



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
RE: Essex Fire and Rescue 2023 Annual Report		
Recommended Action:		
Moved by _____		
Seconded by _____		
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.		
10.2	Fire and Rescue Services-2024-02	42
RE: Emergency Management Program and Emergency Response Plan		
Recommended Action:		
Moved by _____		
Seconded by _____		
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.		
10.2.1	By-Law 2315	47
10.3	Planning-2024-08	51
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		
Recommended Action:		
Moved by _____		
Seconded by _____		
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.

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/EsexOntario>

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/EsexOntario>