



Regular Council Meeting Agenda

January 17, 2022, 6:00 pm

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

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

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

Pages

1. Call to Order

2. Land Acknowledgement

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

3. National Anthem

4. Closed Meeting Report

5. Declarations of Conflict of Interest

6. Adoption of Published Agenda

6.1. Regular Council Meeting Agenda for January 17, 2022

Moved by _____

Seconded by _____

That the published agenda for the January 17, 2022 Regular Council Meeting be adopted as presented / amended.

7. Adoption of Minutes

7.1. Regular Council Meeting Minutes for December 20, 2021

1

Moved by _____

Seconded by _____

That the minutes of the Regular Council Meeting held December 20, 2021 be adopted as circulated.

7.2. Special Council Meeting Minutes for August 23, 2021

9

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held August 23, 2021

be adopted as circulated.

7.3. Special Council Meeting Minutes for October 4, 2021 15

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held October 4, 2021 be adopted as circulated.

7.4. Special Council Meeting for October 12, 2021 18

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held October 12, 2021 be adopted as circulated.

7.5. Special Council Meeting for October 18, 2021 21

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held October 18, 2021 be adopted as circulated.

8. Public Presentations

8.1. Cynthia Cakebread, Manager, Recreation and Culture on behalf of the Arts, Culture and Tourism Committee 24

RE: Candy Cane Lane Contest 2021 Winners

Moved by _____

Seconded by _____

That the presentation by Cynthia Cakebread, Manager, Recreation and Culture announcing the Candy Cane Lane Winners on behalf of the Arts Culture and Tourism Committee, be received.

8.2. David Mota, Resident 25

RE: Affordable Housing

Moved by _____

Seconded by _____

That the delegation by David Mota be received.

9. Unfinished Business

10. Reports from Administration

10.1. Town Solicitor/Clerk's Verbal Report 31

Re: Council Vacancy

- Mayor Snively Letter of Resignation

Recommended Action:

Moved by _____

Seconded by _____

Whereas the Municipal Act (the "Act"), Section 259(d) provides for a council seat to become vacant as a result of the resignation of a member;

And Whereas Section 260 of the Act provides that a member may resign the office “by notice in writing filed with the clerk of the municipality”;

And Whereas Mayor Snively did provide to the Clerk Notice in Writing of his resignation on January 12, 2022 effective immediately;

And Whereas Section 262 (1) of the Act provides that if the office of a member of Council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant;

And Whereas Section 263 of the Act states that Council shall within sixty (60) days after declaring the seat to be vacant, appoint a person to fill the vacancy or pass a by-law requiring a by-election to be held to fill the vacancy

Now Therefore the Council of the Corporation of the Town of Essex hereby resolves as follows:

1. **That** as the resignation of Mayor Snively has been received by the Clerk on January 12, 2022 and effective immediately, this Council does hereby declare the office of Mayor/Head of Council of the Corporation of the Town of Essex to be vacant;

2. **And That** Council hereby directs the Clerk to call a Special Council Meeting to be held on January 24, 2022 at which meeting Council, upon receiving the Clerk's Council Vacancy Report shall decide to either 1) appoint a person to fill the vacancy (and if so deciding to appoint the manner in which such appointment shall be made) or 2) pass a by-law requiring a by-election be held to fill the vacancy as prescribed and in accordance with the Municipal Act and the Municipal Elections Act.

10.2. Town Solicitor/Clerk Verbal Report

RE: End of Land Acknowledgement Statement Trial Period

Recommended Action:

Moved by _____

Seconded by _____

That the Verbal Report provided by Robert Auger, Town Solicitor/Clerk, entitled End of Land Acknowledgement Statement Trial Period be received; and

That the Land Acknowledgement Statement noted below, provisionally adopted on June 7, 2021, be now permanently adopted and read at the beginning of all Regular Council Meetings and at other special events as may be determined from time to time by the Mayor:

“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.”

