion control measures are functioning properly and are maintained and upgraded as required.
- d) Silt or sand accumulated in the barrier traps must be removed and stabilized on land once the site is stabilized.
- e) All activities including maintenance procedures should be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicular refuelling and maintenance should be conducted away from the water.

III. M.N.R.F. & M.E.C.P. ENDANGERED SPECIES ACT CONSIDERATIONS

The Ministry of Natural Resources & Forestry (M.N.R.F.) Species at Risk former Town agreement with M.N.R.F. pursuant to Section 23 of the "Endangered Species Act, 2007" expired as of June 30th, 2015. The former agreements are replaced with new regulation provisions under Ontario Regulation 242/08 administered by the M.E.C.P. The Contractor is to note that the Ministry of Environment, Conservation and Parks (M.E.C.P.) screening process by way of a Species at Risk

(S.A.R.) review of the M.E.C.P. "Endangered Species Act, 2007" (E.S.A.) will be completed as a self-assessment pursuant to Section 23.9 of the E.S.A. prior to construction. This Section allows the Town to conduct eligible works of repair, maintenance, and improvements to existing municipal drains under the Drainage Act, and exemptions from Sections 9 and 10 of the E.S.A., provided that the requirements are followed in accordance with Ontario Regulation 242/08. The results of the review will be provided to the Contractor and copies of the mitigation measures, habitat protection and identification sheets will be included within **Appendix "REI-B"**. When eligible, the new regulations allow Municipalities to give notice to M.N.R.F. by registering their drainage activities through an online registry system.

The M.N.R.F. - M.E.C.P. mapping has basically confirmed that snake species including Butler's Garter Snake and Eastern Fox Snake are threatened and endangered, respectively, on this project. Because snakes are mobile and indicated as sensitive and endangered in the area, we have included herein a copy of the M.N.R.F. - M.E.C.P. mitigation requirements for them in **Appendix "REI-B"**. Providing mitigation requirements are implemented, it was concluded that present wildlife Species at Risk will be protected from negative impacts and the works will not contravene Section 9 (species protection) or Section 10 (habitat protection) of the Endangered Species Act, 2007.

The Contractor is to review **Appendix "REI-B"** in detail and is required to comply in all regards with the contents of said M.N.R.F. & M.E.C.P. measures, and follow the special requirements therein included during construction. Throughout the course of the work, the Contractor will be responsible to ensure that all necessary provisions are undertaken to protect all species at risk and their habitats. If a threatened or sensitive species is encountered including those listed in the N.H.I.C. mapping table, the Contractor shall notify the Town and M.N.R.F. - M.E.C.P. and provide all the equipment and materials stipulated by the mitigation requirements for handling the species and cooperate fully with the Town and M.N.R.F. - M.E.C.P. staff in the handling of the species.

IV. ACCESS TO WORK

The Contractor is advised that the majority of the work to be carried out on this project extends along the north side of 5th Concession Road. The Contractor shall have access for the full width of the roadway abutting the proposed drainage works. The Contractor may utilize the right-of-way as necessary, to permit the completion of all of the work required to be carried out for this project. For Bridge 1, the Contractor shall also have access into the driveway as necessary to carry out the removal of the existing access bridge and to construct the new replacement access bridge, as set out on the plans and in these specifications, along with a sufficient area in the vicinity of the bridge to carry out the required construction of the removal and new structure installation and ancillary work. For Bridge 2 the Contractor shall also have access along the roadway and into the new driveway being constructed as set out on the plans and in these specifications, along with a sufficient area in the vicinity of the new bridge to carry out the required construction, installation and ancillary work including the area required for diversion of the existing tile drain outlet as detailed on the plan.

The Contractor shall ensure that the traveling public is protected at all times while utilizing the roadway for its access. The Contractor shall provide traffic control, including flag persons when required. Should the Contractor have to close 5th Concession Road for the proposed works, it shall obtain the permission of the Town Drainage Superintendent or Consulting Engineer and arrange to provide the necessary notification of detours around the site. The Contractor shall also ensure that all emergency services, school bus companies, etcetera are contacted about the disruption to access at least 48 hours in advance of same. All detour routes shall be established in consultation with the Essex Works Department.

Throughout the course of the work, it is imperative that the Contractor protect as much landscaping and vegetation as possible when accessing along the drain. This will be of particular concern along the lawn areas of residential properties. Due to the extent of the work and the area for carrying out the work, the Contractor will be required to carry out all of the necessary steps to direct traffic and provide temporary diversion of traffic around work sites, including provision of all lights, signs, flag persons, and barricades required to protect the safety of the traveling public. Any accesses or areas used in carrying out the works are to be fully restored to their original conditions by the Contractor at its cost, including topsoil placement and lawn restoration as directed by the Town Drainage Superintendent and the Consulting Engineer. Restoration shall include but not be limited to all necessary levelling, grading, shaping, topsoil, seeding, mulching, rip rap on filter cloth, and granular placement required to make good any damage caused.

V. REMOVAL OF BRUSH, TREES AND RUBBISH

Where there is any brush, trees or rubbish along the course of the drainage works, including the full width of the work access, all such brush, trees or rubbish shall be close cut and grubbed out, and the whole shall be chipped up for recycling, burned or otherwise satisfactorily disposed of by the Contractor. The brush and trees removed along the course of the work are to be put into piles by the Contractor in locations where they can be safely chipped and disposed of, or burned by it, or hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Prior to and during the course of any burning operations, the Contractor shall comply with the guidelines prepared by the Air Quality Branch of the Ontario Ministry of the Environment; and shall ensure that the Environmental Protection Act is not violated. The Contractor will be required to notify the local fire authorities to obtain any permits and co-operate with them in the carrying out of any work. The removal of brush and trees shall be carried out in close consultation with the Town Drainage Superintendent or Consulting Engineer to ensure that no decorative trees or shrubs are disturbed by the operations of the Contractor that can be saved. It is the intent of this project to save as many trees and bushes as practical within the roadway allowances and on private lands. Where decorative trees or shrubs are located directly over drainage pipes, the Contractor shall carefully extract same and turn them over to the Owner when requested to do so and shall cooperate with the Owner in the reinstallation of same if required.

The Contractor shall protect all other trees, bushes, and shrubs located along the length of the drainage works except for those trees that are established, in consultation with the Town Drainage Superintendent, the Consulting Engineer, and the Owners, to be removed as part of the works. The Contractor shall note that protecting and saving the trees may require the Contractor to carry out hand work around the trees, bushes, and shrubs to complete the necessary final site grading and restoration.

Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.

The Contractor shall remove all deleterious materials and rubbish along the course of the open drain in the location of the work areas and any such materials located in the bridge culverts and enclosures while carrying out its cleaning of same. All such deleterious materials and rubbish shall be loaded up and hauled away by the Contractor to a site to be obtained by it at its cost.

VI. FENCING

Where it is necessary to take down any fence to proceed with the work, the same shall be done by the Contractor across or along that portion of the work where such fence is located. The Contractor will be required to exercise extreme care in the removal of any fencing so as to cause a minimum of damage to same. The Contractor will be required to reinstall any fence that is taken down in order to proceed with the work, and the fence shall be reinstated in a neat and workmanlike manner. The Contractor will not be required to procure any new materials for rebuilding the fence provided that it has used reasonable care in the removal and replacement of same. When any fence is removed by the Contractor, and the Owner thereof deems it advisable and procures new material for replacing the fence so removed, the Contractor shall replace the fence using the new materials and the materials from the present fence shall remain the property of the Owner.

VII. DETAILS OF OPEN DRAIN WORK

The open drain shall be excavated to the lines, levels, grades and cross-sections as shown on the accompanying drawings, or as may be further established by the Town Drainage Superintendent or the Engineer at the time of the work. The drain shall be carefully excavated so as not to disturb the existing banks, rock protection and vegetation, except for those portions of the drain where widening or restoration of a stable drain bank configuration is required. The bottom width of the drain and the sideslopes of the excavation shall conform to the dimensions given on the drawings.

The drain shall be of the size, type, depth, etcetera as shown on the accompanying drawings. When completed, the drain shall have a uniform and even bottom and in no case shall such bottom project above the grade line, as shown on the accompanying drawings, and as determined from the Benchmarks. The finished side slopes of the drain shall be 1.5 metres horizontal to 1.0 metre vertical with the bottom width at 0.9 metre and drain grade at 0.19%.

The excavated material to be cast onto the adjoining lands shall be well and evenly spread over a sufficient area so that no portion of the excavated earth is more than 100mm in depth. The material shall be kept at least 1.2 metres clear from the finished edge of the drain, care being taken not to fill up any existing tiles, ditches, furrows or drains with the excavated material. The excavated material to be spread upon the lands shall be free from rocks, cobbles, boulders, stumps, rubble, rubbish or other similar material and these materials, if encountered, shall be hauled away by the Contractor and disposed of at a site to be obtained by it at its expense.

Where the drain crosses any lawn, garden, orchard, parking, roadway or driveway areas, the excavated material for the full width of the above-mentioned areas shall be hauled away by the Contractor and disposed of to a site to be obtained by the Contractor at its expense. All work at the disposal site shall be established between the Contractor and the site owner. The Contractor shall be responsible for any permits required and shall provide copies of same to the Town and Consulting Engineer when requested.

Where there is any brush or rubbish in the course of the drain, including both side slopes of the drain, all such brush or rubbish shall be close cut and grubbed out. Where there is any brush or rubbish where the earth is to be spread, or on that strip of land between where the earth is to be spread and the edge of the drain, all such brush or rubbish shall be close cut and grubbed out. The whole is to be burned, chipped or otherwise satisfactorily disposed of by the Contractor.

VIII. DETAILS OF BRIDGE WORK

The Contractor shall provide all material, labour and equipment to repair and improve the existing access bridge in the Austin C. Wright Drain requiring work, and install the new access bridge along with endwall repairs or construction and other improvements as noted.

The existing corrugated steel pipe bridge slated to be removed shall be replaced with new aluminized steel Type II Hel-Cor pipe. The new access bridge installation shall comprise of aluminized steel Type II helical pipe. All piping sections shall be connected by the use of 9 corrugation (9-C) bolted couplers installed around the complete circumference of the pipe in accordance with the manufacturer's recommendation. Each coupler shall be wrapped in filter cloth material around the complete circumference to ensure that there will be no soil migration through the joints and into the pipe through said connections.

The culvert pipe replacement and new pipe installation on this project shall be set to the grades as shown on the plans or as otherwise established herein and the Town Drainage Superintendent

or the Consulting Engineer may make minor changes to the bridge alignment as they deem necessary to suit the site conditions. All work shall be carried out in general accordance with the items in the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"** attached to this report and labelled **Appendix "REI-C"**.

IX. CORRUGATED STEEL PIPE INSTALLATION

The new corrugated steel pipe (CSP) to be installed on this project at each location is required to be provided in the longest lengths that are available and shall not be less than 3.0 metres. Where the overall access pipe length exceeds the standard pipe lengths, the Contractor shall connect the pipe sections together by use of a manufactured 9-C bolted coupler installed in accordance with the manufacturer's recommendations. All coupler joints shall be wrapped with a layer of filter cloth around the complete circumference so that it extends a minimum of 100mm beyond the coupler on each end, to ensure a positive seal against soil migration through the joints.

The Contractor shall note that the placement of any new culvert pipe shall be performed totally in the dry and it shall be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. As part of the work, the Contractor will be required to clean out the drain along the full length of the pipe and for a distance of 3.05 metres (10 ft.) upstream and downstream of the pipe. The design parameters of the Austin C. Wright Drain at the location of the replacement access bridge and at new bridge installation consist of a 0.91m (3.0 ft.) bottom width, the 0.19% grade shown on the profile, and 1.5 horizontal to 1.0 vertical sideslopes. The Contractor shall note that the pipe inverts are set at least 10% of the pipe diameter (or the pipe rise) below the drain bottom to provide the embedment required by E.R.C.A. and D.F.O. and to meet the minimum cover requirements for the pipe.

The installation of the complete length of the new culvert pipe, including all appurtenances, shall be completely inspected by the Town Drainage Superintendent or the Consulting Engineer's Inspector prior to backfilling any portions of same. Under no circumstance shall the Contractor commence the construction or backfill of the new culvert pipe without the site presence of the Town Drainage Superintendent or the Consulting Engineer's Inspector to inspect and approve said installation. The Contractor shall provide a minimum of two (2) working days' notice to the Town Drainage Superintendent or the Consulting Engineer prior to commencement of the work. The installation of the new culvert structure is to be performed during normal working hours of the Town Drainage Superintendent and the Consulting Engineer from Monday to Friday unless written authorization is provided by them to amend said working hours.

For the access bridge installation, once the new aluminized steel type II corrugated pipe has been satisfactorily set in place, the Contractor shall completely backfill same with granular material M.T.O. Type "B" O.P.S.S. Form 1010 with the following exception. The top 305mm (12") of the backfill material for the full top width of the access, and the full top width of the drain or the

excavated trench, and any approaches to the south and transitions to the north shall be granular material M.T.O. Type "A" O.P.S.S. Form 1010. All of the driveway approach areas extending from the Town roadway to the south face of the new bridge culvert shall be backfilled with compacted granular material M.T.O. Type "A" O.P.S.S. Form 1010, but only after all topsoil material has been completely removed and disposed of, and the minimum thickness of this granular material shall be 305mm (12"). All areas outside of the access driveway shall be backfilled with native material compacted to 96% of Standard Proctor Density and topped with a minimum of 50mm of topsoil and shall be seeded and mulched.

For hard surface driveway crossings, the top 305mm (12") of the backfill over the pipe below the hard surface treatment shall comprise granular material M.T.O. Type "A" O.P.S.S. Form 1010 compacted to a minimum of 100% Standard Proctor Density. The Contractor shall at all times be very careful when performing its backfilling and compaction operations so that no damage is caused to the pipe. To ensure that no damage is caused to the proposed pipe, alternative methods of achieving the required backfill compaction shall be submitted to the Consulting Engineer or the Town Drainage Superintendent for their approval prior to the commencement of this work. The Contractor shall restore the asphalt surface by placing a minimum of the existing thickness or a 90mm minimum thickness of Type HL-4 or equivalent Superpave hot mix asphalt. The asphalt shall be supplied and placed in two (2) approximately equal lifts compacted to a value ranging from 92% to 96% of maximum relative density as per O.P.S.S. 310. For existing concrete driveways, the Contractor shall carefully remove the concrete to the nearest expansion joint. The concrete driveway shall be restored to the original length and width that was removed and include 150mm thick, 30MPa concrete, with 6% \pm 1% air entrainment and 6x6-6/6 welded wire fabric reinforcing installed at the midpoint of the slab. All slab surfaces shall be finished to provide an appearance approximating the finish on the existing concrete driveway abutting the replacement.

The Contractor will be responsible to restore any damage caused to the roadways at its cost. All damaged hard surface roadway areas shall be neatly saw cut and the damaged materials removed and disposed of by the Contractor prior to carrying out any restoration work. The extent of the repairs shall be established in consultation with the Town Drainage Superintendent, the Road Authority, and the Consulting Engineer and the repairs shall be completed to their full satisfaction.

The Contractor is to note that any intercepted pipes or tiles along the length of the proposed culvert are to be extended and connected at its cost to the open drain at the end of the new culvert unless otherwise noted in the accompanying drawings.

The Contractor shall also note that the placing of the new access bridge culvert shall be completed so that it totally complies with the parameters established and noted in the Bridge Details and Tables for the culvert replacement. The culvert shall be set on an even grade and the placement shall be performed totally in the dry, and the Contractor should be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The Contractor shall also be required to supply a minimum of 100mm (4") of 20mm (3/4") clear stone bedding underneath the culvert pipe

extending from the bottom of the drain to the culvert invert grade, all to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. Furthermore, if an unsound base is encountered, it must be removed and replaced with 20mm (3/4") clear stone satisfactorily compacted in place to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The Contractor is to note that when replacing an access bridge or enclosure culvert, it shall be required to excavate a trench having a width not less than the new pipe outside diameter plus a 600mm working width on both sides of the new pipe to allow for proper installation of granular backfill and compaction of same. The Contractor shall also note that all culvert pipe installations are to be carried out with a minimum of 10% of their diameter or rise embedded below the drain design bottom, as shown and noted on the plan for each of the access bridge installations.

X. REMOVALS

Where existing access bridges and enclosures are to be completely removed and replaced, the Contractor shall be required to excavate and completely extract the existing concrete structure or culvert pipe and the existing endwalls in their entirety, as well as any other deleterious materials that may be encountered in removing same, excluding poured concrete headwalls that are to be reused. The Contractor shall neatly saw cut any concrete or asphalt surfaces over the pipes for a sufficient width to allow for the safe removal of same or go to the nearest expansion joint panel of the concrete driveways. The Contractor shall also be required to completely dispose of all removed materials to a site to be obtained by it at its own expense. The Contractor shall note that when headwalls are shown to be left in place, the Contractor shall protect same and carry out its work for the pipe replacement as noted above and dispose of any debris resulting from the work.

All unsuitable and deleterious materials from the excavation and removal of the existing bridge and enclosure culverts and drain cleaning shall be hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Likewise, any material excavated to allow for the granular approaches to the bridge, driveway transitions, or installation of new headwalls shall also be hauled away and disposed of by the Contractor.

XI. CONCRETE FILLED JUTE BAG, PRECAST CONCRETE BLOCK OR SLOPED END PROTECTION

Unless otherwise shown or noted, the Contractor is to provide new concrete filled jute bag headwalls, precast concrete block, or sloped quarried limestone on non-woven filter cloth end protection for the access bridges and enclosures being replaced or constructed on this drain.

The concrete filled jute bags are to be provided and laid out as is shown and detailed in the drawings provided by the Town and as noted in the Standard Specifications in **Appendix "REI-C"**. In all cases, the concrete filled jute bag headwalls shall be topped with a minimum 100mm (4") thick continuous concrete cap comprising 30mPa concrete with 6% \pm 1% air entrainment for the

entire length of the headwalls. The headwalls shall be installed on an inward batter to be not less than 1 horizontal to 5 vertical, and under no circumstances shall this batter, which is measured from the top of the headwall to the projection of the end of the pipe, be less than 305mm (12"). From the midpoint of the pipe height down to the concrete footing, the wall shall be a double concrete filled jute bag installation. On the roadside the walls shall be deflected as shown to provide daylighting and a better approach across the new bridge.

The installation of the concrete filled jute bag headwalls, unless otherwise specified, shall be provided in total compliance with the Items 1, 3, and 4 included in the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"**. These are attached to the back of these specifications and labelled **Appendix "REI-C"**. The Contractor shall comply in all respects with the General Conditions included in Item 4 and the **"Typical Concrete Filled Jute Bag Headwall End Protection"** detail also shown therein.

The Contractor shall install interlocking precast concrete blocks with filter cloth backing for walls on both ends of the bridges requiring same. The blocks shall be minimum 600X600X1200mm in size as available from Underground Specialties - Wolseley, Windsor, Ontario, or equal, and installed as set out in **Appendix "REI-C"**. Vertical joints shall be staggered by use of half blocks where needed and wingwall deflections when required shall employ 45-degree angled blocks. The block supplier shall provide shop drawings of the headwall block layout for review by the Engineer that includes blocks shaped for a close fit around the bridge pipe. Voids between the blocks and the pipe shall be grouted with 30mPa concrete having 6% \pm 1% air entrainment and extend for the full thickness of the wall and have a smooth uniform finish on the face that blends with the precast blocks. The installation of the endwalls, as well as the backfilling of the pipe where applicable, shall be provided in compliance with Items 1), 3), and 4) of the "Standard Specifications for Access Bridge Construction" attached within **Appendix "REI-C"** and in total compliance and in all respects with the General Conditions included in said Appendix. The Contractor shall submit shop drawings for approval of the wall installation that includes details for a minimum 300mm thick reinforced precast concrete footing that extends from the pipe invert downward. The reinforced precast footing shall extend for the full bottom width of the drain and into the drain banks each side for the required 400mm of embedment of the blocks and be constructed and installed to ensure that the completed wall will be completely vertical or tipped slightly back towards the driveway. Where the block walls extend more than 1.8 metres in height, the supplier shall provide the Contractor with uni-axial geogrid (SG350 or equivalent) reinforcement for installation to tie the wall back into the granular backfill. The Contractor, in all cases, shall comply with these specifications and upon completion of the stacked precast concrete end protection installation shall restore the adjacent areas to their original conditions. The Contractor shall supply quarried limestone on filter cloth rock protection adjacent to the headwalls at each corner of the bridge. All rock protection shall be 1.0 metres wide and 305mm (12") thick, installed on non-woven filter cloth, and shall be installed in accordance with Item 2) of the "Standard Specifications for Access Bridge Construction". The synthetic filter mat to be used shall be non-woven geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products through Underground Specialties - Wolseley in Windsor, Ontario or equal. The quarried limestone to be used shall be graded in size from a minimum of

100mm to a maximum of 250mm, and is available from Walker Industries Amherst Quarries, in Amherstburg, Ontario, or equal.

Where sloped end protection is specified, the top 305mm (12") of backfill material over the ends of the access pipe, from the invert of said pipe to the top of the driveway elevation of the access bridge or enclosure, shall be quarried limestone. The quarried limestone shall be provided as shown and detailed on the plans or as indicated in the Standard Specifications in **Appendix "REI-C"** and shall be graded in size from a minimum of 100mm (4") to a maximum of 250mm (10"). The quarried limestone to be placed on the sloped ends of an access bridge or enclosure shall be underlain with a synthetic **non-woven** geotextile filter fabric. The sloped quarried limestone protection is to be rounded as shown on the plan details and shall also extend along the drain side slopes to a point directly in line with the ends of the culvert pipe. The roadside approach to the entrance shall be provided with a minimum 5.0m radius at each end of the driveway entrance. All work shall be completed to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer.

The installation of the sloped quarried limestone end protection, unless otherwise specified herein, shall be provided in total compliance with Item 2), 3), and 4) of the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"**. These are attached to the back of these specifications and labelled **Appendix "REI-C"**. The Contractor shall comply in all respects with the General Conditions included in Item 4 and the **"Typical Quarried Limestone End Protection Detail"** also in **Appendix "REI-C"**.

The quarried limestone erosion protection shall be embedded into the sideslopes of the drain a minimum thickness of 305mm and shall be underlain in all cases with non-woven synthetic filter mat. The filter mat shall not only be laid along the flat portion of the erosion protection, but also contoured to the exterior limits of the quarried limestone and the unprotected slope. The width of the erosion protection shall be as established in the accompanying drawings or as otherwise directed by the Town Drainage Superintendent or the Consulting Engineer during construction. In placing the erosion protection, the Contractor shall carefully tamp the quarried limestone pieces into place with the use of the excavator bucket so that the erosion protection when completed will be consistent, uniform and tightly laid. In no instance shall the quarried limestone protrude beyond the exterior contour of the unprotected drain sideslopes along either side of said protection. The synthetic filter mat fabric to be used shall be non-woven geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products, or equal. The quarried limestone to be used shall be graded in size from a minimum of 100mm to a maximum of 250mm, and is available from Walker Aggregates Amherst Quarries, in Amherstburg, Ontario, or equal.

XII. BENCHMARKS

Also, for use by the Contractor, we have established Benchmarks along the course of the work and especially at the locations where existing access bridges are being replaced or new bridges are being constructed.

For each of the bridge replacements and new bridges, the plans include details illustrating the work to be carried out. For each bridge detail a Benchmark has been indicated and the Elevation has been shown and may be utilized by the Contractor in carrying out its work. The Contractor shall note that in each case a specific design elevation grade has been provided for the invert at each end of the pipe in the table accompanying each detail. The table also sets out the pipe size, materials, and other requirements relative to the installation of the culvert structure. In all cases, the Contractor is to utilize the specified drain grade to set any new pipe installation. The Contractor shall ensure that it takes note of the direction of flow and sets all pipes to assure that all grades flow from east to west to match the direction of flow within the drain. The Contractor's attention is drawn to the fact that the pipe invert grades established herein provide for the pipes to be set at least 10% of their diameter or pipe rise below the existing drain bottom or the design grade of the drain, whichever is lower.

XIII. ANCILLARY WORK

During the course of any work to the bridges and enclosures along the length of the project, the Contractor will be required to protect or extend any existing tile ends or swales and connect them to the drainage works to maintain the drainage from the adjacent lands. All existing tiles shall be extended utilizing solid Big 'O' "standard tile ends" or equal plastic pipe of the same diameter as the existing tile and shall be installed in accordance with the "**Standard Lateral Tile Detail**" included in the plans, unless otherwise noted. Connections shall be made using a manufacturer's coupling where possible. Wherever possible, tiles shall be extended to outlet beyond the end of any access culverts. When required, openings into new pipes shall be neatly bored, saw cut or burned with a torch to the satisfaction of the Town Drainage Superintendent or the Consulting Engineer. All cuts to steel pipes shall be touched up with a thick coat of zinc rich paint (Galvicon or equal) in accordance with the manufacturer's recommendations. For other connections, the Contractor shall utilize a grouted connection. Grouted mortar joints shall be composed of three (3) parts of clean, sharp sand to one (1) part of Portland cement with just sufficient water added to provide a stiff plastic mix, and the mortar connection shall be performed to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The mortar joint shall be of a sufficient mass around the full circumference of the joint on the exterior side to ensure a tight, solid seal. The Contractor is to note that any intercepted pipes along the length of the existing culverts and enclosures are to be extended and connected to the open drain unless otherwise noted in the accompanying drawings.

Where the bridge or enclosure installation interferes with the discharge of an existing swale, the Contractor shall re-grade the existing swales to allow for the surface flows to freely enter the drain. Any disturbed grass areas shall be fully restored with topsoil, seed and mulch.

All granular backfill for the bridge and enclosure installations shall be satisfactorily compacted in place to a minimum Standard Proctor Density of 98% by means of mechanical compaction equipment. All other good, clean, native fill material or topsoil to be utilized, where applicable,

shall be compacted in place to a minimum Standard Proctor Density of 95%. All of the backfill material, equipment used, and method of compacting the backfill material shall be provided and performed to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer.

Where the Contractor removes concrete or asphalt hard surfaces over the pipes, the Contractor shall restore the hard surfaces as previously outlined. The Contractor will be responsible to restore any damage caused to these driveways at its cost. All damaged hard surface driveway areas shall be neatly saw cut and the damaged materials removed and disposed of by the Contractor prior to carrying out any restoration work.

The new corrugated aluminized steel type II pipes for these installations are to be provided with a minimum depth of cover measured from the top of the pipe of 305mm (12") for a round pipe and 500mm for a pipe arch. If the bridge culvert pipes are placed at their proper elevations, same should be achieved. If the Contractor finds that the minimum cover is not being met, they shall notify the Town Drainage Superintendent and the Consulting Engineer immediately so that steps can be taken to rectify the condition prior to the placement of any backfill. The minimum cover requirement is **critical** and must be attained. In order for these new access bridge culverts to properly fit the channel parameters, **all of the design grade elevations must be strictly adhered to.**

As a check, all of the above access bridge and enclosure culvert design grade elevations should be confirmed before commencing to the next stage of the access bridge or enclosure installation. The Contractor is also to check that the pipe invert grades are correct by referencing the Benchmark.

Although it is anticipated that the culvert installation at each site shall be undertaken in the dry, the Contractor shall supply and install a temporary straw bale or silt curtain check dam in the drain bottom immediately downstream of each culvert site during the time of construction. The straw bale or silt curtain check dam shall be to the satisfaction of the Town Drainage Superintendent or Consulting Engineer and must be removed upon completion of the construction. The check dam materials may be reused at each site subject to their condition. All costs associated with the supply and installation of this straw bale or silt curtain check dam shall be included in the cost bid for the bridge replacements.

XIV. TOPSOIL, SEED AND MULCH

The Contractor shall be required to restore all existing grassed areas and drain side slopes damaged by the structure replacements, construction or cutting of the drain cross section, by placing topsoil, and then seed and mulch over said areas including any specific areas noted on the bridge details. The Contractor shall be required to provide all the material and to cover the above mentioned surfaces with approximately 50mm of good, clean, dry topsoil on slopes and 100mm of good, clean, dry topsoil on horizontal surfaces, fine graded and spread in place ready for seeding and mulching. The placing and grading of any topsoil shall be carefully and meticulously carried out in accordance with Ontario Provincial Standard Specifications, Form 802

dated November 2010, or as subsequently amended, or as amended by these specifications and be readied for the seeding and mulching process. The seeding and mulching of all of the above mentioned areas shall comply in all regards to Ontario Provincial Standard Specifications, Form 803 dated November 2010 and Form 804, dated November 2013, or as subsequently amended, or as amended by these specifications. The seeding mixture shall be the Standard Roadside Mix (Canada No. 1 Lawn Grass Seed Mixture) as set out in O.P.S.S. 804. All cleanup and restoration work shall be performed to the full satisfaction of the Town Drainage Superintendent or Engineer.

When all of the work for this installation has been completed, the Contractor shall ensure that positive drainage is provided to all areas; and shall ensure that the site is left in a neat and workmanlike manner, all to the full satisfaction of the Town Drainage Superintendent or Engineer.

XV. SPECIAL PROVISIONS FOR REPLACEMENT, REPAIR AND IMPROVEMENTS

The Contractor shall provide for the construction and improvements to the access bridges along the 5th Concession Road Drain East, for the structures noted, as follows:

Existing Bridge

The Contractor shall completely remove the existing C.S.P. bridge and any end protection that currently exists. The steel plates used for temporary access shall be carefully removed, salvaged and turned over to the Town. The Contractor will then be required to restore the drain cross section at the former bridge location to match the upstream and downstream drain cross sections. All disturbed areas shall be restored with topsoil, seed and mulch as set out above. The Contractor shall protect the existing water service near the east end of the bridge and the fire hydrant at the west end of the bridge that are crossing the drain and any other utilities that are present.

New Replacement Bridge

The Contractor shall completely remove the existing topsoil and vegetation in the area of the proposed new replacement bridge and clean out the drain bottom. The Contractor will then be required to install the new aluminized steel pipe as set out in the chart forming part of the details for the bridge at MN 5862 (Roll No. 800-00700) on the plans. The Contractor shall install sloped quarried limestone on filter cloth protection on each end. The Contractor shall protect any tile outlets on the banks at each end of the structure and divert and extend same as necessary to accommodate the replacement culvert. All work shall be carried out in accordance with these specifications and the requirements in **Appendix "REI-C"**.

New Bridge

The Contractor shall completely remove the existing topsoil and vegetation in the area of the proposed new bridge and clean out the drain bottom. The Contractor will then be required to install the new aluminized steel pipe as set out in the chart forming part of the details for the bridge at Roll No. 800-00750 on the plans. The Contractor shall install sloped quarried limestone on filter cloth protection on each end. The Contractor shall protect any tile outlets on the banks at each end of the structure and divert and extend same as necessary to accommodate the new culvert. All work shall be carried out in accordance with these specifications and the requirements in **Appendix "REI-C"**.

XVI. GENERAL CONDITIONS

- a) The Town Drainage Superintendent or Consulting Engineer shall have authority to carry out minor changes to the work where such changes do not lessen the efficiency of the work.
- b) The Contractor shall satisfy itself as to the exact location, nature and extent of any existing structure, utility or other object which it may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town of Essex and the Consulting Engineer and their representatives for any damages which it may cause or sustain during the progress of the work. It shall not hold the Town of Essex or the Consulting Engineer liable for any legal action arising out of any claims brought about by such damage caused by it.
- c) The Contractor shall provide a sufficient number of layout stakes and grade points so that the Drainage Superintendent and Consulting Engineer can review same and check that the work will generally conform to the design and project intent.
- d) The Contractor will be responsible for any damage caused by it to any portion of the Town road system, especially to the travelled portion. When excavation work is being carried out and the excavation equipment is placed on the travelled portion of the road, the travelled portion shall be protected by having the excavation equipment placed on satisfactory timber planks or timber pads. If any part of the travelled portion of the road is damaged by the Contractor, the Town shall have the right to have the necessary repair work done by its' employees and the cost of all labour and materials used to carry out the repair work shall be deducted from the Contractor's contract and credited to the Town. The Contractor, upon completing the works, shall clean all debris and junk, etcetera, from the roadside of the drain, and leave the site in a neat and workmanlike manner. The Contractor shall be responsible for keeping all public roadways utilized for hauling materials free and clear of mud and debris.
- e) The Contractor shall provide all necessary lights, signs, and barricades to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health

and Safety Act, and latest amendments thereto. If traffic control is required on this project, signing is to comply with the M.T.O. Manual of Uniform Traffic Control Devices (M.U.T.C.D.) for Roadway Work Operations and Ontario Traffic Manual Book 7.

- f) During the course of the work the Contractor shall be required to connect existing drainage pipes to the Municipal Drain. In the event that polluted flows are discovered, the Contractor shall delay the connection of the pipe and leave the end exposed and alert the Town, the Drainage Superintendent and the Consulting Engineer so that steps can be taken by the Town to address the concern with the owner and the appropriate authorities. Where necessary the Contractor shall cooperate with the Town in providing temporary measures to divert the drain or safely barricade same. Should the connection be found acceptable by the authorities, the Contractor shall complete the connection of the drain as provided for in the specifications, at no extra cost to the project.
- g) Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.
- h) The whole of the work shall be satisfactorily cleaned up, and during the course of the construction, no work shall be left in any untidy or incomplete state before subsequent portions are undertaken.
- i) During the course of the project the Contractor shall deal with any excess soil management from the project in accordance with Ontario Reg 406/19 pursuant to the Environmental Protection Act, R.S.O. 1990, c. E.19 and any subsequent amendments to same.
- j) All driveways, laneways and access bridges, or any other means of access on to the job site shall be fully restored to their former condition at the Contractor's expense. Before authorizing Final Payment, the Town Drainage Superintendent and the Consulting Engineer shall inspect the work in order to be sure that the proper restoration has been performed. In the event that the Contractor fails to satisfactorily clean up any portion of these accesses, the Consulting Engineer shall order such cleanup to be carried out by others and the cost of same be deducted from any monies owing to the Contractor.
- k) The Contractor will be required to submit to the Town, a Certificate of Good Standing from the Workplace Safety and Insurance Board prior to the commencement of the work and the Contractor will be required to submit to the Town, a Certificate of Clearance for the project from the Workplace Safety and Insurance Board before Final Payment is made to the Contractor.
- l) The Contractor shall furnish a Performance and Maintenance Bond along with a separate Labour and Material Payment Bond within ten (10) days after notification of the execution of the Agreement by the Town. One copy of said bonds shall be bound into each of the executed sets of the Contract. Each Performance and Maintenance Bond and Labour and

Material Payment Bond shall be in the amount of 100% of the total Tender Price. All Bonds shall be executed under corporate seal by the Contractor and a surety company, authorized by law to carry out business in the Province of Ontario. The Bonds shall be acceptable to the Town in every way and shall guarantee faithful performance of the contract during the period of the contract, including the period of guaranteed maintenance which will be in effect for twelve (12) months after substantial completion of the works.

The Tenderer shall include the cost of bonds in the unit price of the Tender items as no additional payment will be made in this regard.

- m) The Contractor shall be required, as part of this Contract, to provide Comprehensive Liability Insurance coverage for not less than \$5,000,000.00 on this project; and shall name the Town of Essex and its' officials and the Consulting Engineer and their staff as additional insured under the policy. The Contractor must submit a copy of this policy to both the Town Clerk and the Consulting Engineer prior to the commencement of work.
- n) Monthly progress orders for payment shall be furnished the Contractor by the Town Drainage Superintendent. Said orders shall be for not more than 90% of the value of the work done and the materials furnished on the site. The paying of the full 90% does not imply that any portion of the work has been accepted. The remaining 10% will be paid 60 days after the final acceptance and completion of the work and payment shall not be authorized until the Contractor provides the following:
 - i) a Certificate of Clearance for the project from the Workplace Safety and Insurance Board
 - ii) proof of advertising
 - iii) a Statutory Declaration, in a form satisfactory to the Engineer and the Town, that all liabilities incurred by the Contractor and its Sub-Contractors in carrying out the Contract have been discharged and that all liens in respect of the Contract and Sub-Contracts thereunder have expired or have been satisfied, discharged or provided for by payment into Court.

The Contractor shall satisfy the Consulting Engineer or Town that there are no liens or claims against the work and that all of the requirements as per the Construction Act, 2018 and its' subsequent amendments have been adhered to by the Contractor.

- o) In the event that the Specifications, Information to Tenderers, or the Form of Agreement do not apply to a specific condition or circumstance with respect to this project, the applicable section or sections from the Canadian Construction Documents Committee C.C.D.C.2 shall govern and be used to establish the requirements of the work.

- p) Should extra work be required by the Town Drainage Superintendent or Consulting Engineer, and it is done on a time and material basis, the actual cost of the work will be paid to the Contractor with a 15% markup on the total actual cost of labour, equipment and materials needed to complete the extra work.
- q) The Contractor shall provide shop drawings of the proposed wall for decorative precast concrete block headwalls for approval by the Drainage Superintendent or Engineer prior to construction.

APPENDIX "REI-A"

STANDARD E.R.C.A. AND D.F.O.
MITIGATION REQUIREMENTS

As part of its work, the Contractor will implement the following measures that will ensure that any potential adverse effects on fish and fish habitat will be mitigated:

1. As per standard requirements, work will not be conducted at times when flows in the drain are elevated due to local rain events, storms, or seasonal floods. Work will be done in the dry.
2. All disturbed soils on the drain banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be hauled away and disposed of at a suitable site, or spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
3. To prevent sediment entry into the drain in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with the related Ontario Provincial Standards. It is incumbent on the proponent and Contractors to ensure that sediment and erosion control measures are functioning properly and maintained/upgraded as required.
4. Silt or sand accumulated in the barrier traps must be removed and stabilized on land once the site is stabilized.
5. All activities including maintenance procedures should be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicular refuelling and maintenance should be conducted away from the water.
6. Any drain banks trimmed outside of the July 1st to September 15th timing window will require bio-degradable erosion control blankets to be installed to promote re-vegetation and to protect the slope from erosion in the interim.

Measures to Avoid Causing Harm to Fish and Fish Habitat

If you are conducting a project near water, it is your responsibility to ensure you avoid causing [serious harm to fish](#) in compliance with the *Fisheries Act*. The following advice will help you avoid causing harm and comply with the *Act*.

PLEASE NOTE: This advice applies to all project types and replaces all “Operational Statements” previously produced by DFO for different project types in all regions.

Measures

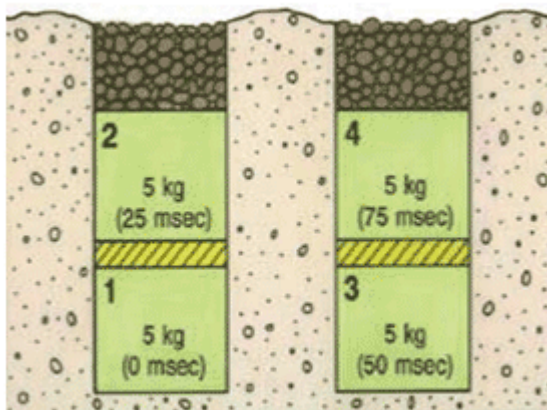
- Time work in water to respect [timing windows](#) to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed.
- Minimize duration of in-water work.
- Conduct instream work during periods of low flow, or at low tide, to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows.
- Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
- Design and plan activities and works in waterbody such that loss or disturbance to aquatic habitat is minimized and sensitive spawning habitats are avoided.
- Design and construct approaches to the waterbody such that they are perpendicular to the watercourse to minimize loss or disturbance to riparian vegetation.
- Avoid building structures on meander bends, braided streams, alluvial fans, active floodplains or any other area that is inherently unstable and may result in erosion and scouring of the stream bed or the built structures.
- Undertake all instream activities in isolation of open or flowing water to maintain the natural flow of water downstream and avoid introducing sediment into the watercourse.
- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse.
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Ensure that building material used in a watercourse has been handled and treated in a manner to prevent the release or leaching of substances into the water that may be deleterious to fish.

- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear. The plan should, where applicable, include:
 - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
 - Measures for managing water flowing onto the site, as well as water being pumped/diverted from the site such that sediment is filtered out prior to the water entering a waterbody. For example, pumping/diversion of water to a vegetated area, construction of a settling basin or other filtration system.
 - Site isolation measures (e.g., silt boom or silt curtain) for containing suspended sediment where in-water work is required (e.g., dredging, underwater cable installation).
 - Measures for containing and stabilizing waste material (e.g., dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry.
 - Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction.
 - Repairs to erosion and sediment control measures and structures if damage occurs.
 - Removal of non-biodegradable erosion and sediment control materials once site is stabilized.
- Clearing of riparian vegetation should be kept to a minimum: use existing trails, roads or cut lines wherever possible to avoid disturbance to the riparian vegetation and prevent soil compaction. When practicable, prune or top the vegetation instead of grubbing/uprooting.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.
- Retain a qualified environmental professional to ensure applicable permits for relocating fish are obtained and to capture any fish trapped within an isolated/enclosed area at the work site and safely relocate them to an appropriate location in the same waters. Fish may need to be relocated again, should flooding occur on the site.
- Screen any water intakes or outlet pipes to prevent entrainment or impingement of fish. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when an entrapped fish is held in contact with the intake screen and is unable to free itself.
 - In freshwater, follow these measures for design and installation of intake end of pipe fish screens to protect fish where water is extracted from fish-bearing waters:
 - Screens should be located in areas and depths of water with low concentrations of fish throughout the year.
 - Screens should be located away from natural or artificial structures that may attract fish that are migrating, spawning, or in rearing habitat.
 - The screen face should be oriented in the same direction as the flow.
 - Ensure openings in the guides and seals are less than the opening criteria to make “fish tight”.
 - Screens should be located a minimum of 300 mm (12 in.) above the bottom of the watercourse to prevent entrainment of sediment and aquatic organisms associated with the bottom area.
 - Structural support should be provided to the screen panels to prevent sagging and collapse of the screen.
 - Large cylindrical and box-type screens should have a manifold installed in them to ensure even water velocity distribution across the screen surface. The ends of the structure should be made out of solid materials and the end of the manifold capped.
 - Heavier cages or trash racks can be fabricated out of bar or grating to protect the finer fish screen, especially where there is debris loading (woody material, leaves, algae mats, etc.). A 150 mm (6 in.) spacing between bars is typical.
 - Provision should be made for the removal, inspection, and cleaning of screens.
 - Ensure regular maintenance and repair of cleaning apparatus, seals, and screens is carried out to prevent debris-fouling and impingement of fish.
 - Pumps should be shut down when fish screens are removed for inspection and cleaning.
- Avoid using explosives in or near water. Use of explosives in or near water produces shock waves that can damage a fish swim bladder and rupture internal organs. Blasting vibrations may also kill or damage fish eggs or larvae.
 - If explosives are required as part of a project (e.g., removal of structures such as piers, pilings, footings; removal of obstructions such as beaver dams; or preparation of a river or lake bottom for installation of a structure such as a dam or water intake), the potential for impacts to fish and fish habitat should be minimized by implementing the following measures:

- Time in-water work requiring the use of explosives to prevent disruption of vulnerable fish life stages, including eggs and larvae, by adhering to appropriate fisheries [timing windows](#).
- Isolate the work site to exclude fish from within the blast area by using bubble/air curtains (i.e., a column of bubbled water extending from the substrate to the water surface as generated by forcing large volumes of air through a perforated pipe/hose), cofferdams or aquadams.
- Remove any fish trapped within the isolated area and release unharmed beyond the blast area prior to initiating blasting
- Minimize blast charge weights used and subdivide each charge into a series of smaller charges in blast holes (i.e., decking) with a minimum 25 millisecond (1/1000 seconds) delay between charge detonations (see Figure 1).
- Back-fill blast holes (stemmed) with sand or gravel to grade or to streambed/water interface to confine the blast.
- Place blasting mats over top of holes to minimize scattering of blast debris around the area.
- Do not use ammonium nitrate based explosives in or near water due to the production of toxic by-products.
- Remove all blasting debris and other associated equipment/products from the blast area.

Figure 1: Sample Blasting Arrangement



Per Fig. 1: 20 kg total weight of charge; 25 msecs delay between charges and blast holes; and decking of charges within holes.

- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.

- Whenever possible, operate machinery on land above the high water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.
- Limit machinery fording of the watercourse to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the watercourse are required, construct a temporary crossing structure.
- Use temporary crossing structures or other practices to cross streams or waterbodies with steep and highly erodible (e.g., dominated by organic materials and silts) banks and beds. For fording equipment without a temporary crossing structure, use stream bank and bed protection methods (e.g., swamp mats, pads) if minor rutting is likely to occur during fording.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

Date modified:
2013-11-25

SECTION II
SPECIFICATIONS
FOR FISH SALVAGE

GENERAL
SECTION 201

The Work shall include the capture, salvage and release of fish that are trapped or stranded as the result of the Contractor's operations, at locations identified in the Fish Salvage Plan, and in co-operation with the Essex Region Conservation Authority (E.R.C.A.).

Fish capture shall be performed prior to dewatering, and in such manner that will minimize the injury to the fish.

MATERIALS
SECTION 202

All materials required for fish capture, salvage and release shall be supplied by the Contractor.

CONSTRUCTION
SECTION 203

The Contractor shall not commence any fish capture, salvage and release work until the Fish Salvage Plan has been accepted by the Consultant and the Conservation Authority. All work shall be performed in accordance with the Fish Salvage Plan unless otherwise determined by the Consultant or the Conservation Authority.

The Contractor shall ensure an ice-free pool is maintained throughout all fish capture and release operations.

All fish shall be captured within the area specified and released at an acceptable location in the downstream water body. Fish shall be captured by electro fishing, netting, seining, trapping, or other method acceptable to the Consultant and/or the Conservation Authority.