10.3. Legal and Legislative Services-2022-01

33

RE: Court of Revision for 10-11 Sideroad Drain: Replacement Bridges for Rivest and Campbell

Recommended Action:

Moved by _____

Seconded by _____

That the following three (3) members of the Drainage Board: Kirk Carter, Janice Dougherty and Felix Weigt-Bienzle be appointed to sit as members of the Court of Revision to be convened for 10-11 Sideroad Drain: Replacement Bridges for Rivest and Campbell, Geographic Township of Colchester North, Project REI2021D002 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated November 24, 2021 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on February 10, 2022 via electronic meeting; and

That By-Law 2110 being a by-law to provide for the 10-11 Sideroad Drain: Replacement Bridges for Rivest and Campbell, Geographic Township of Colchester North, Project REI2021D002, be read a first and second time and be provisionally adopted on January 17, 2022.

10.3.1. By-Law 2110 109

10.4. **Legal and Legislative Services-2022-02** 112

RE: Court of Revision for Bassett Drain: Replacement Bridge and Enclosure for 730-01300

Recommended Action:

Moved by _____

Seconded by _____

That the following three (3) members of the Drainage Board: Kirk Carter, Janice Dougherty and Felix Weigt-Bienzle be appointed to sit as members of the Court of Revision to be convened for Bassett Drain: Replacement Bridge and Enclosure for 730-01300, Geographic Township of Colchester South, Project REI2021D008 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated November 16, 2021 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on February 10, 2022 via electronic meeting; and

That By-Law 2111 being a by-law to provide for the Bassett Drain: Replacement Bridge and Enclosure for 730-01300, Geographic Township of Colchester South, Project REI2021D008, be read a first and second time and be provisionally adopted on January 17, 2022.

10.4.1. By-Law 2111 184

10.5. **Economic Development-2022-01** 187

RE: Building Report December 2021 and Development Overview Annual Summary 2021

Recommended Action:

Moved by _____

Seconded by _____

That Economic Development-2022-01 report entitled Building Report December 2021 and Development Overview Annual Summary 2021 prepared by Nelson Silveira, Economic Development Officer dated February 7, 2022, be received for information.

10.6. Human Resources-2022-01 195

RE: COVID-19 Vaccination Policy – Three (3) Month Review

Recommended Action:

Moved by _____

Seconded by _____

That Human Resources-2022-01 report entitled COVID-19 Vaccination Policy – Three (3) Month Review prepared by Brandi Sieben, Manager, Human Resources dated January 17, 2022, be received; and

That Council approve that Administration continue to implement the Town’s COVID-19 Vaccination Policy.

10.7. Operations-2022-01 202

RE: Results of Request for Tender-Road Salt Hauling

Recommended Action:

Moved by _____

Seconded by _____

That Operations-2022-01 entitled Result of Request for Tender- Road Salt Hauling prepared by Norm Nussio Manager, Operations and Drainage dated January 17, 2022 be received;

That Council award the Results of Request for Tender- Road Salt Hauling (RFT-ID-21-025) to Quinlan Incorporated, contract period is from February 01, 2022 to April 30, 2024; and

That Council permit the Treasurer (with Chief Administrative Officer Approval) to fund any over expenditure in relation to the Salt Hauling contract, from the Winter Control Reserve.

11. Reports from Youth Members

12. County Council Update

12.1. Essex County Council Regular Meeting Minutes - December 1, 2021 207

Moved by _____

Seconded by _____

That the minutes of the Regular County Council Meeting held December 1, 2021 be received.