MEASUREMENT AND PAYMENT
SECTION 204

Payment for this Work will be included in the price bid for drainage work components or made at the lump sum price bid for "Fish Capture and Release". The lump sum price will be considered full compensation for all labour, materials, equipment, tools, and incidentals necessary to complete the Work to the satisfaction of the Consultant.

APPENDIX "REI-B"

SCHEDULE C

MITIGATION PLAN

The Municipality shall undertake measures to minimize adverse effects on species at risk in accordance with the general conditions described in Part B and taxa-specific conditions described in Part C, and the monitoring and reporting requirements described in Part D of this Mitigation Plan.

PART A. DEFINITIONS

1. Definitions:

1.1. In this Schedule, the following words shall have the following meanings:

"DFO" means Fisheries and Oceans Canada;

"MNR" means the Aylmer District Office of the Ministry of Natural Resources;

"Contact" means to contact the MNR in accordance with the notification/contact schedule provided to the Municipality by the MNR Designated Representative from time to time;

"Holding Tub" means a large, light-coloured container fitted with a non-airtight latchable lid approved by the MNR for the temporary storage of captured snakes, turtles, amphibians, birds or eggs;

"Interagency Notification Form" means the form issued by DFO, available at www.dfo-mpo.gc.ca, which is required to be completed when a drain is being maintained or constructed;

"Monitoring and Reporting Form" means the document that must be completed by the Municipality in accordance with Part D to this Schedule and will be provided to the Municipality;

"Ontario Operational Statement" means one of the documents issued by DFO, available at www.dfo-mpo.gc.ca, that sets out the conditions and measures to be incorporated into a project in order to avoid negative impacts to fish and fish habitat in Ontario, as modified from time to time;

"Process Charts" means the charts attached as Part E to this Schedule which describe the steps set out in this Mitigation Plan;

"Seasonal Timing Windows Chart" means the chart attached as Part G to this schedule which describes the Sensitive Periods applicable to each Taxonomic Group;

"Sensitive Area" means a geographic area in the Municipality where additional mitigation measures are required to be undertaken for one or more Taxonomic Groups;

"Sensitive Areas Map" means any one of the maps attached as Part F to this schedule which sets out the applicable Sensitive Areas;

"Sensitive Period" means a time of year set out in the Seasonal Timing Windows Chart during which taxa-specific mitigation measures are required to be undertaken for a Taxonomic Group because of ambient air/water temperatures, water-levels or important life-history stages;

"Taxonomic Group" means the distinct group comprising one or more Species based on their taxonomic relationship and common approaches to mitigating adverse effects (i.e., fish, mussels, turtles, snakes, amphibians, birds or plants); and

"Work Zone" means the geographic area in the Municipality where an Activity in respect of one of the Drainage Works is being conducted.

- 1.2. For greater certainty, any defined terms that are not defined in section 1.1 have the same meanings as in the Agreement.

PART B. GENERAL MEASURES TO MINIMIZE ADVERSE EFFECTS

2. Process Charts

- 2.1. The general steps set out in this Part B are visually described in the Process Charts (Part E).

3. Review of Documentation

- 3.1. Prior to conducting any Activities in respect of the Drainage Works the Municipality shall determine if conditions apply to the place, time or manner in which the Municipality wishes to pursue them by reviewing:
 - (a) the Sensitive Areas Maps (Part F) to determine if the Work Zone for the proposed Activities will occur within a Sensitive Area;
 - (b) the DFO Reference Guide for Fish and Mussel Species at Risk Distribution Maps: A Referral Review Tool for Projects Affecting Aquatic Species at Risk;
 - (c) the Seasonal Timing Windows Chart (Part G) to determine if the proposed Activities will occur during a Sensitive Period for one or more of the Taxonomic Groups; and
 - (d) the Process Charts to determine if prior notification is required;
 - (e) the mitigation measures for each applicable Taxonomic Group in Part C to determine what additional site-specific mitigation measures, if any, are required.
- 3.2. The Municipality shall document the results of the review undertaken in accordance with section 3.1 using the Monitoring and Reporting Form.

4. Sensitive Areas Maps

- 4.1. The Sensitive Areas Maps contain sensitive information about the distribution of species at risk, are provided for the sole purpose of informing this Agreement and are not to be copied or distributed for any other purposes or to any other party without the prior written authorization of the MNR Designated Representative.

5. Prior Notification to Seek Direction

- 5.1. If, after completing the review of documents described in section 3.1, the Municipality determines that the proposed Activities will be undertaken:
 - (a) in a place;
 - (b) at a time; or
 - (c) in a manner,that requires prior notification in accordance with the Process Charts, the Municipality shall provide prior notification to the MNR in order for the MNR to determine if the Municipality must undertake additional site-specific or Species-specific mitigation

measures to minimize adverse effects on the Species and, if applicable, to identify such measures.

5.2. The prior notification under section 5.1 shall include a completed Interagency Notification Form:

- (a) in respect of maintenance/repair where the proposed Activities are being undertaken pursuant to subsection 3(18) or section 74 of the *Drainage Act*; or
- (b) in respect of construction/improvement where the proposed Activities are being undertaken pursuant to section 77 or 78 of the *Drainage Act*.

5.3. Where an Activity is undertaken in accordance with section 124 of the *Drainage Act* and would otherwise have required prior notification under section 5.1, the Municipality shall Contact the MNR by email prior to the commencement of the Activity, and complete and submit the applicable Interagency Notification Form within one week of the Activity's completion, unless otherwise directed in writing by the MNR Designated Representative.

6. General Mitigation Measures

6.1. Notwithstanding that prior notification or additional mitigation measures may be required in accordance with this schedule, in undertaking any Activity at any time in respect of the Drainage Works the Municipality shall:

- (a) undertake the mitigation measures for sediment control and for erosion control and bank stabilization set out in The Drain Primer (Cliff Evanitski 2008) published by DFO (ISBN 978-0-662-48027-3), unless otherwise authorized in writing by the MNR Designated Representative;
- (b) use net free, 100% biodegradable erosion control blanket for all erosion control or bank stabilization done in conjunction with their Activities or, if authorized in writing by the MNR Designated Representative, alternative erosion control blankets that provide equal or greater protection to individual Species; and
- (c) where applicable, follow the guidelines set out in the following Ontario Operational Statements:
 - (i) Beaver Dam Removal;
 - (ii) Bridge Maintenance;
 - (iii) Culvert Maintenance;
 - (iv) Isolated Pond Construction;
 - (v) Maintenance of Riparian Vegetation in Existing Right of Ways; and
 - (vi) Temporary Stream Crossing.

PART C. TAXA-SPECIFIC MEASURES TO MINIMIZE ADVERSE EFFECTS

ADDITIONAL MITIGATION MEASURES FOR MUSSEL SPECIES

7. Activities undertaken in Sensitive Areas for Mussels

- 7.1. Subject to section 7.2, where a proposed Activity will occur in a Sensitive Area for a mussel Species, the Municipality shall Contact the MNR to seek further direction.
- 7.2. Section 7.1 does not apply where the applicable Drainage Works are:
 - (a) in a naturally dry condition;
 - (b) classified as a Class F drain in DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
 - (c) a closed drain.

ADDITIONAL MITIGATION MEASURES FOR TURTLE SPECIES

8. Training and Required On Site Materials for Turtles

- 8.1. The Municipality will ensure any person:
 - (a) involved in the capture, temporary holding, transfer and release of any turtle Species has received training in proper turtle handling procedures; and
 - (b) who undertakes an Activity has a minimum of two Holding Tubs and cotton sacks on site at all times.

9. Activities undertaken in Sensitive Areas and Sensitive Periods for Turtles

- 9.1. Subject to section 9.2, where a proposed Activity will occur in a Sensitive Area for any turtle Species and during a Sensitive Period for that Species, the Municipality shall:
 - (a) not undertake any Activities that include the excavation of sediment or disturbance to banks during the applicable Sensitive Period unless otherwise authorized;
 - (b) undertake Activities in accordance with any additional site-specific measures provided in writing by the MNR Designated Representative;
 - (c) avoid draw-down and de-watering of the Sensitive Area during the applicable Sensitive Period; and
 - (d) if authorized by the MNR Designated Representative under (a) above to undertake Activities that include excavation of sediment or disturbance of banks, in addition to any other measures required under (b) above, ensure any person undertaking an Activity has at least two Holding Tubs on site at all times.
- 9.2. Section 9.1 does not apply where the applicable Drainage Works are:
 - (a) in a naturally dry condition;
 - (b) classified as a Class F drain in DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
 - (c) a closed drain.

10. Measures for Encounters with Turtles During a Sensitive Period

- 10.1. Where one or more individuals belonging to a turtle Species is encountered in the undertaking of an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:
- (a) capture and transfer all uninjured individuals of that Species into a Holding Tub;
 - (b) capture and transfer all individuals injured as a result of the Activities into a Holding Tub separate from any Holding Tub containing uninjured individuals;
 - (c) ensure that the Holding Tubs with the captured individuals are stored at a cool temperature to prevent freezing until the individuals can be transferred; and
 - (d) immediately Contact the MNR to seek direction and to arrange for the transfer of the individual turtles.

11. Measures for Encounters with Turtles Laying Eggs or Nest Sites

- 11.1. Where one or more individuals belonging to a turtle Species laying eggs, or an active nest site of any turtle Species, is encountered in undertaking an Activity in a Work Zone, the Municipality shall:
- (a) not disturb a turtle encountered laying eggs and not conduct any Activities within 20 metres of the turtle while it is laying eggs;
 - (b) collect any displaced or damaged eggs and capture any injured dispersing juveniles and transfer them to a Holding Tub;
 - (c) store all captured injured individuals and collected eggs out of direct sunlight;
 - (d) immediately Contact the MNR to seek direction and to arrange for the transfer of any injured individuals and eggs;
 - (e) immediately stop any disturbance to the nest site and recover exposed portions with soil or organic material to protect the integrity of the remaining individuals;
 - (f) not drive any equipment over the nest site or conduct any Activities within 5 metres of the nest site;
 - (g) not place any dredged materials removed from the Drainage Works on top of the nest site;
 - (h) mark out the physical location of the nest site for the duration of the project but not by any means that might increase the susceptibility of the nest to predation or poaching; and
 - (i) where there are no collected eggs or captured individuals, record relevant information and Contact the MNR within 72 hours to provide information on the location of the nest site.

12. Measures for Encounters with Turtles Outside of a Sensitive Period

- 12.1. Where one or more individuals belonging to a turtle Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of any Sensitive Period for that Species, the Municipality shall:
- (a) briefly stop the Activity for a reasonable period of time to allow any uninjured individual turtles of that Species to leave the Work Zone;

- (b) where individuals do not leave the Work Zone after the Activity is briefly stopped in accordance with (a) above, capture all uninjured individuals and release them in accordance with section 13.1;
- (c) where circumstances do not allow for their immediate release, transfer captured uninjured individuals for a maximum of 24 hours into a Holding Tub which shall be stored out of direct sunlight and then release them in accordance with section 13.1;
- (d) capture and transfer any individuals that have been injured into a Holding Tub separate from any Holding Tub containing uninjured individuals; and
- (e) store all captured injured individuals out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for their transfer.

13. Release of Captured Individuals Outside of a Sensitive Period

- 13.1. Where uninjured individuals are captured under section 12.1, they shall be released:
 - (a) within 24 hours of capture;
 - (b) in an area immediately adjacent to the Drainage Works;
 - (c) in an area that will not be further impacted by the undertaking of any Activity; and
 - (d) not more than 250 metres from the capture site.
- 13.2. Following a release under section 13.1, the Municipality shall Contact the MNR within 72 hours of the release to provide information on the name of the Drainage Works, the location of the encounter and the location of the release site.

14. Measures for Dead Turtles

- 14.1. Where one or more individuals of a turtle Species is killed as a result of an Activity in a Work Zone, or if a person undertaking an Activity finds a deceased individual of a turtle Species within the Work Zone, the Municipality shall:
 - (a) place any dead turtles in a Holding Tub outside of direct sunlight; and
 - (b) Contact the MNR within 72 hours to seek direction and to arrange for the transfer of the dead individuals.

ADDITIONAL MITIGATION MEASURES FOR SNAKE SPECIES

15. Training and Required On Site Materials for Snakes

- 15.1. The Municipality will ensure any person:
 - (a) involved in the capture, temporary holding, transfer and release of any snake Species has received training in proper snake handling procedures; and
 - (b) who undertakes an Activity has a minimum of two Holding Tubs and cotton sacks on site at all times.

16. Activities undertaken in Sensitive Areas and Sensitive Periods for Snakes

- 16.1. Where a proposed Activity involves physical infrastructure (e.g., culverts, pump houses, etc.) and will occur in a Sensitive Area for any snake Species and during a *Sensitive Period – Hibernation* for that Species, the Municipality shall undertake the Activity outside of the Sensitive Period, unless otherwise authorized by and in accordance with any site-specific measures provided in writing by the MNR Designated Representative.

16.2. Where a proposed Activity will occur at or adjacent to a known hibernacula (as identified by the MNR) for any snake Species and during a *Sensitive Period – Staging* for that Species, the Municipality shall:

- (a) erect effective temporary snake barriers approved by the MNR that will not pose a risk of entanglement for snakes and that shall be secured so that individual snakes may not pass over or under the barrier or between any openings to enter or re-enter the Work Zone;
- (b) inspect the temporary snake barriers daily during periods when snakes are active, capture any individuals incidentally encountered within the area bounded by the snake barrier and release the captured individuals in accordance with section 20.1; and
- (c) remove the temporary snake barriers immediately upon completion of the Activity.

16.3. Where a proposed Activity that does not involve physical infrastructure will occur in a Sensitive Area for any snake Species and during a *Sensitive Period – Staging* for that Species, the Municipality shall undertake the Activity outside of the Sensitive Period, unless otherwise authorized by and in accordance with any site-specific measures provided in writing by the MNR Designated Representative.

17. Measures for Encounters with Snakes During a Sensitive Period

17.1. Where one or more individuals belonging to a snake Species is encountered, or should an active hibernacula be uncovered, while conducting an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:

- (a) capture and transfer all injured and uninjured individual snakes of that Species into individual light-coloured, drawstring cotton sacks;
- (b) place all cotton sacks filled with the captured individuals into a Holding Tub;
- (c) ensure that the Holding Tub with the captured individuals is stored at a cool temperature to protect the snakes from freezing until the individuals can be retrieved or transferred;
- (d) if an active hibernacula is uncovered, cease all Activities at the hibernacula site; and
- (e) immediately Contact the MNR to seek direction and to arrange for the transfer and/or retrieval.

18. Measures for Encounters with Snake Nests

18.1. Where an active nest of any of the snake Species is encountered and disturbed while undertaking an Activity in any part of a Work Zone, the Municipality shall:

- (a) collect any displaced or damaged eggs and transfer them to a Holding Tub;
- (b) capture and transfer all injured dispersing juveniles of that Species into a light-coloured drawstring cotton sack;
- (c) place all cotton sacks with the captured injured individuals into a Holding Tub;
- (d) ensure that the Holding Tub with the captured injured individuals is stored out of direct sunlight;
- (e) immediately Contact the MNR to seek direction and to arrange for the transfer of the injured individuals;
- (f) immediately stop any disturbance to the nest site and loosely cover exposed portions with soil or organic material to protect the integrity of the remaining individuals;

- (g) not drive any equipment over the nest site or conduct any Activities within 5 metres of the nest site;
- (h) not place any dredged materials removed from the Drainage Works on top of the nest site;
- (i) mark out the physical location of the nest site but not by any means that might increase the susceptibility of the nest to predation or poaching; and
- (j) where there are no collected eggs or captured individuals, Contact the MNR within 72 hours to provide information on the location of the nest site.

19. Measures for Encounters with Snakes Outside of a Sensitive Period

- 19.1. Where one or more individuals belonging to a snake Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of any Sensitive Period for that Species, the Municipality shall:
- (a) follow the requirements in section 15;
 - (b) briefly stop the Activity for a reasonable period of time to allow any uninjured individual snakes of that Species to leave the Work Zone;
 - (c) if the individuals do not leave the Work Zone after the Activity is briefly stopped in accordance with (b) above, capture all uninjured individuals and release them in accordance with section 20.1;
 - (d) where circumstances do not allow for the immediate release of captured uninjured individuals, they may be transferred into individual, light-coloured, drawstring cotton sacks before placing them in a Holding Tub which shall be stored out of direct sunlight for a maximum of 24 hours before releasing them in accordance with section 20.1;
 - (e) capture and transfer any individuals injured as a result of conducting the Activities into a Holding Tub separate from any Holding Tub containing uninjured individuals; and
 - (f) store all captured injured individuals out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for their transfer.

20. Release of Captured Individuals Outside of a Sensitive Period

- 20.1. Where uninjured individuals are captured under section 19.1, they shall be released:
- (a) within 24 hours of capture;
 - (b) in an area immediately adjacent to the Drainage Works where there is natural vegetation cover;
 - (c) in an area that will not be further impacted by the undertaking of any Activity; and
 - (d) not more than 250 metres from the capture site.
- 20.2. Following a release under section 20.1, the Municipality shall Contact the MNR within 72 hours of the release to provide information on the name of the Drainage Works, the location of the encounter and the location of the release site.

21. Measures for Dead Snakes

- 21.1. Where one or more individuals belonging to a snake Species is killed as a result of an Activity in a Work Zone, or if a person undertaking an Activity finds a deceased individual of a snake Species within the Work Zone, the Municipality shall:

- (a) collect and transfer any dead individuals into a Holding Tub outside of direct sunlight; and
- (b) Contact the MNR within 72 hours to seek direction and to arrange for the transfer of the carcasses of the dead individuals.

ADDITIONAL MITIGATION MEASURES FOR HERBACEOUS PLANTS

22. Activities Undertaken in Sensitive Areas for Herbaceous Plants

- 22.1. Where a proposed Activity will occur that involves physical disturbance to vegetated banks or the killing and/or removal of vegetation through chemical or mechanical means in a Sensitive Area for any herbaceous plant Species, the Municipality shall:
- (a) undertake the Activity outside of the Sensitive Period, unless otherwise authorized;
 - (b) limit equipment access and operations to the side of the Drainage Works that will minimize disturbances where any of the plant Species occur;
 - (c) locate temporary storage sites for excavated sediments or bank materials on areas of open soil away from where any of the plant Species are likely to occur;
 - (d) not use any broad spectrum herbicides in Sensitive Areas; and
 - (e) undertake Activities in accordance with any additional site-specific measures provided in writing by the MNR Designated Representative.

ADDITIONAL MITIGATION MEASURES FOR TREE SPECIES

23. Additional Measures for Butternut

- 23.1. Where Butternuts may exist in a Work Zone and may be affected by an Activity, the Municipality shall:
- (a) identify and mark as retainable trees all individual Butternut trees within the Work Zone during work planning site visits unless the individual Butternut has been assessed as a non-retainable tree due to infection by Butternut canker by a person designated by the Minister as a Butternut Health Assessor;
 - (b) retain and avoid disturbance to all individuals identified under (a) above that have been identified as retainable trees or that have not been assessed, unless otherwise authorized in writing by the MNR Designated Representative;
 - (c) conduct Activities by:
 - (i) limiting equipment access and operations to the side of the Drainage Works that will minimize disturbance to where any of the individual Butternut trees occur,
 - (ii) working around trees,
 - (iii) avoiding compacting and/or disturbing the soil by keeping excavation and other heavy equipment a minimum of 2 metres away from the main stem of retained individuals to avoid damaging roots and stems,
 - (iv) placing excavated materials on areas not within 2 metres of the main stem of retained individuals; and
 - (v) where branches are required to be removed to allow for safe operation of equipment, removing them using appropriate equipment, such as pruning saws, chain saws or lopping shears, in accordance with good forestry practices.

24. Measures for Other Trees

- 24.1. Where Kentucky Coffee-tree, Common Hoptree, Eastern Flowering Dogwood and American Chestnut may exist in a Work Zone and may be affected by an Activity, the Municipality shall:
- (a) identify and mark all individual Kentucky Coffee-tree, Common Hoptree, Eastern Flowering Dogwood and American Chestnut within the Work Zone during work planning site visits;
 - (b) avoid disturbance to all individuals identified under (a) above, unless otherwise authorized in writing by the MNR Designated Representative;
 - (c) conduct Activities by:
 - (i) limiting equipment access and operations to the side of the Drainage Works that will minimize disturbance where any of the individuals occur,
 - (ii) working around trees,
 - (iii) avoiding compacting and/or disturbing the soil by keeping excavation and other heavy equipment a minimum of 2 metres away from the main stem of retained individuals to avoid damaging roots and stems, and
 - (iv) placing excavated materials on areas not within 2 metres of the main stem of retained individuals; and
 - (d) where branches are required to be removed to allow for safe operation of equipment, remove them using appropriate equipment, such as pruning saws, chain saws or lopping shears, in accordance with good forestry practices.

PART D. MONITORING AND REPORTING REQUIREMENTS

25. Compliance Monitoring.

- 25.1. The Municipality shall inspect the undertaking of the Activities at the locations described in Part F of this Schedule C, and shall record the results of the inspections in the Monitoring and Reporting Form.
- 25.2. The Municipality shall record all encounters with Species and the resulting mitigation measures taken by the Municipality in the Monitoring and Reporting Form.

26. Reporting

- 26.1. Prior to March 31 of each year the Mitigation Plan is in effect, the Municipality shall submit a completed Monitoring and Reporting Form containing all of the information collected under sections 25.1 and 25.2 during the previous twelve months to the MNR Designated Representative.

27. Review

- 27.1. Within six months of the expiry of this Mitigation Plan but no later than three months from the time of its expiry, the Parties shall meet to review the measures and actions taken and the Activities undertaken during its term and to discuss the terms and conditions of the next Mitigation Plan.

NHIC Data

Austin C Wright Drain - Essex
REI2023D017

2023-09-26

OGF ID	Element Type	Common Name	Scientific Name	SRank	SARO Status	COSEWIC Status	ATLAS NAD83 IDENT	COMMENTS
702412	SPECIES	Eastern Wood-pewee	Contopus virens	S4B	SC	SC	17LG4758	
702412	SPECIES	American Burying Beetle	Nicrophorus americanus	SH	EXP	EXP	17LG4758	
702412	SPECIES	Climbing Prairie Rose	Rosa setigera	S2S3	SC	SC	17LG4758	
702412	SPECIES	Squarrose Sedge	Carex squarrosa	S2			17LG4758	
702412	SPECIES	Massasauga (Carolinian population)	Sistrurus catenatus pop. 2	S1	END	END	17LG4758	

APPENDIX "REI-C"

STANDARD SPECIFICATIONS **FOR ACCESS BRIDGE CONSTRUCTION**

1. PRECAST CONCRETE BLOCK & CONCRETE FILLED JUTE BAG HEADWALLS

After the Contractor has set the endwall foundations and the new pipe in place, it shall completely backfill same and install new precast concrete blocks or concrete filled jute bag headwalls at the locations and parameters indicated on the drawing. All concrete used for headwalls shall be a minimum of 30 mPa at 28 days and include 6% +/- 1% air entrainment.

Precast concrete blocks shall be interlocking and have a minimum size of 600mmX600mmX1200mm. Half blocks shall be used to offset vertical joints. Cap blocks shall be a minimum of 300mm thick. A foundation comprising minimum 300mm thick poured concrete or precast blocks the depth of the wall and the full bottom width of the drain plus 450mm embedment into each drain bank shall be provided and placed on a firm foundation as noted below. The Contractor shall provide a levelling course comprising a minimum thickness of 150mm Granular "A" compacted to 100% Standard Proctor Density or 20mm clear stone, or a lean concrete as the base for the foundation. The base shall be constructed level and flat to improve the speed of installation. Equipment shall be provided as required and recommended by the block supplier for placing the blocks such as a swift lift device for the blocks and a 75mm eye bolt to place the concrete caps,. The headwall shall extend a minimum of 150mm below the invert of the access bridge culvert with the top of the headwall set to match the finished driveway grade, unless a 150mm high curb is specified at the edge of the driveway. To achieve the required top elevation, the bottom course of blocks and footing may require additional embedment into the drain bottom. The Contractor shall provide shop drawings of the proposed wall for approval by the Drainage Superintendent or Engineer prior to construction.

Blocks shall be placed so that all vertical joints are staggered. Excavation voids on the ends of each block course shall be backfilled with 20mm clear stone to support the next course of blocks above. Walls that are more than 3 courses in height shall be battered a minimum of 1 unit horizontal for every 5 units of vertical height. The batter shall be achieved by careful grading of the footing and foundation base, or use of pre-battered base course blocks. Filter cloth as specified below shall be placed behind the blocks to prevent the migration of any fill material through the joints. Backfill material shall be granular as specified below. Where the wall height exceeds 1.8 metres in height, a uni-axial geogrid SG350 or equivalent shall be used to tie back the walls and be installed in accordance with the manufacturer's recommendations. The wall face shall not extend beyond the end of the access bridge pipe. Non-shrink grout shall be used to fill any gaps between the blocks and the access bridge pipe for the full depth of the wall. The grout face shall be finished to match the precast concrete block walls as closely as possible.

When constructing the concrete filled jute bag headwalls, the Contractor shall place the bags so that the completed headwall will have a slope inward from the bottom of the pipe to the top of the finished headwall. The slope of the headwall shall be one unit horizontal to five units vertical. The Contractor shall completely backfill behind the new concrete filled jute bag headwalls with Granular "B" and Granular "A" material as per O.P.S.S. Form 1010 and the granular material shall be compacted in place to a Standard Proctor Density of 100%. The placing of the jute bag headwalls and the backfilling shall be performed in lifts simultaneously. The granular backfill shall be placed and compacted in lifts not to exceed 305mm (12") in thickness.

The concrete filled jute bag headwalls shall be constructed by filling jute bags with concrete. All concrete used to fill the jute bags shall have a minimum compressive strength of 25 MPa in 28 days and shall be provided and placed only as a wet mix. Under no circumstance shall the concrete to be used for filling the jute bags be placed as a dry mix. The jute bags, before being filled with concrete, shall have a dimension of 460mm (18") x 660mm (26"). The jute bags shall be filled with concrete so that when they are laid flat, they will be approximately 100mm (4") thick, 305mm (12") to 380mm (15") wide and 460mm (18") long.

The concrete jute bag headwall to be provided at the end of the bridge pipe shall be a single or double bag wall construction as set out in the specifications. The concrete filled bags shall be laid so that the 460mm (18") dimension is parallel with the length of the new pipe. The concrete filled jute bags shall be laid on a footing of plain concrete being 460mm (18") wide, and extending for the full length of the wall, and 305mm (12") thick extending below the bottom of the culvert pipe.

All concrete used for the footing, cap and bags shall have a minimum compressive strength of 30 mPa at 28 days and shall include 6% ± 1% air entrainment.

Upon completion of the jute bag headwall the Contractor shall cap the top row of concrete filled bags with a layer of plain concrete, minimum 100mm (4") thick, and hand trowelled to obtain a pleasing appearance. If the cap is made more than 100mm thick, the Contractor shall provide two (2) continuous 15M reinforcing bars set at mid-depth and equally spaced in

the cap. The Contractor shall fill all voids between the concrete filled jute bags and the corrugated steel pipe with concrete, particular care being taken underneath the pipe haunches to fill all voids.

The completed jute bag headwalls shall be securely embedded into the drain bank a minimum of 450mm (18") measured perpendicular to the sideslopes of the drain.

As an alternate to constructing a concrete filled jute bag headwall, the Contractor may construct a grouted concrete rip rap headwall. The specifications for the installation of a concrete filled jute bag headwall shall be followed with the exception that broken pieces of concrete may be substituted for the jute bags. The concrete rip rap shall be approximately 460mm (18") square and 100mm (4") thick and shall have two (2) flat parallel sides. The concrete rip rap shall be fully mortared in place using a mixture composed of three (3) parts of clean sharp sand and one (1) part of Portland cement.

The complete placement and backfilling of the headwalls shall be performed to the full satisfaction of the Drainage Superintendent and the Engineer.

2. QUARRIED LIMESTONE ENDWALLS

The backfill over the ends of the corrugated steel pipe shall be set on a slope of 1-½ units horizontal to 1 unit vertical from the bottom of the corrugated steel pipe to the top of each end slope and between the drain banks. The top 305mm (12") in thickness of the backfill over the ends of the corrugated steel pipe shall be quarried limestone. The quarried limestone shall also be placed on a slope of 1-½ units horizontal to 1 unit vertical from the bottom of the corrugated steel pipe to the top of each bank of the drain adjacent each end slope. The quarried limestone shall have a minimum dimension of 100mm (4") and a maximum dimension of 250mm (10"). The end slope protection shall be placed with the quarried limestone pieces carefully tamped into place with the use of a shovel bucket so that, when complete, the end protection shall be consistent, uniform, and tightly laid in place.

Prior to placing the quarried limestone end protection over the granular backfill and on the drain banks, the Contractor shall lay non-woven geotextile filter fabric "GMN160" conforming to O.P.S.S. 1860 Class I or approved equal. The geotextile filter fabric shall extend from the bottom of the corrugated steel pipe to the top of each end slope of the bridge and along both banks of the drain to a point opposite the ends of the pipe.

The Contractor shall take extreme care not to damage the geotextile filter fabric when placing the quarried limestone on top of the filter fabric.

3. BRIDGE BACKFILL

After the corrugated steel pipe has been set in place, the Contractor shall backfill the pipe with Granular "B" material, O.P.S.S. Form 1010 with the exception of the top 305mm (12") of the backfill. The top 305mm (12") of the backfill for the full width of the excavated area (between each bank of the drain) and for the top width of the driveway, shall be Granular "A" material, O.P.S.S. Form 1010. The granular backfill shall be compacted in place to a Standard Proctor Density of 100% by means of mechanical compactors. All of the backfill material, equipment used, and method of compacting the backfill material shall be inspected and approved and meet with the full satisfaction of the Drainage Superintendent and Engineer.

4. GENERAL

Prior to the work commencing, the Drainage Superintendent and Engineer must be notified, and under no circumstances shall work begin without one of them being at the site. Furthermore, the grade setting of the pipe must be checked, confirmed, and approved by the Drainage Superintendent or Engineer prior to continuing on with the bridge installation.

The alignment of the new bridge culvert pipe shall be in the centreline of the existing drain, and the placing of same must be performed totally in the dry.

Prior to the installation of the new access bridge culvert, the existing sediment build-up in the drain bottom must be excavated and completely removed. This must be done not only along the drain where the bridge culvert pipe is to be installed, but also for a distance of 3.05 metres (10 ft.) both upstream and downstream of said new access bridge culvert. When setting the new bridge culvert pipe in place it must be founded on a good undisturbed base. If unsound soil is encountered, it must be totally removed and replaced with 20mm (3/4") clear stone, satisfactorily compacted in place.

When doing the excavation work or any other portion of the work relative to the bridge installation, care should be taken not to interfere with, plug up, or damage any existing surface drains, swales, and lateral or main tile ends. Where damage is encountered, repairs to correct same must be performed immediately as part of the work.

The Contractor and/or landowner performing the bridge installation shall satisfy themselves as to the exact location, nature and extent of any existing structure, utility or other object that they may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town, or the Municipality, the Engineer, and their staff from any damages which it may cause or sustain during the progress of the work. It shall not hold them liable for any legal action arising out of any claims brought about by such damage caused by it.

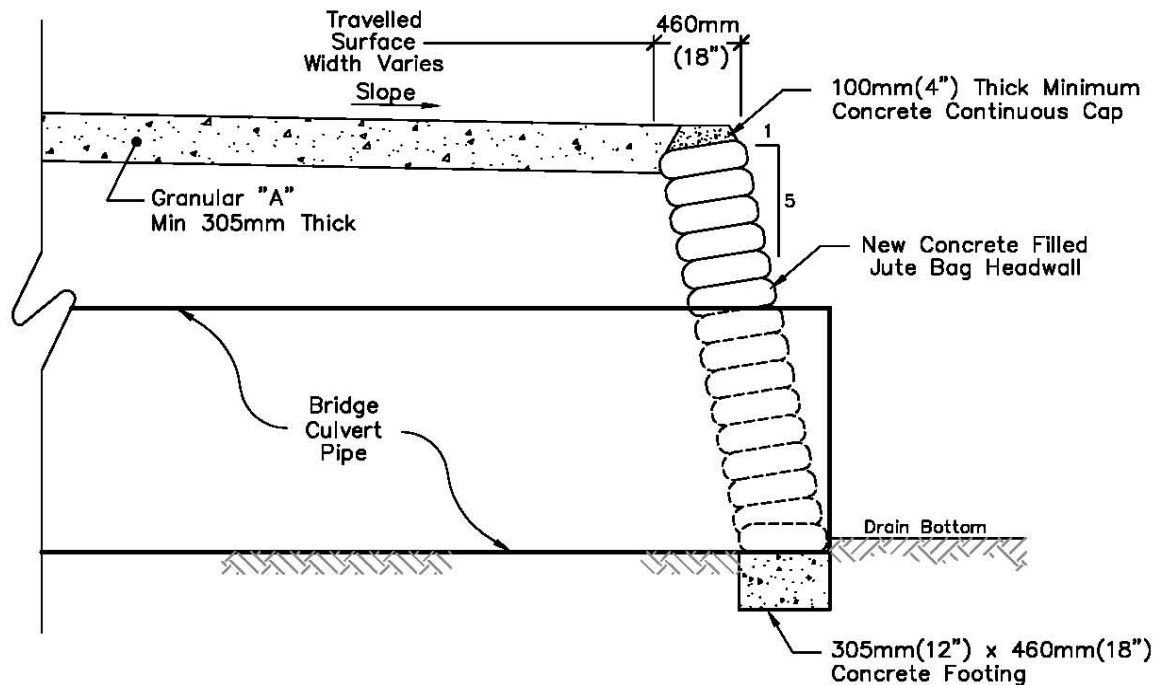
Where applicable, the Contractor and/or landowner constructing the new bridge shall be responsible for any damage caused by them to any portion of the Town road right-of-way. They shall take whatever precautions are necessary to cause a minimum of damage to same and must restore the roadway to its original condition upon completion of the works.

When working along a municipal roadway, the Contractor shall provide all necessary lights, signs, barricades and flagpersons as required to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, it is to comply with the M.T.O. Traffic Control Manual for Roadway Work Operations and Ontario Traffic Manual Book 7.

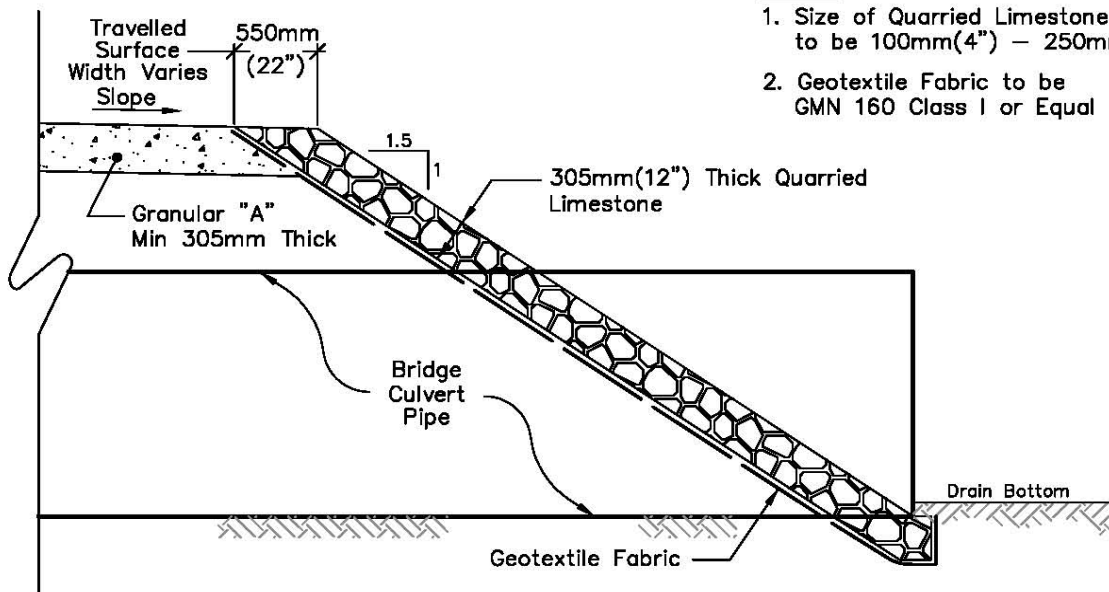
Once the bridge installation has been completed, the drain sideslopes directly adjacent the new headwalls and/or endwalls are to be completely restored including revegetation, where necessary.

All of the work required towards the installation of the bridge shall be performed in a neat and workmanlike manner. The general site shall be restored to its' original condition, and the general area shall be cleaned of all debris and junk, etc. caused by the work

All of the excavation, installation procedures, and parameters as above mentioned are to be carried out and performed to the full satisfaction of the Drainage Superintendent and Engineer.



Typical Jute Bag Headwall

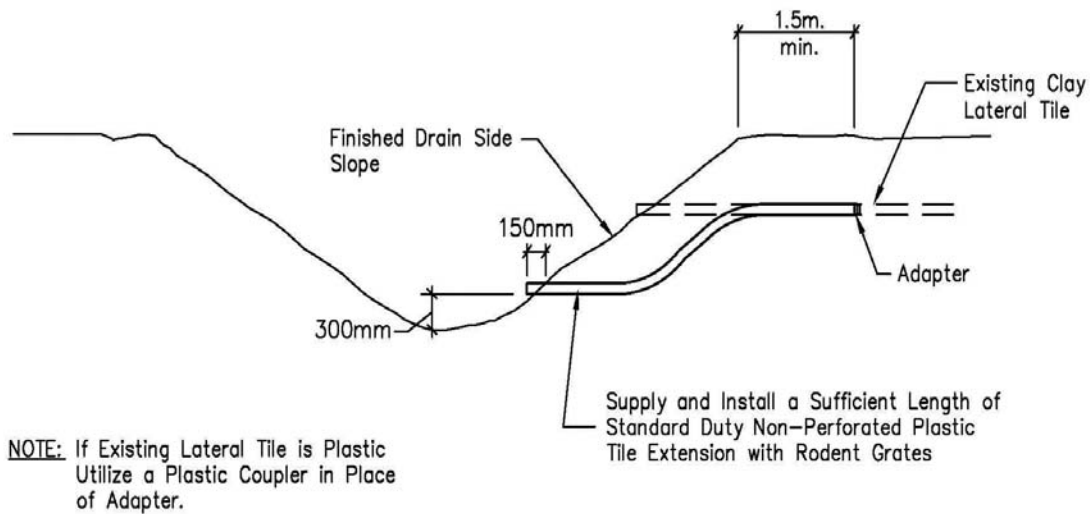


NOTE:

1. Size of Quarried Limestone to be 100mm(4") – 250mm(10")
2. Geotextile Fabric to be GMN 160 Class I or Equal

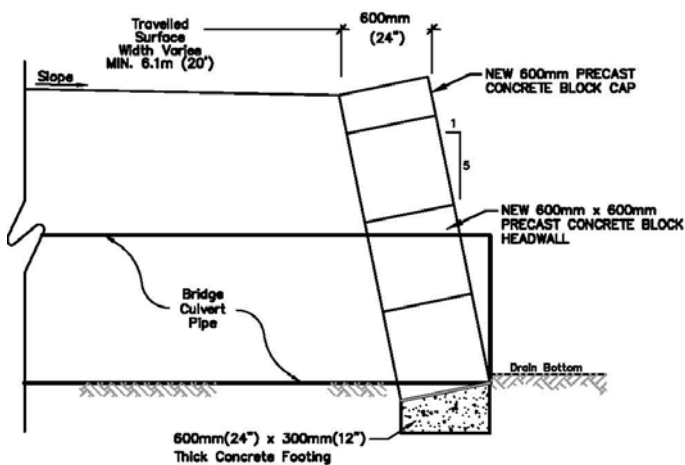
Typical Quarried Limestone End Protection

Rood Engineering Inc.
Consulting Engineers
 9 Nelson Street
 Leamington, Ontario N8H 1G6
 519-322-1621



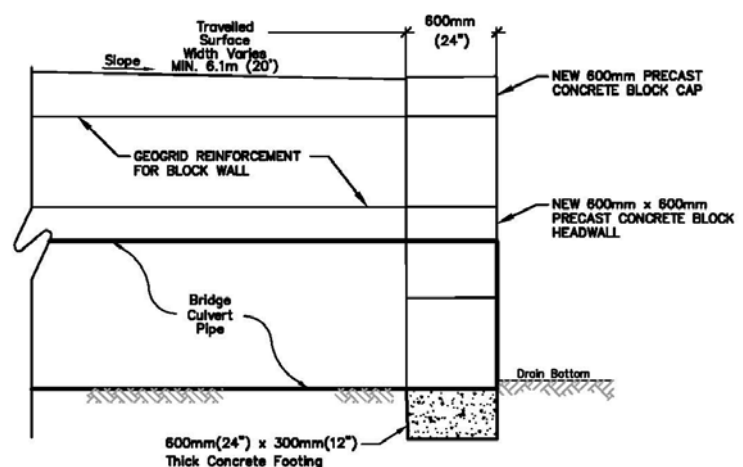
STANDARD LATERAL TILE DETAIL

N.T.S.



TYPICAL PRECAST CONCRETE BLOCK END PROTECTION

Scale = N.T.S.



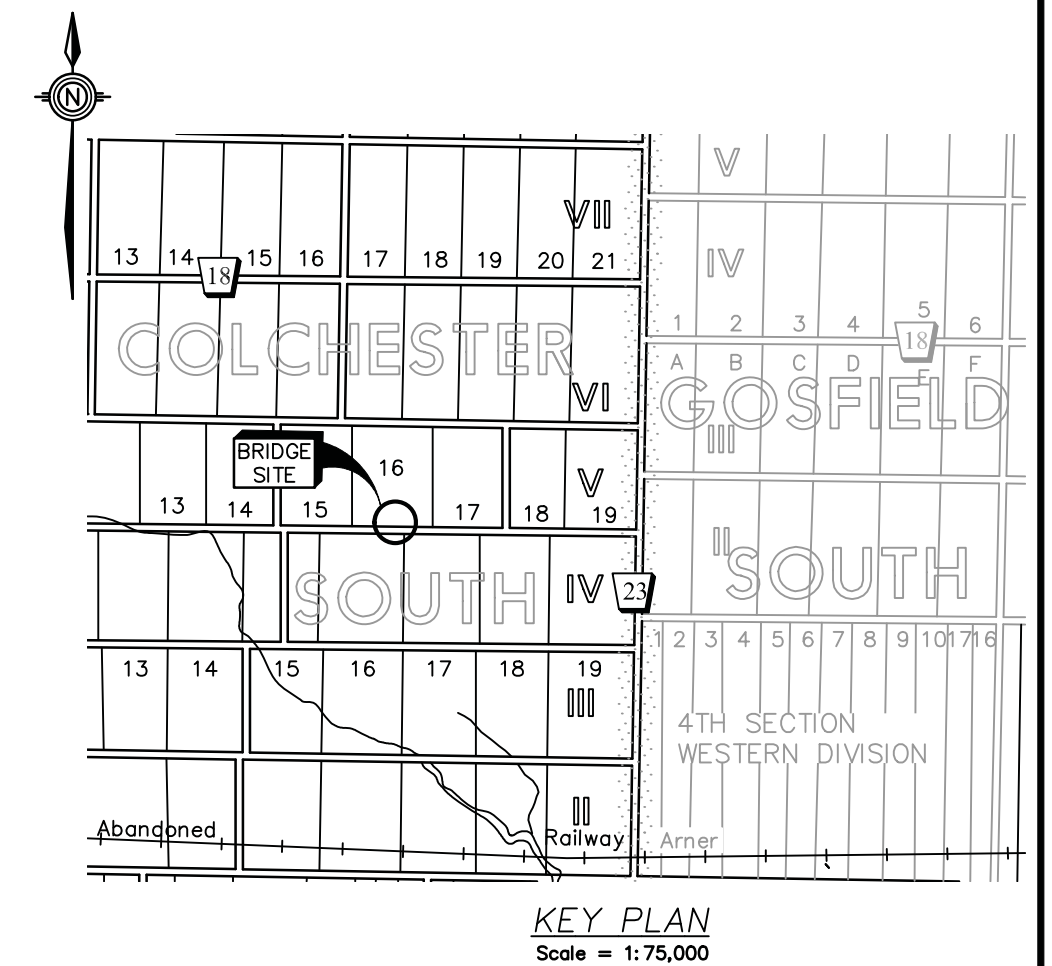
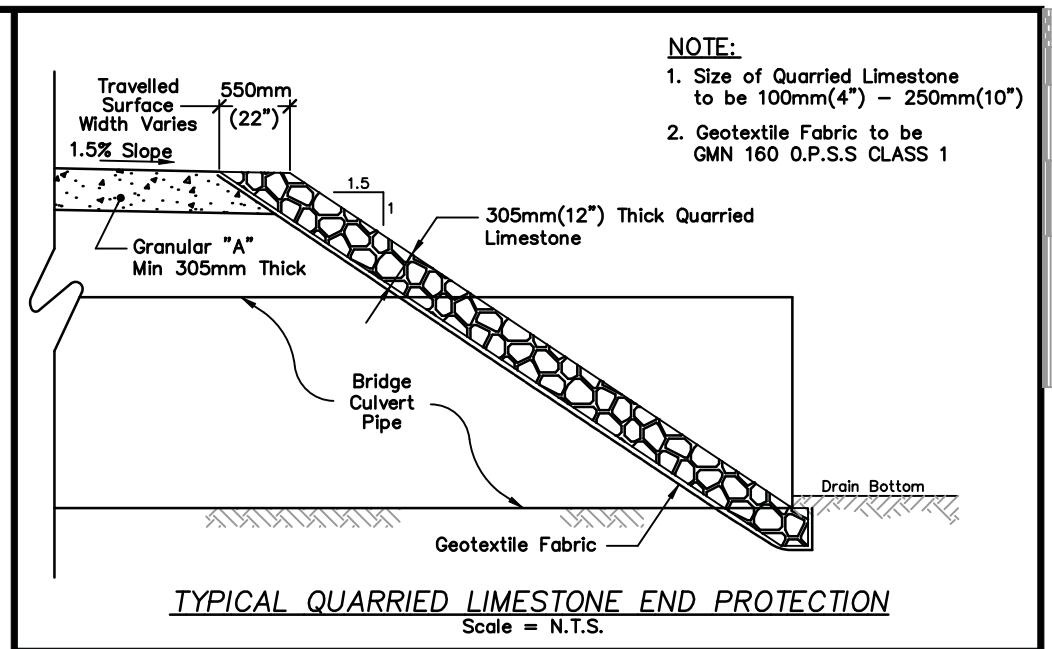
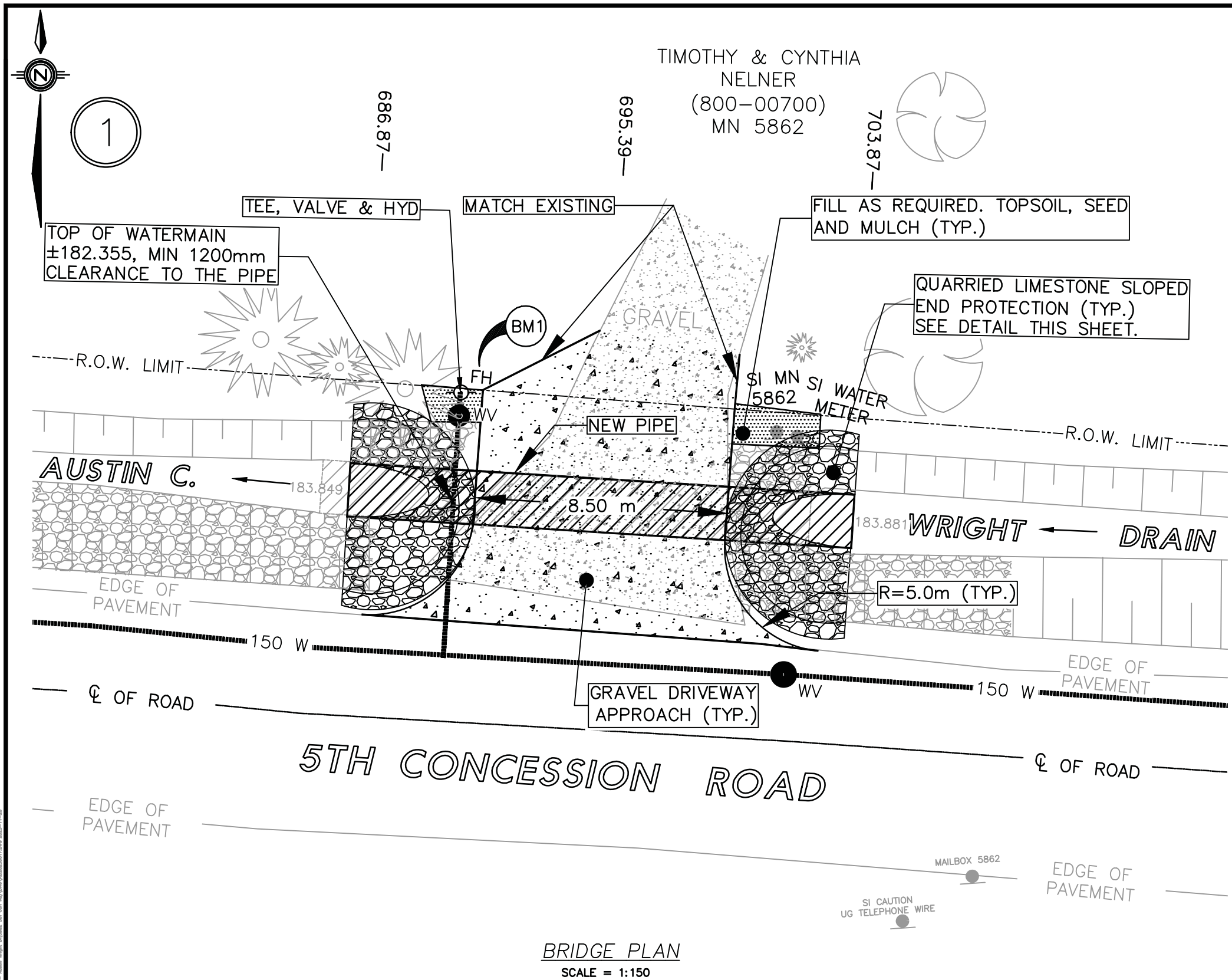
TYPICAL VERTICAL PRECAST CONCRETE BLOCK END PROTECTION

Scale = N.T.S.

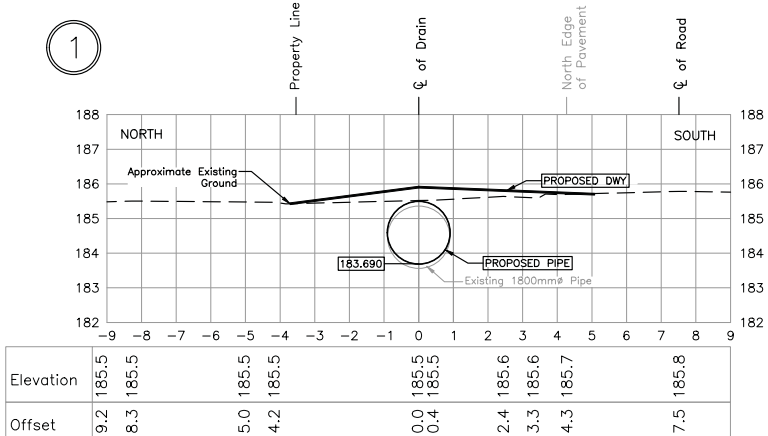
APPENDIX "REI-D"

General Conditions and Specifications not required

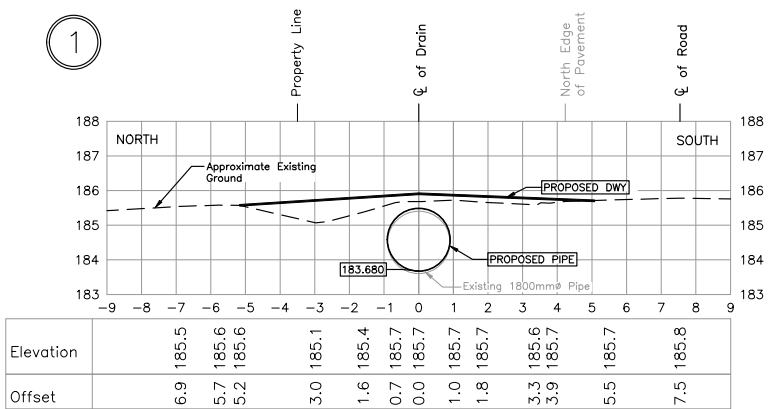
APPENDIX "REI-E"



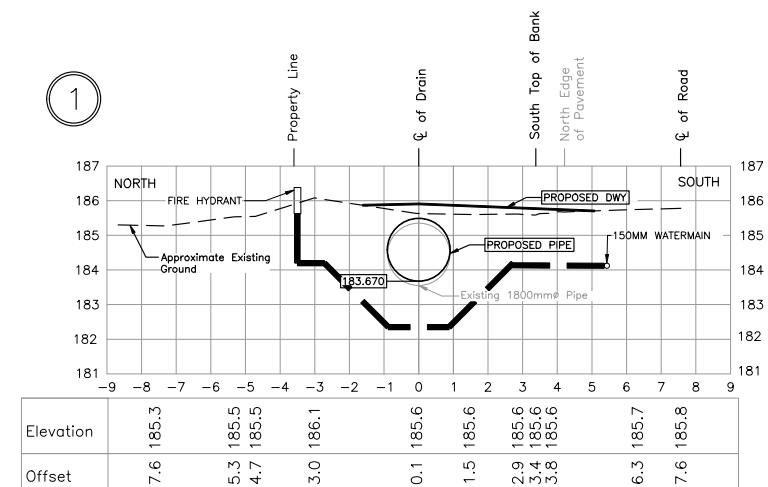
BENCHMARK: BM 1- NORTH OF EXISTING CULVERT, TOP CENTER NUT OF FIRE HYDRANT ELEV: 186.382m						AUSTIN C. WRIGHT DRAIN EMERGENCY BRIDGE REPLACEMENT FOR 5862 5TH CONCESSION ROAD (800-00700) (Geographic Township of Colchester South) IN THE TOWN OF ESSEX IN THE COUNTY OF ESSEX • ONTARIO						ROOD ENGINEERING INC. CONSULTING ENGINEERS Leamington, Ontario 519-322-1621			
PIPE DIAMETER:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:	DESIGN ELEVATIONS:							FILE No.:	DRAWN BY: A.C.	DATE:	SHEET NO:
1800mm	17.0m (55.77 ft)	2.0mm	125mm x 25mm	C.S.P. ALUMINIZED TYPE II	UPSTREAM INV. (E) = 183.701m DOWNSTREAM INV. (W) = 183.669m CL TOP OF DRIVEWAY = 185.905m DRAIN GRADE = 0.19%							REI2023D017	PLOT CODE: 1:1 FILE: REI2023D017.DWG	2023-11-22	2 OF 4 Page 285 of 330



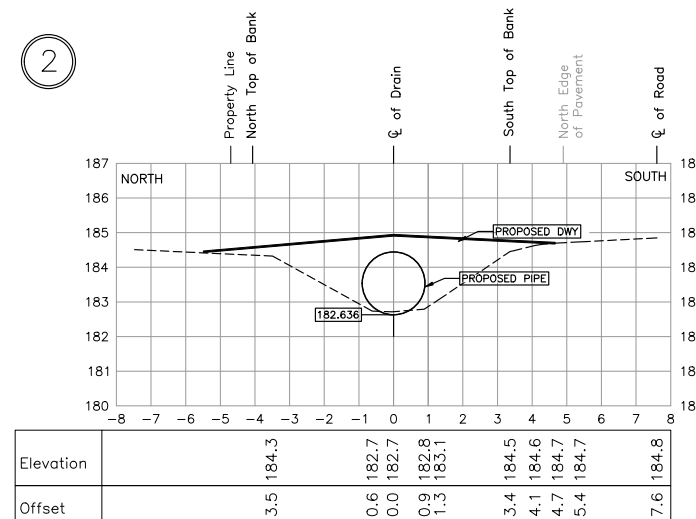
EAST END OF DRIVEWAY – STA. 0+699.08
SCALE = 1:100



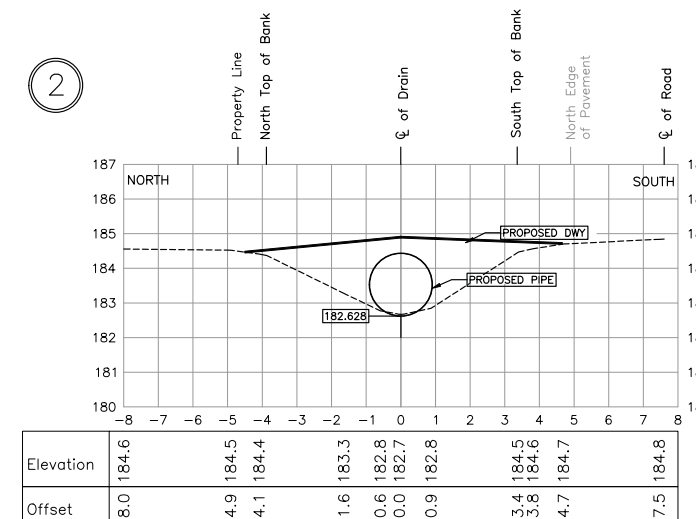
CL OF PROPOSED CULVERT – STA. 0+695.39
SCALE = 1:100



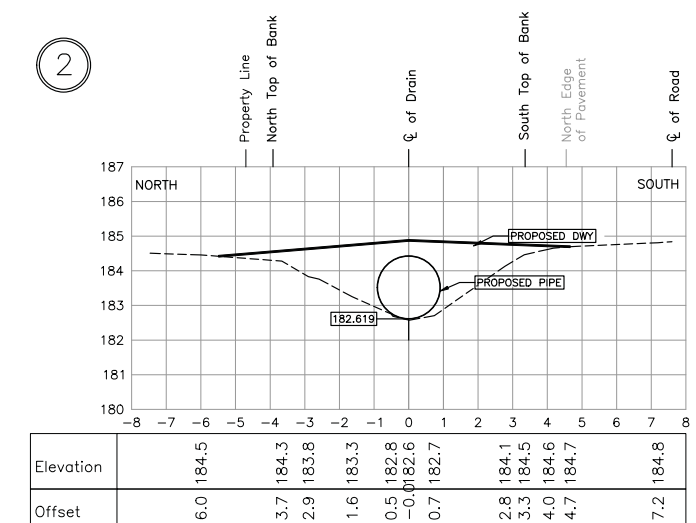
WEST END OF DRIVEWAY – STA. 0+690.58
SCALE = 1:100



EAST END OF DRIVEWAY – STA. 0+135.81
SCALE = 1:100



CL OF PROPOSED CULVERT – STA. 0+131.56
SCALE = 1:100



WEST END OF DRIVEWAY – STA. 0+127.31
SCALE = 1:100

THESE PLANS HAVE BEEN REDUCED
AND THE SCALE THEREFORE VARIES.
FULL SCALE PLANS MAY BE VIEWED
AT THE MUNICIPAL OFFICE.

The Corporation of the Town of Essex

By-Law Number 2300

Being a by-law to provide for the Bondy No. 1
Drain: Maintenance Schedules of Assessment,
Geographic Township of Colchester South,
Project D22-063, Town of Essex, County of Essex

WHEREAS the Town of Essex Drainage Department recommended that Council appoint a Drainage Engineer to prepare a drainage report for the Bondy No. 1 Drain: Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project D22-063, Town of Essex, County of Essex;

AND WHEREAS Section 76 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended, states the council of any local municipality liable for contribution to a drainage works in connection with which conditions have changed or circumstances have arisen such as to justify a variation of the assessment for maintenance and repair of the drainage works may make an application to the Tribunal, of which notice has been given to the head of every other municipality affected by the drainage works, for permission to procure a report of an engineer to vary the assessment, and, in the event of such permission being given, such council may appoint an engineer for such purpose and may adopt the report but, if all the lands and roads assessed or intended to be assessed lie within the limits of one local municipality, the council of that municipality may procure and adopt such report without such permission;

AND WHEREAS an Engineer's Drainage report dated August 16, 2023, and considered by the Drainage Board at its December 12, 2023, Consideration of Report meeting, has been procured and made by Antonio Peralta, Professional Engineer, Peralta Engineering Inc. and that the said report is attached hereto and forms part of this by-law as Schedule "A" hereto;

AND WHEREAS the Council of the Corporation of the Town of Essex is of the opinion that the said drainage works and/or improvements are warranted and desirable;

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

1. That the Engineer's Drainage report dated August 16, 2023, and considered by the Drainage Board at its December 12, 2023, Consideration of Report meeting and attached hereto as Schedule "A" to this By-Law is hereby adopted and that the said drainage works and/or improvements as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Town of Essex may borrow on the credit of the Corporation in the amount of \$48,137.00, the amount necessary for the construction of said drainage works.
3. That the Corporation may issue debentures for the amount borrowed less the total amount of:
 - Grants received under Section 85 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended;
 - Commuted payments made in respect of lands and roads assessed within the Municipality;
 - Money paid under Section 61(3) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended;

and such debentures shall be made payable: a) in the case of assessments in value of between \$1,500.00 and \$7,499.99 within (5) five years from the date of the debenture and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s); or b) in the case of assessments in value of \$7,500.00 and greater, within (10) ten years from the date of the debenture and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s).

- 4. That a special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule, to be collected in the same manner as other taxes collected in each year for (5) five or (10) ten years (as applicable) after the passing of this by-law.
- 5. For paying the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon, shall be levied upon the whole rateable property in the Town of Essex, in each year for five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- 6. All assessments of \$1,499.99 or less are payable in the first year in which the assessment is imposed.
- 7. The by-law comes into force on the passing thereof and may be cited as Bondy No. 1 Drain: Maintenance Schedules of Assessment”.

Read a first and a second time and provisionally adopted on January 15, 2024.

Mayor

Clerk

Read a third time and finally passed on [Month Day, Year].

Mayor

Clerk

Final Version
Including Court of Revision Changes



ENGINEER'S REPORT
(Drainage Act, RSO 1990, c. D.17)

PROJECT | **Bondy No. 1 Drain
Maintenance Schedules of Assessment**
(Geographic Township of Colchester South)
Town of Essex, County of Essex
Project No. D22-063

August 16, 2023

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PREAMBLE

MUNICIPAL DRAINS AND THE DRAINAGE ACT

The “Drainage Act” is one of the oldest pieces of legislation in Ontario, passed in 1859. It provides a democratic procedure for the construction, improvement and maintenance of drainage works. A procedure whereby the Municipality may assist in providing a legal drainage outlet for surface and subsurface waters not attainable under common law. Accordingly, provides much-needed assistance to facilitate the problems of obtaining a legal drainage outlet, engineering and cost distribution.

The Drainage Act provides a legal procedure by which an “area requiring drainage” may receive an outlet drain constructed to dispose of excess stormwater runoff to a sufficient outlet. This drainage infrastructure is otherwise known as a “Municipal Drain”. Municipal Drains are identified by Municipal By-Law that adopts an Engineer’s Report. The drainage engineer has the obligation to prepare an unbiased Engineer’s Report based on information presented in written form, orally, and from visual inspection; in accordance with currently accepted design criteria. These reports form the legal basis for construction and management of the Municipal Drain. As such, an Engineer’s Report shall contain specific details such as plans, profiles, and specifications that define the location, size and depth of the drainage infrastructure, together with establishing how costs are shared amongst all stakeholders.

Through the democratic procedure, the Engineer’s Report is presented to all Stakeholders in front of Municipal Council (or a Drainage Board appointed by Council) for consideration. The Drainage Act provides an appeal process to address various aspects of Municipal Drains. These appeal bodies are the Court of Revision, the Ontario Drainage Tribunal and the Drainage Referee.

For additional information, Fact Sheets, and reference materials regarding the Drainage Act and Municipal Drains, please visit: <http://www.omafra.gov.on.ca/english/landuse/drainage.html>

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TABLE OF CONTENTS

I.	Introduction.....	2
II.	Background	2
III.	Drainage History.....	3
IV.	Purpose of Report.....	4
V.	On-Site Meeting	4
VI.	Investigations and Findings	6
VII.	Recommendations.....	7
VIII.	Assessment Schedules and Maintenance Works	10
IX.	Special Considerations.....	12
X.	Drawings.....	12
XI.	Grants.....	12
XII.	Report Costs.....	13

APPENDICES

Appendix “A” – Maintenance Schedules of Assessment

Appendix A-1 – Entire Drain

Appendix A-2 – Upstream Portion (Station 0+000 to Station 1+399.3)

Appendix A-3 – Downstream Portion (Station 1+399.3 to Station 1+992.7)

Appendix “B” – Watershed Plan for the Bondy No. 1 Drain

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Mayor and Municipal Council
Corporation of the Town of Essex
33 Talbot Street South
Essex, Ontario, N8M 1A8

I. INTRODUCTION

In accordance with the instructions received by email on June 23, 2022, from the Town of Essex's Clerk, Robert Auger, we have undertaken a review of the existing drainage works and the drainage area served by the Bondy No. 1 Drain. This investigation was initiated by a resolution passed by Council appointing our firm to prepare an Engineer's Report for the variation of the assessments on the Bondy No. 1 Drain, so that the cost of any future maintenance works to the Bondy No. 1 Drain may be fairly assessed. These instructions, our investigations, and this assessment report are all in accordance with Section 76 of the "Drainage Act, RSO 1990, Chapter D.17, as amended 2021".

II. BACKGROUND

The Bondy No. 1 Drain has been established as a Municipal Drain with the downstream portion consisting of an open drain configuration and the upstream portion consisting of a tiled drainage system. This Municipal Drain provides drainage to the lands and roads located solely within the Town of Essex. The Bondy No. 1 Drain commences from its top end at the east end of Lot 90, at Station 0+000.0, and continues downstream as a tiled drain in a southwesterly direction through private lands to the north side of County Road 50. The Municipal Drain continues downstream in a southwesterly direction through private lands as an open drain, where it crosses Levergood Drive and Erie Shores Drive to its outlet into Lake Erie, at Station 1+992.7. The tiled portion of this drain also includes a second auxiliary drain, along with erosion control measures by way of berms and grassed waterways (ie. Water and Sediment Control Structures - WASCoBs). The watershed of the Bondy No. 1 Drain is irregularly shaped and provides a sufficient outlet for the various contributing lands. The topography of the associated lands is relatively mild and the natural land gradient appears to be in a southwesterly direction. The Bondy No. 1 Drain provides a drainage outlet for a mix of residential and agricultural lands. This Municipal Drain is predominantly located within the Perth Clay Loam and Wauseon Sandy Loam soil types. These soils are categorized as Hydrological Soil Group C and are described as poorly drained with a low infiltration rate when thoroughly wetted and consist chiefly of soils with a layer that impedes the downward movement of water and soil with moderately fine to fine structure. As a result, these soils require effective artificial drainage to be productive.

III. DRAINAGE HISTORY

A review of the Town of Essex drainage records indicates that the Bondy No. 1 Drain is an existing Municipal Drain that has been repaired and improved on numerous occasions through the auspices of the Drainage Act. From our review, we have found several Engineer's Reports prepared through the provisions of the Drainage Act for the Bondy No. 1 Drain. However, we have outlined the following relevant Engineer's Reports that we utilized as a reference for carrying out this project:

- a) **January 19, 1949**, Engineer's Report for the "Bondy No. 1 Drain", prepared by C.G.R. Armstrong, P.Eng., was carried out through the Township of Colchester South By-Law No. 656. The improvements completed under this report included the installation of a concrete tile drain within Lot 90 and Lot 93. These works also included the excavation, brushing and grubbing of the open drain from Lot 93 to its outlet into Lake Erie within R.P. 1057. These works were conducted to provide adequate drainage to the affected lands and roads within the watershed.
- b) **July 26, 1968**, Engineer's Report for the "Lower Portion of the Bondy No. 1 Drain", prepared by C.G.R. Armstrong, P.Eng., was carried out through the Township of Colchester South By-Law No. 1164. The improvements completed under this report included the installation of a concrete tile drain within Lot 94, upstream of County Road 50. These works also included the excavation, brushing and grubbing of the open drain from Lot 94 to its outlet into Lake Erie within R.P. 1057. These works were conducted to provide adequate drainage to the affected lands and roads within the watershed, by providing additional depth to safely convey runoff to the outlet.
- c) **September 20, 1977**, reconsidered Engineer's Report for the "Auxilliary Drain to Bondy Drain No. 1", prepared by M. Armstrong, P.Eng., was carried out through the Township of Colchester South By-Law 1440. The improvements completed under this report included the installation of an auxiliary plastic tile drain within Lots 91 through 93, installed parallel to the existing tile drain. These works were conducted to address excessive erosion and insufficient drainage for the affected lands and roads within the watershed.
- d) **January 30, 1987**, Engineer's Report for the "Bondy No. 1 Drain Outlet", prepared by N.J. Peralta, P.Eng., was carried out through the Township of Colchester South By-Law No. 1863. The improvements completed under this report included the extension of the existing road crossing culvert under Erie Shores Drive and the improvements to the open channel into Lake Erie. These works were conducted to control the runoff, address the accumulation of sand at the outlet, and reduce the occurrence of blockages.
- e) **January 10, 1997**, Engineer's Report for the "Bondy No. 1 Drain", prepared by N.J. Peralta, P.Eng. and G. Rood, P.Eng, was carried out through the Township of Colchester South By-Law No. 2412. The improvements completed under this report included the installation of water and sediment control structures (berms, grassed waterways, and inlet structures) within Lots 90 through 94, together with extending the existing auxiliary drain upstream through Lot 90. These works were conducted to address excessive surface erosion over the tiled portion of the drainage system.

- f) **February 11, 2010**, Engineer's Report for the "Bondy No. 1 Drain Crossings (for Harrow Wind Farm Drainage)", prepared by G. Rood, P.Eng., was carried out through the Town of Essex By-Law No. 1011. The improvements completed under this report included the replacement of the drainage tiles and improvements to the existing berms to be altered by the installation of new access roads facilitating the Wind Farm construction.

From our detailed research of the above Engineer's Reports, we have determined that generally speaking, portions of the Municipal Drain are still defined and governed by the portions of 1949, 1968, 1977, 1987, 1997, and the 2010 Engineer's Reports and By-Laws, extending over the entire length from Station 0+000.0 to Station 1+992.7. Collectively, these Engineer's Reports govern the design provisions for any future maintenance works over the entire reach of the drain. Currently, the costs for such maintenance works are to be assessed against the lands and roads outlined within these reports. We find that the 1987 and 1997 reports generally identify the latest watershed boundary limits contributing flows to the Bondy No.1 Drain. As such, these reports were utilized as a starting point in establishing the area of land contributing to the proposed improvements.

IV. PURPOSE OF REPORT

The Town of Essex is proposing to undertake maintenance works on the Bondy No. 1 Drain. The intended maintenance works consist of cutting brush and trees along the side slopes, together with the removal of accumulated sediment along the open drain portion of the Bondy No. 1 Drain, and any other maintenance works required to provide a sufficient outlet.

Since the completion of the 1987 and 1997 Engineer's Reports and By-Laws, various changes have taken place within the drainage area and around the watershed boundaries. In general, many properties have been subdivided and/or merged, drainage patterns have been altered, and land uses have changed. All of the above changes are not properly reflected by the Schedule of Assessment contained within the governing By-Laws and it is necessary to prepare a new Maintenance Schedule of Assessment to properly account for all of the lands and roads affected by the entire length of the Bondy No. 1 Drain.

V. ON-SITE MEETING

With the intention of performing maintenance on the Bondy No. 1 Drain, along with the need for a new Maintenance Schedule of Assessment to distribute costs for this work, it was determined that an On-Site Meeting would be conducted to introduce both matters at the same time.

Upon reviewing all pertinent drainage information, together with the discussions with the Town of Essex staff, we arranged to schedule the required On-Site Meeting. The On-Site Meeting was scheduled for August 17, 2022, located near 118 Levergood Drive, and the following stakeholders were in attendance at said meeting:

Name	Property
Laurie & Jim Freeman	Landowners – 792 Erie Shores Drive
Leslie Leroux and Terry Bains	Landowners – 107 Levergood Court
Lisa Durocher	Landowner – 728 County Road 50 West
Robin Martin and Ken Laird	Landowners – 796 Erie Shores Drive
John Kay	Landowner – 155 Crystal Beach Road
Jill Kennedy	Landowner – 709 County Road 50 West
Jean Stewart	Landowner – 161 Crystal Beach Road
Bernard Gorski	Landowner
Joe Gorski	Landowner
Rick Levergood	Landowner – 788 County Road 50 West
Dave & Donna Couvillon	Landowners – 815 Erie Shores Drive
Terry & Sherry Barris	Landowners – 790 Erie Shores Drive
Catherine Deslippe	Landowner – 789 Erie Shores Drive
Velo Todorovski	Landowner – 791 Erie Shores Drive
Brian Sadaï	Landowner – 743 County Road 50 West
Terry Bale	Landowner – 718 Levergood Drive
Gary Freisinger	Landowner – 794 Erie Shores Drive
Liz Carreira	Landowner – 798 Levergood Court
Wayne Campbell	Landowner – 801 Erie Shores Drive
Mark Fishleigh	County of Essex
Percy Dufour	Town of Essex Drainage Board
Lindsay Dean	Town of Essex Drainage Superintendent
Tony Peralta, P.Eng.	N.J. Peralta Engineering Ltd.
Matthew Shiha, EIT	N.J. Peralta Engineering Ltd.

At the onset of this meeting, Lindsay Dean made introductions and generally advised that the Town of Essex is proposing to undertake maintenance works on the Bondy No. 1 Drain, based on the request of affected landowners. Upon review of the governing By-Laws for this drain, the Municipality has found that the governing Schedules of Assessment were insufficient for the purposes of assessing the costs of any future maintenance work within the Bondy No. 1 Drain.

Tony Peralta provided additional information that pertains to the status of this Municipal Drain and the financial responsibilities of the stakeholders through the Drainage Act. It was further explained that several reports prepared over the years had identified various improvements within the drainage system and the general cost distribution of these improvements to the affected stakeholders. Since the completion of these reports, there have been significant changes to the overall watershed limit and the use of land within this watershed. However, the technical details outlined within these governing reports provide an adequate drain profile and working corridor provisions for the Town of Essex to conduct maintenance on the Bondy No. 1 Drain.

As a result of the above information, the Municipality initiated the preparation of the Engineer's Report for the reassessment of costs for the Bondy No. 1 Drain, through Section 76 of the Drainage Act. The

landowners were further advised that the maintenance works would likely be conducted following the approval and adoption of the new Maintenance Schedule of Assessment under Municipal By-Law.

The landowners were further advised that the scope of this report will focus solely on the reassessment of costs for the Bondy No. 1 Drain and will not make recommendations to include any physical improvements to the drain. It was emphasized that no improvements will be recommended under this report unless there is a change in scope through instruction from the Municipality.

It was also noted that the costs related to the preparation of this Report and said engineering fees are likely to be assessed to all landowners within the drain's watershed that benefit and/or contribute to the Bondy No. 1 Drain. The proportion of costs shall be distributed based on the new Maintenance Schedule of Assessment prepared under this report. The landowners were further advised that the work to prepare the new Maintenance Schedule Report would not be eligible for grants through the current policies set by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). However, the actual costs associated with the maintenance works are likely eligible for such a grant for those properties that meet the requirements.

The landowners were further advised of the Drainage Act processes with respect to the Report submission. The Municipality will further circulate the report to the affected landowners, with a notice of the Consideration Meeting, followed by the Court of Revision. The landowners were further reminded of their rights to appeal to the appropriate governing bodies.

Various landowners raised general concerns and questioned the initiation of the intended report. Tony Peralta provided scenarios to help illustrate the need to update the current distribution of cost by identifying properties that would not be assessed any costs based on the governing schedules of assessment for the Bondy No. 1 Drain. Once the affected landowners had a better understanding of the scope and scale of the Updated Maintenance Schedule Report, the landowners further questioned the extent of the forthcoming maintenance works. It was determined that a separate maintenance meeting will likely be conducted following the adoption of the Engineer's Report. Further discussion ensued regarding future land developments and other matters outside the scope of this project.

At the conclusion of the meeting, the landowners were advised that, as part of the Engineer's review of the watershed, individual property Owners may be contacted to review the drainage patterns of their lands, in order for the Engineer to accurately assess the affected lands within the watershed. Otherwise, landowners that continue to form part of this drainage scheme are likely to receive further notices of upcoming meetings going forward.

On this note, the On-Site Meeting had concluded.

VI. INVESTIGATIONS AND FINDINGS

In order to confirm the watershed areas for the Bondy No. 1 Drain, we reviewed and investigated all of the latest Engineer's Reports on this drain, its tributary branches and all neighbouring drains in its vicinity. As such, we reviewed the latest Engineer's Report for the Bondy No. 2 Drain, Langlois-Arner Drain, Crystal Beach Drainage System, Bellcreech Beach Drainage System, and the West Townline Drain. Furthermore, we utilized current LiDAR information to cross-check the watershed limits at various locations throughout the

watershed. Through these investigations, we find that additional lands, not formerly assessed, contribute to this drainage system and have been included within this watershed. Furthermore, we found that since the last Engineer's Report was created, various lands have been created through severances that have not been accounted for in the governing By-Laws. All of the above investigations not only provided us with the correct watershed area but also provided us with accurate information to assist us with the preparation of our Maintenance Schedules of Assessment for this project. Therefore, we recommend that the Town of Essex add copies of this Report to all applicable drainage folders, for reference when future drainage reports are prepared on said drains so that changes caused by this new Maintenance Schedule of Assessment can be accounted for in those future reports.

Generally speaking, the Municipal Drain extends from its top end at Station 0+000.0 commencing at a catch basin located at the east end of Lot 90, where it meanders in a southwesterly direction as a twinned drainage tile connected by various inlet structures. The twinned drainage tile is accompanied by water and sediment erosion control structures at various locations, where this system extends to the north side of County Road 50. From the north side of County Road 50, the Municipal Drain continues as an open drain, crossing County Road 50, Levergood Drive, and Erie Shores Drive, where it terminates at its outlet into Lake Erie, at approximately Station 1+992.7. The past improvements conducted on the Bondy No. 1 Drain were cumulative and specific to the needs of the watershed at that time. As such, no one By-Law governs over the entire length of this Municipal Drain. As a result, the various engineer's reports prepared over the years independently govern the various components of the drainage system.

VII. RECOMMENDATIONS

Maintenance Schedule of Assessment

Through our review of the governing reports for this Municipal Drain, we found that various reports were prepared over the years that provided specific improvements and/or additions to the drainage infrastructure within the Bondy No. 1 Drain. As a result, the distribution of costs for each report was specific to the improvements provided in each report. Therefore, when future maintenance is required on multiple components of the drainage infrastructure, no one governing assessment schedule could effectively be utilized for the distribution of future maintenance costs. Our investigations further confirm the need for an updated maintenance schedule of assessment for holistic maintenance works on the primary portions of the Bondy No. 1 Drain. Therefore, in order to properly assess any future maintenance works to the Bondy No. 1 Drain, we recommend that the updated Maintenance Schedules of Assessment be provided as attached herein and labelled **Appendix "A"**.

When future maintenance works are performed on the Bondy No. 1 Drain, we recommend that it be maintained in the future by the Town of Essex. Based on the parameters of the Bondy No. 1 Drain, this Municipal Drain has two (2) primary configurations that convey runoff to its outlet. The upstream portion of the drain consists of a twinned drain tile configuration and the downstream portion of this drain consists of an open drain configuration into Lake Erie. Therefore, in addition to providing an updated maintenance schedule of assessment for the overall length of the Bondy No. 1 Drain, we have identified two (2) distinct sections of this drain where maintenance provisions have been established and the cost distribution of these portions shall be shared on the following basis:

1. Entire Drain Length (Station 0+000.0 to Station 1+992.7)

When future maintenance works are performed over the entire length of the Bondy No. 1 Drain, we recommend that the cost for these works of future maintenance shall be shared by the abutting landowners and upstream affected lands and roads, following the same proportions established within the **Future Maintenance Schedule of Assessment #1: Bondy No. 1 Drain – Entire Drain (Station 0+000 to Station 1+992.7)** attached herein. This Schedule of Assessment has been developed based on an assumed cost of **\$50,000.00** and the future maintenance costs shall be levied pro-rata to the affected lands and roads that are adjacent to and situated upstream of this section of drain for which future maintenance works have been carried out. Therefore, when **\$50,000.00** worth of future maintenance work is expended on the entire length of the drain, the assessment to each of the individual affected property owners and roads shall be levied per the noted Maintenance Schedule of Assessment. It should be clearly understood that the amounts shown within this Schedule are only for prorating future maintenance costs for the drain and do not form part of the current cost for the work.

2. Upstream Portion (Station 0+000.0 to Station 1+399.3)

When future maintenance works are performed strictly between Station 0+000.0 and Station 1+399.3 within the Bondy No.1 Drain, we recommend that it be maintained in the future by the Town of Essex. This reach of the Municipal Drain extends as a twinned drainage tile, together with various water and sediment erosion control structures, from the top end and continuing southwesterly through private property to the north side of County Road 50. The cost for these works of future maintenance shall be shared by the abutting landowner and upstream affected lands and roads, following the same proportions established within the **Future Maintenance Schedule of Assessment #2: Bondy No. 1 Drain – Upstream Portion (Station 0+000.0 to Station 1+399.3)** attached herein. This Schedule of Assessment has been developed based on an assumed cost of **\$30,000.00** and the future maintenance costs shall be levied pro-rata to the affected lands and roads that are situated adjacent to and upstream of this section of drain for which future maintenance works have been carried out. Therefore, when **\$30,000.00** worth of future maintenance work is expended on this section of the drain, the assessment to each of the individual affected property owners and roads shall be levied per the noted Maintenance Schedule of Assessment. It should be clearly understood that the amounts shown within this Schedule are only for prorating future maintenance costs for the drain and do not form part of the current cost for the work.

The attached Future Maintenance Schedule of Assessment for this upstream portion of the Bondy No. 1 Drain shall be utilized only for the maintenance of the twinned drainage tile, the associated drainage structures, together with the water and sediment erosion control structures that form part of the drainage system. The maintenance work would include the drainage tiles, all associated catchbasins, the erosion control berms, any quarried limestone erosion protection, together with the clay backfill, topsoil topping, granular driveways and grassed waterway construction. If spot maintenance is performed within the specified area of the drain, it is recommended that only those lands adjacent and upstream of the maintenance site be assessed for any future costs.

3. Downstream Portion (Station 1+399.2 to Station 1+992.7)

When future maintenance works are performed strictly between Station 1+399.2 and Station 1+992.7 within the Bondy No.1 Drain, we recommend that it be maintained in the future by the Town of Essex. This reach of the Municipal Drain extends as an open drain configuration from the north side of County Road 50, continuing in a southwesterly direction through private lands and across Levergood Drive and Erie Shores Drive to its outlet into Lake Erie. The cost for these works of future maintenance shall be shared by the abutting landowner and upstream affected lands and roads, following the same proportions established within the **Future Maintenance Schedule of Assessment #3: Bondy No. 1 Drain – Downstream Portion (Station 1+399.2 to Station 1+992.7)** attached herein. This Schedule of Assessment has been developed based on an assumed cost of **\$30,000.00** and the future maintenance costs shall be levied pro-rata to the affected lands and roads that are situated adjacent to and upstream of this section of drain for which future maintenance works have been carried out. Therefore, when **\$30,000.00** worth of future maintenance work is expended on this section of the drain, the assessment to each of the individual affected property owners and roads shall be levied per the noted Maintenance Schedule of Assessment. It should be clearly understood that the amounts shown within this Schedule are only for prorating future maintenance costs for the drain and do not form part of the current cost for the work.

The attached Future Maintenance Schedule of Assessment for this downstream portion of the Bondy No. 1 Drain shall be utilized only for the maintenance of the open drain and outlet, together with the flushing of sediment material within any existing municipal roadway crossing structures in the drain. If spot maintenance is performed within the specified area of the open drain, it is recommended that only those lands adjacent and upstream of the maintenance site be assessed for any future costs. It shall be noted that this schedule shall not be utilized for any other maintenance and repair works being conducted to any of the roadway crossing structures. These existing structures are to be assessed in a different fashion, as outlined below.

Should concrete, asphalt or other special surfaces over the drainage system require removal as part of the maintenance work, these surfaces shall be repaired or replaced as part of the work. Likewise, if any fencing, gate, decorative walls or other special features exist that will be impacted by the maintenance work, they are also to be removed and restored or replaced as part of the maintenance work. However, the cost of the supply and installation of any special surface material other than select imported clay, topsoil topping and granular driveways, along with any special feature, where applicable, shall be assessed entirely to the benefiting owner.

Future Maintenance on Existing Drain Crossings

In order to establish a mechanism by which the Municipality can undertake maintenance works on the existing drain crossings, we recommend that said existing structures as identified herein, be maintained in the future as part of the drainage works. From our review of the existing structures within the Bondy No. 1 Drain, the following structures were noted and a mechanism shall be provided herein so that the Municipality can undertake future maintenance works on the identified structures and allocated future maintenance costs for same can be properly assessed to the affected landowners. These structures are as follows:

Bridge 1 - County of Essex for County Road 50

The existing road crossing extending from Station 1+405.7 to Station 1+419.7 serves as access across County Road 50 and was identified within the 1949 and 1968 Engineer's Reports. Therefore, this structure is considered a legal entity with respect to the Bondy No. 1 Drain. This existing road crossing culvert and end treatments facilitates the use of County Road 50 and is under the jurisdiction of the County of Essex.

Bridge 2 - Town of Essex for Levergood Drive

The existing road crossing extending from Station 1+683.0 to Station 1+699.2 serves as access across Levergood Drive and was identified within the 1949 and 1968 Engineer's Reports. Therefore, this structure is considered a legal entity with respect to the Bondy No. 1 Drain. This existing road crossing culvert and end treatments facilitates the use of Levergood Drive and is under the jurisdiction of the Town of Essex.

Bridge 3 - Town of Essex for Erie Shores Drive

The existing road crossing extending from Station 1+882.8 to Station 1+904.2 serves as access across Erie Shores Drive and was identified within the 1949 and 1968 Engineer's Reports, and was further improved as part of the 1987 Engineer's Report. Therefore, this structure is considered a legal entity with respect to the Bondy No. 1 Drain. This existing road crossing culvert and end treatments facilitates the use of Levergood Drive and is under the jurisdiction of the Town of Essex.

As noted above, each road crossing structure within the Bondy No. 1 Drain is within or under the jurisdiction of a road authority or public utility. Therefore, under no circumstances shall any of the costs for the maintenance or replacement of these structures be assessed to any upstream lands within the drain's watershed. Furthermore, when future maintenance is required to these structures, each governing road authority or public utility may elect to carry out the future works on these structures using their own forces, through Section 69 of the Drainage Act, if they choose to do so. If these structures are to be replaced under an Engineer's Report through the provisions of the Drainage Act, it is recommended that Section 26 be utilized for the increased cost to the project as a result of their existence.

Pedestrian Footbridges

It shall be noted that "pedestrian footbridges" currently span over the existing Municipal Drain. These footbridges currently do not hinder or alter the flows within the Bondy No. 1 Drain. As such, these structures shall be considered private structures and shall not form part of this Municipal Drain. Therefore, the maintenance and upkeep of these structures shall be the sole responsibility of the adjacent Owner(s)/Occupant(s). However, in the event that these structures become an obstruction to the flows within the drain, or cause damage to the Municipal Drain, these obstructions must be addressed and/or removed through Sections 80(1) and 80(2) of the "Drainage Act, RSO 1990, Chapter D.17, as amended 2021".

VIII. ASSESSMENT SCHEDULES AND MAINTENANCE WORKS

We have prepared a Schedule of Assessment to be utilized for assessing costs against the affected lands and roads for any future maintenance works conducted to the Bondy No. 1 Drain and same has been attached herein. As previously mentioned, the assessment proportions as outlined within the Maintenance

Schedules of Assessment has been established on the basis of an assumed future maintenance cost assigned to each portion of the Municipal Drain, and it should be understood that the maintenance charges outlined in the attached Maintenance Schedule of Assessment should not be made until such time that maintenance works have been conducted and expended. The actual cost of maintenance work on the open drain shall be assessed against the lands and roads in the same relative proportions as shown herein, subject to any future variations that may be made under the authority of the Drainage Act.

Assessment Components

The total individual assessments within the Maintenance Schedule of Assessment, comprises of two (2) separate assessment components, including:

- i. *Benefit is defined as advantages to any lands, roads, buildings or other structures from the construction, improvement, repair or maintenance of a drainage works such as will result in a higher market value or increased crop production or improved appearance or better control of surface or subsurface water, or any other advantages relating to the betterment of lands, roads, buildings or other structures, as it relates to Section 22 of the Drainage Act.*
- ii. *Outlet Liability is defined as part of the cost of the construction, improvement or maintenance of a drainage works that is required to provide such outlet or improved outlet, as it relates to Section 23 of the Drainage Act.*

Assessment Rationale

Benefit Assessment - The removal of trees, brush and debris, along with the excavation of accumulated sediment within the open channel will drastically improve the flow of water through the drainage system. The improvements to the drain will enhance the hydraulic capacity of the channel and provide a sufficient outlet for the drainage system. As a result, the properties located close to the Municipal Drain channel/tile benefit from the improvements to the open drain, reducing the backup of flood water and potential damages to their property. Therefore, the Benefit Assessment shown within the Construction Schedule of Assessment is levied against those properties that reside in close proximity to the drain, based on the definition provided above.

Outlet Assessment – According to the parameters set within Section 23 of the Drainage Act, all lands which utilize the Bondy No. 1 Drain as a drainage outlet may be assessed for Outlet Liability. As further outlined within Section 23(3) of the Drainage Act, the Outlet Assessment is “...based on the volume and rate of flow of the water artificially caused to flow...”. Based on the characteristics of the lands that contribute flow to the Municipal Drain, runoff factors have been applied based on the land use of each property to reflect the actual amount of water that is artificially collected and discharged into the drain. Therefore, developed lands (residential, commercial lots and roads) have an increased run-off factor applied to their assessment. Contrarily, lands which have surface (or subsurface) runoff that exit the watershed or contain woodlots would have a decreased run-off factor applied to their assessment.

Open-Drain Maintenance Works

For the purposes of future maintenance on the entire length of the drain, all costs shall be levied against the lands and roads within the watershed in accordance with the attached Maintenance Schedules of

Assessment. The physical dimensions and parameters which control and facilitate the extent of maintenance works permitted on this Municipal Drain shall be limited to that which had been set out and constructed as part of the following Engineer's Reports:

- i. From Station 0+000.0 to Station 1+399.3 – These works extend within private lands from its top end at the east limit of Lot 90, downstream to the north limit of County Road 50. These works are collectively governed by the 1949, 1968, 1977, 1997, and the 2010 Engineer's Reports.
- ii. From Station 1+399.3 to Station 1+992.7 – These works extend from the north side of County Road 50, downstream through private lands and crossing Levergood Drive and Erie Shores Drive, to its outlet into Lake Erie. These works are collectively governed by the 1968 and 1997 Engineer's Reports.

IX. SPECIAL CONSIDERATIONS

Future Developments

The assessments derived within the Schedules of Assessments have been evaluated based on the current conditions and existing developments. It is anticipated that additional areas within the Bondy No. 1 Drain watershed are slated for future residential developments. These future developments will create higher runoff from each site and will result in increased flows into the Bondy No. 1 Drain. Therefore, if the Town of Essex is prepared to approve the increased total flow volumes from the future developments (through Stormwater Management provisions or a free discharge), we recommend that an update to the "Outlet Assessments" shall be established for each future development site, through Section 65 or Section 76 of the Drainage Act.

X. DRAWINGS

Attached, as part of this report, we have provided a plan that illustrates the Bondy No. 1 Drain watershed and sub-watershed areas, the location of the drain and its structures, as well as a listing of the affected landowners. The plan has been reduced in scale and attached to herein and labelled as **Appendix "B"**. However, full scale drawings can be viewed at the Town of Essex Municipal Offices, if required.

XI. GRANTS

It should be understood that no grant is available to privately owned agricultural lands used for the preparation of the Engineer's Report conducted under Section 76 of the Drainage Act. However, in accordance with the provisions of Section 85 through Section 90 of the "Drainage Act, RSO 1990, Chapter D.17, as amended 2021", when maintenance works are conducted to the Bondy No. 1 Drain in the future, a grant up to the amount of 1/3 of the assessments eligible for a grant, may be made in respect of the maintenance assessments made upon privately owned lands used for agricultural purposes. Based on the current Agricultural Drainage Infrastructure Program (ADIP), "lands used for agricultural purposes" may be eligible for a grant in the amount of up to 1/3 of their total assessment. The policy defines "lands used for agricultural purposes" as those lands eligible for the "Farm Property Class Tax Rate". The Municipal Clerk

has provided this information to the Engineer from the current property tax roll and the Engineer has further confirmed this information with the AGMaps Geographic Information Portal Services through OMAFRA. Properties that meet the criteria for "lands used for agricultural purposes" are shown in the attached Assessment Schedules under the subheading "**5. PRIVATELY OWNED – AGRICULTURAL LANDS (grantable)**" and are expected to be eligible for the 1/3 grant from OMAFRA.

XII. REPORT COSTS

We would also recommend that all engineering costs and expenses related to the preparation, distribution, and consideration of this report be included as an expense to the drainage works and assessed in the same proportions as set out in the new **Future Maintenance Schedule of Assessment #1: Bondy No. 1 Drain- Entire Drain (Station 0+000 to Station 1+992.7)**, attached herein.

All of which is respectfully submitted,

N.J. PERALTA ENGINEERING LTD.



Antonio B. Peralta, P.Eng.

ABP/kk



APPENDIX "A"

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APPENDIX A-1

Future Maintenance Schedule of Assessment #1 Entire Drain

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FUTURE MAINTENANCE SCHEDULE OF ASSESSMENT #1

Bondy No. 1 Drain - Entire Drain (Station 0+000 to Station 1+992.7)

As Recommended to the Court of Revision - February 21, 2024

3. MUNICIPAL LANDS:

Parcel ID Number	Tax Roll Number	Con. or Plan Number	Lot or Part of Lot	Acres Owned	Acres Affected	Hectares Affected	Owner's Name	Value of Benefit	Value of Outlet	TOTAL VALUE
	Erie Shores Drive				2.09	0.846	Town of Essex	\$ 468.00	\$ 133.00	\$ 601.00
	Levergood Court				0.33	0.134	Town of Essex	\$ 103.00	\$ 20.00	\$ 123.00
	Levergood Drive				2.39	0.967	Town of Essex	\$ 596.00	\$ 224.00	\$ 820.00
	Crystal Beach Road				1.11	0.449	Town of Essex	\$ 174.00	\$ 154.00	\$ 328.00
	County Road 50				2.30	0.931	County of Essex	\$ 508.00	\$ 424.00	\$ 932.00
Total on Municipal Lands.....								\$ 1,849.00	\$ 955.00	\$ 2,804.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Parcel ID Number	Tax Roll Number	Con. or Plan Number	Lot or Part of Lot	Acres Owned	Acres Affected	Hectares Affected	Owner's Name	Value of Benefit	Value of Outlet	TOTAL VALUE
4	670-02550	1	95	1.14	0.73	0.295	Bruce Ferriss and Kimberly Dufour	\$ 124.00	\$ 86.00	\$ 210.00
5	670-02600	1	94	0.73	0.73	0.295	David & Lisa Durocher	\$ 171.00	\$ 71.00	\$ 242.00
6	670-02650	1	94	0.67	0.67	0.271	David & Lisa Durocher	\$ 157.00	\$ 52.00	\$ 209.00
8	670-02750	1	94	0.33	0.33	0.134	Andrew & Wendy Quick	\$ 39.00	\$ 48.00	\$ 87.00
9	670-02800	1	94	1.53	1.53	0.619	Ronald & Patricia Deschaine	\$ 134.00	\$ 137.00	\$ 271.00
13	670-28300	R.P. 1392	69	0.09	0.09	0.036	Kenneth & Vicki Kyle	\$ 4.00	\$ 10.00	\$ 14.00
14	670-28400	R.P. 1392	Pt. 64 & 65 to 68	0.42	0.42	0.170	Donna Dunsmore	\$ 20.00	\$ 34.00	\$ 54.00
15	670-28500	R.P. 1392	63 & Pt. 64	0.10	0.10	0.040	Herbert Alfaro	\$ 5.00	\$ 11.00	\$ 16.00
16	670-28600	R.P. 1392	62	0.09	0.09	0.036	Margaret Malone	\$ 4.00	\$ 10.00	\$ 14.00
17	670-28700	R.P. 1392	60 to 61	0.17	0.17	0.069	Robert Arquette and Willy Renard	\$ 8.00	\$ 15.00	\$ 23.00
18	670-28705	R.P. 1392	59 to 58	0.17	0.17	0.069	Mickal Menogue	\$ 8.00	\$ 15.00	\$ 23.00
19	670-28800	R.P. 1392	53, 54, Pt. 55, 56-59	0.40	0.40	0.162	Jill Jimmerfield and Ronald Kennedy	\$ 19.00	\$ 35.00	\$ 54.00
20	670-28900	R.P. 1392	Pt. 49 to 52	0.39	0.39	0.158	John Weir	\$ 18.00	\$ 34.00	\$ 52.00
21	670-29000	R.P. 1392	Pt. 49 & 46 to 48	0.30	0.30	0.121	John & Gloria Stewart	\$ 14.00	\$ 26.00	\$ 40.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS: Continued

Parcel ID Number	Tax Roll Number	Con. or Plan Number	Lot or Part of Lot	Acres Owned	Acres Affected	Hectares Affected	Owner's Name	Value of Benefit	Value of Outlet	TOTAL VALUE
22	670-29100	R.P. 1392	Pt. 43, 44 & 45	0.24	0.24	0.097	Tamara Deneau	\$ 11.00	\$ 21.00	\$ 32.00
23	670-29300	R.P. 1392	Pt. 43 & 40 to 42	0.28	0.28	0.113	Sharon Boehk	\$ 13.00	\$ 25.00	\$ 38.00
24	670-29400	R.P. 1392	37 to 39	0.26	0.26	0.105	Stephen & Laura Hasulo	\$ 12.00	\$ 27.00	\$ 39.00
25	670-29500	R.P. 1392	34 to 36	0.26	0.26	0.105	Kenneth Chapman	\$ 12.00	\$ 27.00	\$ 39.00
27	670-31000	R.P. 1466	Pt. Blk 'A'	0.49	0.49	0.198	Daniel & Jenny Jenner	\$ 60.00	\$ 41.00	\$ 101.00
28	670-31001	R.P. 1466	Pt. Blk 'A'	2.06	2.06	0.834	Kyle & Sara Morency	\$ 340.00	\$ 108.00	\$ 448.00
29	670-31003	1	95	3.00	3.00	1.214	Terry Bale	\$ 695.00	\$ 188.00	\$ 883.00
30	670-31007	1	95	0.98	0.98	0.397	Dwayne & Lucy Barris	\$ 198.00	\$ 55.00	\$ 253.00
31	670-31009	1	95	0.49	0.49	0.198	Brian Sadai, Mary St. Pierre and Andrea Toth	\$ 57.00	\$ 41.00	\$ 98.00
32	670-31010	1	95	0.64	0.64	0.259	BCE (Essex) Inc.	\$ 110.00	\$ 47.00	\$ 157.00
33	670-31012	1	95	2.59	2.59	1.048	Daniel & Diane Hannigan	\$ 604.00	\$ 162.00	\$ 766.00
34	670-31050	R.P. 1466	Pt. Blk 'A'	1.42	1.42	0.575	Michael McNamara	\$ 162.00	\$ 75.00	\$ 237.00
35	670-31075	1	95	0.90	0.90	0.364	Robert, Suzanne, Julianne and John Sloan	\$ 106.00	\$ 60.00	\$ 166.00
36	670-31100	R.P. 1466	Pt. 9 & 10	0.22	0.11	0.045	Sheryl & Robert Sloan	\$ 13.00	\$ 6.00	\$ 19.00
37	670-31200	R.P. 1466	Pt. 9 & 8	0.25	0.13	0.051	Jillian Yost & Norman Barton	\$ 15.00	\$ 7.00	\$ 22.00
38	670-31300	R.P. 1466	Pt. 6 & 7	0.23	0.11	0.046	Michael, Jane, David & Katherine Sloan	\$ 13.00	\$ 6.00	\$ 19.00
39	670-31400	R.P. 1466	Pt. 6 & 5	0.22	0.11	0.044	Michael McNamara	\$ 13.00	\$ 6.00	\$ 19.00
40	670-31500	R.P. 1466	4	0.14	0.07	0.028	Victoria Crawford	\$ 8.00	\$ 3.00	\$ 11.00
41	670-31600	R.P. 1466	3	0.14	0.07	0.028	Victoria Crawford	\$ 8.00	\$ 3.00	\$ 11.00
42	670-31700	R.P. 1466	2	0.18	0.09	0.037	Ronald & Murray Inverarity	\$ 11.00	\$ 4.00	\$ 15.00
43	670-31800	R.P. 1466	1	0.18	0.09	0.037	Mcnamara Michael	\$ 11.00	\$ 4.00	\$ 15.00
44	670-31900	R.P. 1057	19 & 20	0.17	0.08	0.034	Tyson Joseph and Deborah Sissons-Joseph	\$ 20.00	\$ 5.00	\$ 25.00
45	670-32000	R.P. 1057	18	0.11	0.06	0.024	Deslippe Catherine	\$ 14.00	\$ 3.00	\$ 17.00
46	670-32100	R.P. 1057	17	0.12	0.06	0.024	Velo & Victoria Todorovski	\$ 14.00	\$ 3.00	\$ 17.00
47	670-32200	R.P. 1057	16	0.12	0.06	0.025	George Bolton	\$ 14.00	\$ 3.00	\$ 17.00
48	670-32300	R.P. 1057	15	0.12	0.06	0.025	George & Bonnie Ioanidis	\$ 14.00	\$ 3.00	\$ 17.00
49	670-32400	R.P. 1057	13 & 14	0.22	0.11	0.045	Andre & Kristine Bezaire	\$ 26.00	\$ 8.00	\$ 34.00
50	670-32500	R.P. 1057	12	0.11	0.05	0.022	Charlene and Russell Atkins	\$ 13.00	\$ 2.00	\$ 15.00
51	670-32600	R.P. 1057	11	0.11	0.05	0.022	Wayne Campbell	\$ 13.00	\$ 2.00	\$ 15.00
52	670-32700	R.P. 1057	8, 9 & 10	0.28	0.17	0.069	Jospeh & Lisa Brochu	\$ 40.00	\$ 10.00	\$ 50.00
53	670-32750	R.P. 1057	6 & 7	0.11	0.09	0.036	Orrie Levergood	\$ 21.00	\$ 1.00	\$ 22.00
54	670-32900	R.P. 1057	4 & 5	0.15	0.10	0.040	Leslie Leroux and Terrence Baines	\$ 23.00	\$ 4.00	\$ 27.00
55	670-33000	R.P. 1057	3	0.10	0.05	0.021	Gregory Bolton	\$ 12.00	\$ 3.00	\$ 15.00
56	670-33100	R.P. 1057	2	0.10	0.05	0.021	James Johnstone and Gloria Lemieux	\$ 12.00	\$ 3.00	\$ 15.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS: Continued

Parcel ID <u>Number</u>	Tax Roll <u>Number</u>	Con. or Plan <u>Number</u>	Lot or Part <u>of Lot</u>	Acres <u>Owned</u>	Acres <u>Affected</u>	Hectares <u>Affected</u>	<u>Owner's Name</u>	Value of <u>Benefit</u>	Value of <u>Outlet</u>	TOTAL <u>VALUE</u>
57	670-33300	1	96	0.44	0.44	0.178	Sawyer Grant and Ryan Tilson	\$ 103.00	\$ 23.00	\$ 126.00
58	670-33400	1	96	0.71	0.71	0.287	Elizabeth Carreira	\$ 167.00	\$ 21.00	\$ 188.00
59	670-33500	R.P. 1057	28	0.11	0.11	0.045	Ralph Carreira	\$ 26.00	\$ 9.00	\$ 35.00
60	670-33600	R.P. 1057	27	0.09	0.09	0.036	Robin Martin	\$ 21.00	\$ 7.00	\$ 28.00
61	670-33700	R.P. 1057	24 & 25	0.09	0.09	0.036	Gary Freisinger and Judith Seagull	\$ 21.00	\$ 7.00	\$ 28.00
62	670-33800	R.P. 1057	24 & 25	0.18	0.18	0.073	Laurie Freeman	\$ 42.00	\$ 10.00	\$ 52.00
63	670-33900	R.P. 1057	23	0.09	0.09	0.036	Terrence & Sherri-Lynne Barris	\$ 21.00	\$ 7.00	\$ 28.00
64	670-34000	R.P. 1057	21 & 22	0.18	0.18	0.073	Chelsea, Shawn & Krsiti Couture	\$ 42.00	\$ 10.00	\$ 52.00
65	670-34200	R.P. 1057	34 & 35	0.15	0.15	0.061	Terrance Baines and Leslie Leroux	\$ 35.00	\$ 6.00	\$ 41.00
66	670-34300	R.P. 1057	33	0.09	0.09	0.036	Gary & Judith Freisinger	\$ 21.00	\$ 6.00	\$ 27.00
67	670-34400	R.P. 1057	32	0.09	0.09	0.036	Gary & Judith Freisinger	\$ 21.00	\$ 6.00	\$ 27.00
68	670-34500	R.P. 1057	31	0.09	0.09	0.036	Gary Freisinger and Judith Seagull	\$ 21.00	\$ 6.00	\$ 27.00
69	670-34600	R.P. 1057	30	0.09	0.09	0.036	Shaun & Felicia Miller	\$ 21.00	\$ 6.00	\$ 27.00
70	670-34700	R.P. 1057	29	0.55	0.55	0.223	Elizabeth Carreira and Bart Atkins	\$ 129.00	\$ 22.00	\$ 151.00
71	670-34800	R.P. 1057	36 to 39	0.36	0.36	0.146	Marc Bechard	\$ 84.00	\$ 13.00	\$ 97.00
72	670-34900	1	96	0.66	0.66	0.267	Jihad Mitri	\$ 34.00	\$ 48.00	\$ 82.00
Total on Privately Owned - Non-Agricultural Lands.....								\$ 4,242.00	\$ 1,757.00	\$ 5,999.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Parcel ID <u>Number</u>	Tax Roll <u>Number</u>	Con. or Plan <u>Number</u>	Lot or Part <u>of Lot</u>	Acres <u>Owned</u>	Acres <u>Affected</u>	Hectares <u>Affected</u>	<u>Owner's Name</u>	Value of <u>Benefit</u>	Value of <u>Outlet</u>	TOTAL <u>VALUE</u>
1	660-22700	1	88 & 89	95.19	75.00	30.352	Thomas Lypps	\$ 1,966.00	\$ 6,757.00	\$ 8,723.00
2	670-00100	1	90 & 91	139.60	80.39	32.533	Gorski Land Holdings Inc.	\$ 5,715.00	\$ 6,518.00	\$ 12,233.00
3	670-02500	1	95	67.94	4.09	1.655	Thaddeus & Catherine Gorski	\$ 456.00	\$ 130.00	\$ 586.00
7	670-02700	1	94	112.45	44.50	18.009	Gyori Farms Inc.	\$ 2,746.00	\$ 3,779.00	\$ 6,525.00
10	670-02900	1	93	93.50	44.20	17.887	Gorski Land Holdings Inc.	\$ 3,222.00	\$ 2,210.00	\$ 5,432.00
11	670-03100	1	92	106.86	34.39	13.917	Gorski Land Holdings Inc.	\$ 2,195.00	\$ 2,263.00	\$ 4,458.00
12	670-03300	1	91	89.80	1.00	0.405	Gorski Land Holdings Inc.	\$ 156.00	\$ 68.00	\$ 224.00
26	670-30900	R.P. 1466	11 to 20, Pt. Blk 'A'	14.66	13.00	5.261	Trustees of Bouf's Mutual Benefit Association	\$ 1,145.00	\$ 395.00	\$ 1,540.00
73	670-35000	1	96	22.40	11.87	4.804	Richard & Barbara Levergood	\$ 1,308.00	\$ 168.00	\$ 1,476.00
Total on Privately Owned - Agricultural Lands (grantable).....								\$ 18,909.00	\$ 22,288.00	\$ 41,197.00
TOTAL ASSESSMENT					342.15	138.466		\$ 25,000.00	\$ 25,000.00	\$ 50,000.00

1 Hectare = 2.471 Acres

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APPENDIX A-2

Future Maintenance Schedule of Assessment #2
Upstream Portion (Station 0+000 to Station 1+399.3)

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FUTURE MAINTENANCE SCHEDULE OF ASSESSMENT #2

Bondy No. 1 Drain - Upstream Portion (Station 0+000 to Station 1+399.3)
As Recommended to the Court of Revision - February 21, 2024

3. MUNICIPAL LANDS:

<u>Parcel ID Number</u>	<u>Tax Roll Number</u>	<u>Con. or Plan Number</u>	<u>Lot or Part of Lot</u>	<u>Acres Owned</u>	<u>Acres Affected</u>	<u>Hectares Affected</u>	<u>Owner's Name</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>TOTAL VALUE</u>
	County Road 50				1.15	0.465	County of Essex	\$ 112.00	\$ 144.00	\$ 256.00
Total on Municipal Lands.....								\$ 112.00	\$ 144.00	\$ 256.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

<u>Parcel ID Number</u>	<u>Tax Roll Number</u>	<u>Con. or Plan Number</u>	<u>Lot or Part of Lot</u>	<u>Acres Owned</u>	<u>Acres Affected</u>	<u>Hectares Affected</u>	<u>Owner's Name</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>TOTAL VALUE</u>
4	670-02550	1	95	1.14	0.73	0.295	Bruce Ferriss and Kimberly Dufour	\$ 109.00	\$ 58.00	\$ 167.00
5	670-02600	1	94	0.73	0.73	0.295	David & Lisa Durocher	\$ 150.00	\$ 48.00	\$ 198.00
6	670-02650	1	94	0.67	0.67	0.271	David & Lisa Durocher	\$ 138.00	\$ 35.00	\$ 173.00
8	670-02750	1	94	0.33	0.33	0.134	Andrew & Wendy Quick	\$ 34.00	\$ 32.00	\$ 66.00
Total on Privately Owned - Non-Agricultural Lands.....								\$ 431.00	\$ 173.00	\$ 604.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

<u>Parcel ID Number</u>	<u>Tax Roll Number</u>	<u>Con. or Plan Number</u>	<u>Lot or Part of Lot</u>	<u>Acres Owned</u>	<u>Acres Affected</u>	<u>Hectares Affected</u>	<u>Owner's Name</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>TOTAL VALUE</u>
1	660-22700	1	88 & 89	95.19	75.00	30.352	Thomas Lypps	\$ 1,727.00	\$ 4,567.00	\$ 6,294.00
2	670-00100	1	90 & 91	139.60	80.39	32.533	Gorski Land Holdings Inc.	\$ 5,021.00	\$ 4,405.00	\$ 9,426.00
3	670-02500	1	95	67.94	4.09	1.655	Thaddeus & Catherine Gorski	\$ 400.00	\$ 88.00	\$ 488.00
7	670-02700	1	94	112.45	44.50	18.009	Gyori Farms Inc.	\$ 2,413.00	\$ 2,554.00	\$ 4,967.00
10	670-02900	1	93	93.50	44.20	17.887	Gorski Land Holdings Inc.	\$ 2,831.00	\$ 1,494.00	\$ 4,325.00
11	670-03100	1	92	106.86	34.39	13.917	Gorski Land Holdings Inc.	\$ 1,928.00	\$ 1,529.00	\$ 3,457.00
12	670-03300	1	91	89.80	1.00	0.405	Gorski Land Holdings Inc.	\$ 137.00	\$ 46.00	\$ 183.00
Total on Privately Owned - Agricultural Lands (grantable).....								\$ 14,457.00	\$ 14,683.00	\$ 29,140.00
TOTAL ASSESSMENT					342.15	138.466		\$ 15,000.00	\$ 15,000.00	\$ 30,000.00

1 Hectare = 2.471 Acres

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APPENDIX A-3

Future Maintenance Schedule of Assessment #3
Downstream Portion (Station 1+399.3 to Station 1+992.7)

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FUTURE MAINTENANCE SCHEDULE OF ASSESSMENT #3

Bondy No. 1 Drain - Downstream Portion (Station 1+399.2 to Station 1+992.7)

As Recommended to the Court of Revision - February 21, 2024

3. MUNICIPAL LANDS:

Parcel ID Number	Tax Roll Number	Con. or Plan Number	Lot or Part of Lot	Acres Owned	Acres Affected	Hectares Affected	Owner's Name	Value of Benefit	Value of Outlet	TOTAL VALUE
	Erie Shores Drive				2.09	0.846	Town of Essex	\$ 1,063.00	\$ 64.00	\$ 1,127.00
	Levergood Court				0.33	0.134	Town of Essex	\$ 235.00	\$ 10.00	\$ 245.00
	Levergood Drive				2.39	0.967	Town of Essex	\$ 1,354.00	\$ 108.00	\$ 1,462.00
	Crystal Beach Road				1.11	0.449	Town of Essex	\$ 396.00	\$ 74.00	\$ 470.00
	County Road 50				2.30	0.931	County of Essex	\$ 1,142.00	\$ 200.00	\$ 1,342.00
Total on Municipal Lands.....								\$ 4,190.00	\$ 456.00	\$ 4,646.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Parcel ID Number	Tax Roll Number	Con. or Plan Number	Lot or Part of Lot	Acres Owned	Acres Affected	Hectares Affected	Owner's Name	Value of Benefit	Value of Outlet	TOTAL VALUE
4	670-02550	1	95	1.14	0.73	0.295	Bruce Ferriss and Kimberly Dufour	\$ -	\$ 41.00	\$ 41.00
5	670-02600	1	94	0.73	0.73	0.295	David & Lisa Durocher	\$ -	\$ 34.00	\$ 34.00
6	670-02650	1	94	0.67	0.67	0.271	David & Lisa Durocher	\$ -	\$ 25.00	\$ 25.00
8	670-02750	1	94	0.33	0.33	0.134	Andrew & Wendy Quick	\$ -	\$ 23.00	\$ 23.00
9	670-02800	1	94	1.53	1.53	0.619	Ronald & Patricia Deschaine	\$ -	\$ 66.00	\$ 66.00
13	670-28300	R.P. 1392	69	0.09	0.09	0.036	Kenneth & Vicki Kyle	\$ 10.00	\$ 5.00	\$ 15.00
14	670-28400	R.P. 1392	Pt. 64 & 65 to 68	0.42	0.42	0.170	Donna Dunsmore	\$ 45.00	\$ 16.00	\$ 61.00
15	670-28500	R.P. 1392	63 & Pt. 64	0.10	0.10	0.040	Herbert Alfaro	\$ 11.00	\$ 5.00	\$ 16.00
16	670-28600	R.P. 1392	62	0.09	0.09	0.036	Margaret Malone	\$ 10.00	\$ 5.00	\$ 15.00
17	670-28700	R.P. 1392	60 to 61	0.17	0.17	0.069	Robert Arquette and Willy Renard	\$ 18.00	\$ 7.00	\$ 25.00
18	670-28705	R.P. 1392	59 to 58	0.17	0.17	0.069	Mickal Menogue	\$ 18.00	\$ 7.00	\$ 25.00
19	670-28800	R.P. 1392	53, 54, Pt. 55, 56-59	0.40	0.40	0.162	Jill Jimmerfield and Ronald Kennedy	\$ 43.00	\$ 17.00	\$ 60.00
20	670-28900	R.P. 1392	Pt. 49 to 52	0.39	0.39	0.158	John Weir	\$ 42.00	\$ 16.00	\$ 58.00
21	670-29000	R.P. 1392	Pt. 49 & 46 to 48	0.30	0.30	0.121	John & Gloria Stewart	\$ 32.00	\$ 13.00	\$ 45.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS: Continued

Parcel ID Number	Tax Roll Number	Con. or Plan Number	Lot or Part of Lot	Acres Owned	Acres Affected	Hectares Affected	Owner's Name	Value of Benefit	Value of Outlet	TOTAL VALUE
22	670-29100	R.P. 1392	Pt. 43, 44 & 45	0.24	0.24	0.097	Tamara Deneau	\$ 26.00	\$ 10.00	\$ 36.00
23	670-29300	R.P. 1392	Pt. 43 & 40 to 42	0.28	0.28	0.113	Sharon Boehk	\$ 30.00	\$ 12.00	\$ 42.00
24	670-29400	R.P. 1392	37 to 39	0.26	0.26	0.105	Stephen & Laura Hasulo	\$ 28.00	\$ 13.00	\$ 41.00
25	670-29500	R.P. 1392	34 to 36	0.26	0.26	0.105	Kenneth Chapman	\$ 28.00	\$ 13.00	\$ 41.00
27	670-31000	R.P. 1466	Pt. Blk 'A'	0.49	0.49	0.198	Daniel & Jenny Jenner	\$ 136.00	\$ 20.00	\$ 156.00
28	670-31001	R.P. 1466	Pt. Blk 'A'	2.06	2.06	0.834	Kyle & Sara Morency	\$ 774.00	\$ 52.00	\$ 826.00
29	670-31003	1	95	3.00	3.00	1.214	Terry Bale	\$ 1,581.00	\$ 90.00	\$ 1,671.00
30	670-31007	1	95	0.98	0.98	0.397	Dwayne & Lucy Barris	\$ 451.00	\$ 26.00	\$ 477.00
31	670-31009	1	95	0.49	0.49	0.198	Brian Sadai, Mary St. Pierre and Andrea Toth	\$ 131.00	\$ 20.00	\$ 151.00
32	670-31010	1	95	0.64	0.64	0.259	BCE (Essex) Inc.	\$ 249.00	\$ 22.00	\$ 271.00
33	670-31012	1	95	2.59	2.59	1.048	Daniel & Diane Hannigan	\$ 1,373.00	\$ 78.00	\$ 1,451.00
34	670-31050	R.P. 1466	Pt. Blk 'A'	1.42	1.42	0.575	Michael McNamara	\$ 369.00	\$ 36.00	\$ 405.00
35	670-31075	1	95	0.90	0.90	0.364	Robert, Suzanne, Julianne and John Sloan	\$ 240.00	\$ 29.00	\$ 269.00
36	670-31100	R.P. 1466	Pt. 9 & 10	0.22	0.11	0.045	Sheryl & Robert Sloan	\$ 30.00	\$ 3.00	\$ 33.00
37	670-31200	R.P. 1466	Pt. 9 & 8	0.25	0.13	0.051	Jillian Yost & Norman Barton	\$ 33.00	\$ 3.00	\$ 36.00
38	670-31300	R.P. 1466	Pt. 6 & 7	0.23	0.11	0.046	Michael, Jane, David & Katherine Sloan	\$ 30.00	\$ 3.00	\$ 33.00
39	670-31400	R.P. 1466	Pt. 6 & 5	0.22	0.11	0.044	Michael McNamara	\$ 29.00	\$ 3.00	\$ 32.00
40	670-31500	R.P. 1466	4	0.14	0.07	0.028	Victoria Crawford	\$ 19.00	\$ 1.00	\$ 20.00
41	670-31600	R.P. 1466	3	0.14	0.07	0.028	Victoria Crawford	\$ 19.00	\$ 2.00	\$ 21.00
42	670-31700	R.P. 1466	2	0.18	0.09	0.037	Ronald & Murray Inverarity	\$ 24.00	\$ 2.00	\$ 26.00
43	670-31800	R.P. 1466	1	0.18	0.09	0.037	Mcnamara Michael	\$ 25.00	\$ 2.00	\$ 27.00
44	670-31900	R.P. 1057	19 & 20	0.17	0.08	0.034	Tyson Joseph and Deborah Sissons-Joseph	\$ 45.00	\$ 2.00	\$ 47.00
45	670-32000	R.P. 1057	18	0.11	0.06	0.024	Deslippe Catherine	\$ 32.00	\$ 2.00	\$ 34.00
46	670-32100	R.P. 1057	17	0.12	0.06	0.024	Velo & Victoria Todorovski	\$ 32.00	\$ 2.00	\$ 34.00
47	670-32200	R.P. 1057	16	0.12	0.06	0.025	George Bolton	\$ 33.00	\$ 2.00	\$ 35.00
48	670-32300	R.P. 1057	15	0.12	0.06	0.025	George & Bonnie Ioanidis	\$ 33.00	\$ 2.00	\$ 35.00
49	670-32400	R.P. 1057	13 & 14	0.22	0.11	0.045	Andre & Kristine Bezaire	\$ 59.00	\$ 4.00	\$ 63.00
50	670-32500	R.P. 1057	12	0.11	0.05	0.022	Charlene and Russell Atkins	\$ 29.00	\$ 1.00	\$ 30.00
51	670-32600	R.P. 1057	11	0.11	0.05	0.022	Wayne Campbell	\$ 29.00	\$ 1.00	\$ 30.00
52	670-32700	R.P. 1057	8, 9 & 10	0.28	0.17	0.069	Jospeh & Lisa Brochu	\$ 91.00	\$ 5.00	\$ 96.00
53	670-32750	R.P. 1057	6 & 7	0.11	0.09	0.036	Orrie Levergood	\$ 48.00	\$ -	\$ 48.00
54	670-32900	R.P. 1057	4 & 5	0.15	0.10	0.040	Leslie Leroux and Terrence Baines	\$ 53.00	\$ 2.00	\$ 55.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS: Continued

Parcel ID <u>Number</u>	Tax Roll <u>Number</u>	Con. or Plan <u>Number</u>	Lot or Part <u>of Lot</u>	Acres <u>Owned</u>	Acres <u>Affected</u>	Hectares <u>Affected</u>	<u>Owner's Name</u>	Value of <u>Benefit</u>	Value of <u>Outlet</u>	TOTAL <u>VALUE</u>
55	670-33000	R.P. 1057	3	0.10	0.05	0.021	Gregory Bolton	\$ 27.00	\$ 1.00	\$ 28.00
56	670-33100	R.P. 1057	2	0.10	0.05	0.021	James Johnstone and Gloria Lemieux	\$ 27.00	\$ 1.00	\$ 28.00
57	670-33300	1	96	0.44	0.44	0.178	Sawyer Grant and Ryan Tilson	\$ 235.00	\$ 11.00	\$ 246.00
58	670-33400	1	96	0.71	0.71	0.287	Elizabeth Carreira	\$ 379.00	\$ 10.00	\$ 389.00
59	670-33500	R.P. 1057	28	0.11	0.11	0.045	Ralph Carreira	\$ 59.00	\$ 4.00	\$ 63.00
60	670-33600	R.P. 1057	27	0.09	0.09	0.036	Robin Martin	\$ 48.00	\$ 4.00	\$ 52.00
61	670-33700	R.P. 1057	24 & 25	0.09	0.09	0.036	Gary Freisinger and Judith Seagull	\$ 48.00	\$ 3.00	\$ 51.00
62	670-33800	R.P. 1057	24 & 25	0.18	0.18	0.073	Laurie Freeman	\$ 96.00	\$ 5.00	\$ 101.00
63	670-33900	R.P. 1057	23	0.09	0.09	0.036	Terrence & Sherri-Lynne Barris	\$ 48.00	\$ 3.00	\$ 51.00
64	670-34000	R.P. 1057	21 & 22	0.18	0.18	0.073	Chelsea, Shawn & Krsiti Couture	\$ 96.00	\$ 5.00	\$ 101.00
65	670-34200	R.P. 1057	34 & 35	0.15	0.15	0.061	Terrance Baines and Leslie Leroux	\$ 80.00	\$ 3.00	\$ 83.00
66	670-34300	R.P. 1057	33	0.09	0.09	0.036	Gary & Judith Freisinger	\$ 48.00	\$ 3.00	\$ 51.00
67	670-34400	R.P. 1057	32	0.09	0.09	0.036	Gary & Judith Freisinger	\$ 48.00	\$ 3.00	\$ 51.00
68	670-34500	R.P. 1057	31	0.09	0.09	0.036	Gary Freisinger and Judith Seagull	\$ 48.00	\$ 3.00	\$ 51.00
69	670-34600	R.P. 1057	30	0.09	0.09	0.036	Shaun & Felicia Miller	\$ 48.00	\$ 3.00	\$ 51.00
70	670-34700	R.P. 1057	29	0.55	0.55	0.223	Elizabeth Carreira and Bart Atkins	\$ 293.00	\$ 11.00	\$ 304.00
71	670-34800	R.P. 1057	36 to 39	0.36	0.36	0.146	Marc Bechard	\$ 192.00	\$ 6.00	\$ 198.00
72	670-34900	1	96	0.66	0.66	0.267	Jihad Mitri	\$ 76.00	\$ 23.00	\$ 99.00
Total on Privately Owned - Non-Agricultural Lands.....								\$ 8,234.00	\$ 845.00	\$ 9,079.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Parcel ID <u>Number</u>	Tax Roll <u>Number</u>	Con. or Plan <u>Number</u>	Lot or Part <u>of Lot</u>	Acres <u>Owned</u>	Acres <u>Affected</u>	Hectares <u>Affected</u>	<u>Owner's Name</u>	Value of <u>Benefit</u>	Value of <u>Outlet</u>	TOTAL <u>VALUE</u>
1	660-22700	1	88 & 89	95.19	75.00	30.352	Thomas Lypps	\$ -	\$ 3,243.00	\$ 3,243.00
2	670-00100	1	90 & 91	139.60	80.39	32.533	Gorski Land Holdings Inc.	\$ -	\$ 3,129.00	\$ 3,129.00
3	670-02500	1	95	67.94	4.09	1.655	Thaddeus & Catherine Gorski	\$ -	\$ 62.00	\$ 62.00
7	670-02700	1	94	112.45	44.50	18.009	Gyori Farms Inc.	\$ -	\$ 1,814.00	\$ 1,814.00
10	670-02900	1	93	93.50	44.20	17.887	Gorski Land Holdings Inc.	\$ -	\$ 1,061.00	\$ 1,061.00
11	670-03100	1	92	106.86	34.39	13.917	Gorski Land Holdings Inc.	\$ -	\$ 1,086.00	\$ 1,086.00
12	670-03300	1	91	89.80	1.00	0.405	Gorski Land Holdings Inc.	\$ -	\$ 33.00	\$ 33.00
26	670-30900	R.P. 1466	11 to 20, Pt. Blk 'A'	14.66	13.00	5.261	Trustees of Bouf's Mutual Benefit Association	\$ 2,602.00	\$ 190.00	\$ 2,792.00
73	670-35000	1	96	22.40	11.87	4.804	Richard & Barbara Levergood	\$ 2,974.00	\$ 81.00	\$ 3,055.00
Total on Privately Owned - Agricultural Lands (grantable).....								\$ 5,576.00	\$ 10,699.00	\$ 16,275.00
TOTAL ASSESSMENT					342.15	138.466		\$ 18,000.00	\$ 12,000.00	\$ 30,000.00

1 Hectare = 2.471 Acres

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APPENDIX "B"

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WATERSHED PLAN

OF THE

BONDY No. 1 DRAIN

IN THE

TOWN OF ESSEX

(Geographic Township of Colchester South)

IN THE

COUNTY OF ESSEX • ONTARIO

TOWN OF ESSEX

MAYOR: SHERRY BONDY
CLERK: JOSEPH MALANDRUCCOLO
DRAINAGE SUPERINTENDENT: LINDSAY DEAN

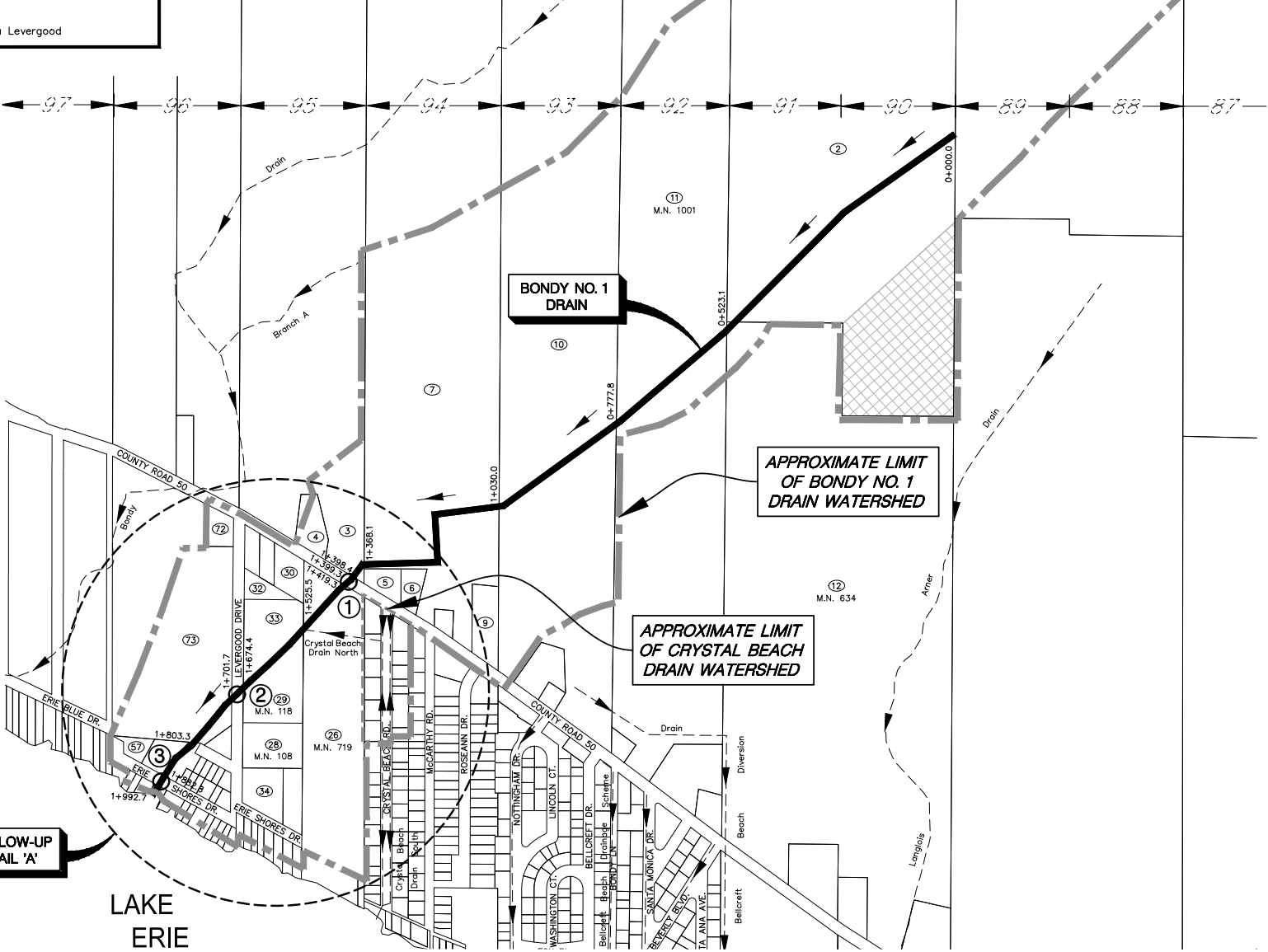
PARCEL I.D.	ROLL #	OWNER
1	660-22700	Thomas Lypps
2	670-00100	Gorski Land Holdings Inc.
3	670-02500	Thaddeus & Catherine Gorski
4	670-02550	Bruce Ferriss and Kimberly Dufour
5	670-02600	David & Lisa Durocher
6	670-02650	David & Lisa Durocher
7	670-02700	Gyori Farms Inc.
8	670-02750	Andrew & Wendy Quick
9	670-02800	Ronald & Patricia Deschaine
10	670-02900	Gorski Land Holdings Inc.
11	670-03100	Gorski Land Holdings Inc.
12	670-03300	Gorski Land Holdings Inc.
13	670-28300	Kenneth & Vicki Kyle
14	670-28400	Donna Dunsmore
15	670-28500	Herbert Alfaro
16	670-28600	Margaret Malone
17	670-28700	Robert Arquette and Willy Renard
18	670-28705	Mickal Menogue
19	670-28800	Jill Jimmerfield and Ronald Kennedy
20	670-28900	John Weir
21	670-29000	John & Gloria Stewart
22	670-29100	Tamara Deneau
23	670-29300	Sharon Boehk
24	670-29400	Stephen & Laura Hasulo
25	670-29500	Kenneth Chapman
26	670-30900	Trustees of Bouf's Mutual Benefit Association
27	670-31000	Daniel & Jenny Jenner
28	670-31001	Kyle & Sara Morency
29	670-31003	Terry Bale
30	670-31007	Dwayne & Lucy Barris
31	670-31009	Brian Sadal, Mary St. Pierre and Andrea Toth
32	670-31010	BCE (Essex) Inc.
33	670-31012	Daniel & Diane Hannigan

PARCEL I.D.	ROLL #	OWNER
34	670-31050	Michael McNamara
35	670-31075	Robert, Suzanne, Julianne and John Sloan
36	670-31100	Sheryl & Robert Sloan
37	670-31200	Jillian Yost & Norman Barton
38	670-31300	Michael, Jane, David & Katherine Sloan
39	670-31400	Michael McNamara
40	670-31500	Robert & Joan Nagle and Victoria Robert
41	670-31600	Robert & Joan Nagle and Victoria Robert
42	670-31700	Ronald & Murray Inverarity
43	670-31800	Monamara Michael
44	670-31900	Tyson Joseph and Deborah Sissons-Joseph
45	670-32000	Deslippe Catherine
46	670-32100	Velo & Victoria Todorovski
47	670-32200	George Bolton
48	670-32300	George & Bonnie Ioanidis
49	670-32400	Andre & Kristine Bezaire
50	670-32500	Charlene Atkins
51	670-32600	Wayne Campbell
52	670-32700	Jospeh & Lisa Brochu
53	670-32750	Orrie Levergood
54	670-32900	Leslie Leroux and Terrence Baines
55	670-33000	Gregory Bolton
56	670-33100	James Johnstone and Gloria Lemieux
57	670-33300	Sawyer Grant and Ryan Tilson
58	670-33400	Elizabeth Carreira
59	670-33500	Ralph Carreira
60	670-33600	Robin Martin
61	670-33700	Gary Freisinger and Judith Seagull
62	670-33800	Laurie Freeman
63	670-33900	Terrence & Sherri-Lynne Barris
64	670-34000	Chelsea, Shawn & Kristi Couture
65	670-34200	Terrence Baines and Leslie Leroux
66	670-34300	Gary & Judith Freisinger
67	670-34400	Gary & Judith Freisinger
68	670-34500	Gary Freisinger and Judith Seagull
69	670-34600	Shaun & Felicia Miller
70	670-34700	Elizabeth Carreira and Bart Atkins
71	670-34800	Marc Bechard
72	670-34900	Jihad Mifri
73	670-35000	Richard & Barbara Levergood



BLOW UP DETAIL 'A'

Scale = 1:2,000



- DENOTES OVERALL WATERSHED LIMITS
- - - DENOTES SUB-WATERSHED LIMITS
- ⊗ DENOTES PARCEL IDENTIFICATION NUMBER
- ⊗ DENOTES BRIDGE IDENTIFICATION NUMBER AND LOCATION
- ▨ DENOTES SUB-SURFACE DRAINAGE ONLY

WATERSHED PLAN

Scale = 1:5,000

NOTE: AMENDED TO REFLECT RECOMMENDED CHANGES TO THE COURT OF REVISION - FEB 21, 2024

THESE DRAWINGS HAVE BEEN REDUCED IN SIZE AND THE SCALE THEREFORE VARIES. FULL SCALE DRAWINGS CAN BE VIEWED AT THE MUNICIPAL OFFICES IF REQUIRED.



N.J. Peralta Engineering Ltd.
Consulting Engineers
45 Division Street North
Kingsville, ON
N9Y 1E1, Canada
P: 519-733-6587
F: 519-733-6588
peraltaengineering.com

DATE: AUG 16, 2023

DESIGNED BY: M.J.S./A.B.P.

DRAWN BY: M.J.S.

CHECKED BY: A.B.P.

PROJECT No.: D22-068

SHEET No.: 328 of 330

The Corporation of the Town of Essex

By-Law Number 2319

Being a by-law to confirm the proceedings of the
April 2, 2024, 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 hereby 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 April 2, 2024, 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 April 2, 2024, 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 April 2, 2024.

Mayor

Clerk

Read a third time and finally passed on April 15, 2024.

Mayor

Clerk