13. Correspondence

13.1. Correspondence to be received

Moved by _____

Seconded by _____

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

13.1.1. Correspondence relating to COVID-19 Pandemic

13.1.1.1. Town of Kingsville 222

RE: Letter of Instruction from Windsor-Essex County

	Health Unit	
13.1.1.2.	Ministry of Municipal Affairs and Housing RE: Extension of Emergency Orders and Provincial Response to the Omicron Variant	226
13.1.1.3.	County of Essex Letter from the County of Essex Warden RE: Consideration for support for Windsor-Essex Workers	229
13.1.2.	City of Kitchener RE: Conversion Therapy	232
13.1.3.	Essex Region Conservation Authority RE: 2022 Fee Schedule	235
13.1.4.	Ministry of the Environment, Conservation and Parks RE: Minister's Annual Report on Drinking Water 2021 and 2020-21 Chief Drinking Water Inspector Annual Report	243
13.1.5.	Ministry of the Environment, Conservation and Parks RE: Essex Drinking Water System (Harrow-Colchester South) Inspection Report	281
13.1.6.	Tay Valley Township RE: Province-Wide Assessment Update	310
13.1.7.	The Corporation of the City of Sarnia RE: Catch and Release Justice	312
13.1.8.	Union Water Supply System RE: Joint Board of Management Minutes of November 17, 2021	313
13.1.9.	Town of Bradford West Gwillimbury RE: Motion Against Quebec's Bill 21 (Religious Symbols at Work Ban)	317
13.1.10.	House of Commons Chambre Des Communes Canada RE: 2022 Canada Summer Jobs (CSJ) Funding Application	319
13.1.11.	Canadian Union of Postal Workers RE: Delivering Community Power Campaign to Provide Additional Services at Canada Post.	320
13.2.	Correspondence to be considered for receipt and support	
13.2.1.	Janice Dougherty RE: Extension of Janice Dougherty's Term with the Drainage Board	325

Moved by _____

Seconded by _____

That the request from Janice Dougherty requesting that her appointment to the Drainage Board be extended to November 30, 2022 to coincide with the end of the current term of Council be received or received and supported.

14. Committee Meeting Minutes

Moved by _____

Seconded by _____

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

14.1.	Property Standard Committee - August 18, 2021	326
14.2.	Essex Accessibility Advisory Committee - November 3, 2021	329
14.3.	Essex Centre BIA Board - November 24, 2021	337
14.4.	Essex Police Service Board - December 2, 2021	341
14.5.	Arts, Culture and Tourism Committee - December 8, 2021	346
14.6.	Court of Revision - December 8, 2021	349
14.7.	Finance Committee - December 13, 2021	353
14.8.	Drainage Board - December 16, 2021	358

15. Financial

16. New Business

17. Notices of Motion

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 2108	363
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Being a by-law to confirm the proceedings of the December 20, 2021, Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 2108 being a by-law to confirm the proceedings of the December 20, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a third time and finally passed on January 17, 2022.

19.1.2.	By-Law 2096	365
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Being a by-law to provide for Bassett Drain: Bridge for MN

2432 County Road 20, Harrow Centre, Former Geographic Township of Colchester South, Project REI2021D012, Town of Essex, County of Essex

Moved by _____

Seconded by _____

That By-Law 2096 being a by-law to provide for Bassett Drain: Bridge for MN 2432 County Road 20, Harrow Centre, Former Geographic Township of Colchester South, Project REI2021D012, Town of Essex, County of Essex be read a third time and finally passed on January 17, 2022.

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

19.2.1. By-Law 2114

368

Being a by-law to impose rates, fees, and charges pursuant to an Agreement between Essex Town Centre Ltd. and the Corporation of the Town of Essex and relating to the Provision of Municipal Capital Facilities

Moved by _____

Seconded by _____

That By-Law 2114 being a by-law to impose rates, fees, and charges pursuant to an Agreement between Essex Town Centre Ltd. and the Corporation of the Town of Essex and relating to the Provision of Municipal Capital Facilities be read a first time, a second time and a third time and finally passed on January 17, 2022.

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

19.3.1. By-Law 2113

373

Being a by-law to confirm the proceedings of the January 17, 2021, Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 2113 being a by-law to confirm the proceedings of the January 17, 2022, Regular Meeting of Council of The Corporation of the Town of Essex be read a first and a second time and provincially passed on January 17, 2022.

20. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

21. Future Meetings

21.1. Monday, January 31, 2022 - 4:30 - 6:00 PM Special Council Meeting

RE: Overview of the New Development Standard Manual

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario

21.2. Monday, February 7, 2022 - 6:00 - 9:00 PM Regular Council Meeting

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario

21.3. Tuesday, February 22, 2022 - 4:30 - 6:00 PM Special Council Meeting

RE: Rezoning at 1110 Ridge Road

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario

21.4. Tuesday, February 22, 2022 - 6:00 - 9:00 PM Regular Council Meeting

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario