



## Regular Council Meeting Agenda

August 12, 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](mailto: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 August 12, 2024**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the published agenda for the August 12, 2024 Regular Council Meeting be adopted as presented / amended.

**7. Adoption of Minutes**

**7.1 Regular Council Meeting Minutes for July 15, 2024**

1

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the minutes of the Regular Council Meeting held July 15, 2024 be adopted as circulated.

**7.2 Special Council Meeting Minutes for May 21, 2024**

12

RE: Amendments respecting Housing Regulations

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the minutes of the Special Council Meeting held May 21, 2024 be adopted as circulated.

**7.3 Special Council Meeting Minutes for June 10, 2024**

16

RE: Committee of the Whole

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the minutes of the Special Council Meeting held June 10, 2024 be adopted as circulated.

**7.4 Special Council Meeting Minutes for June 17, 2024** 19

RE: Water and Wastewater Study

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the minutes of the Special Council Meeting held June 17, 2024 be adopted as circulated.

**8. Public Presentations**

**8.1 Carmen White** 22

RE: Domestic Chickens

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the delegation by Carmen White regarding domestic chickens be received.

**8.1.1 Correspondence from Lorraine Geelen** 27

RE: Domestic Chickens

**9. Unfinished Business**

**10. Reports from Administration**

**10.1 Building and By-law Enforcement-2024-04** 28

RE: Bi-Annual By-Law Enforcement Report

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Building and By-Law Enforcement Report-2024-04 entitled Bi-Annual By-Law Enforcement Report prepared by Mike Diemer, By-Law/Property Standards Officer dated August 12, 2024, be received for information.

**10.2 Community Services-2024-32** 34

RE: Revised Lease Agreement with Chittle Sports Academy at the Essex Centre Sports Complex

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Community Services Report-2024-32 entitled Revised Lease Agreement with Chittle Sports Academy at the Essex Centre Sports Complex prepared by Jake Morassut, Director, Community Services dated August 12, 2024, be received; and

**That** By-Law 2340, being a lease for workout space at the Essex Centre Sports Complex with Pat Chittle, operating as Chittle Sports Academy, to operate within the Libro Rink Hallway be read a first, a second and a third time and finally passed on August 12, 2024.

10.2.1 By-Law 2340 41

10.2.2 Delegation - Kris Wojnarowki, Essex 73's Junior Hockey 50

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the delegation by Kris Wojnarowki, Essex 73's Junior Hockey regarding the Lease Agreement with Chittle Sports Academy be received.

**10.3 Planning-2024-21** 55

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

Recommended Actions:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Planning Report-2024-21 entitled Heritage Designation for Various Properties within the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated August 12, 2024, be received.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law Number 2354, being a By-Law to designate the property municipally known as 49 Talbot Street South (Essex United Church in Essex Centre) under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, be read a first and a second time and be provisionally adopted on August 12, 2024.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law Number 2358, being a By-Law to designate the property municipally known as 103 King Street West (John McIntyre's Harness Shop in Harrow) under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, be read a first and a second time and be provisionally adopted on August 12, 2024.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the following By-Laws, being By-Laws to designate certain properties within the Town of Essex under Part IV of the Ontario Heritage Act as properties of cultural heritage value or interest, be read a first, second and third time and finally passed on August 12, 2024:

1. **By-Law Number 2350**, being a By-Law to designate the property municipally known as 190 Bagot Street (Christ Church in Colchester)
2. **By-Law Number 2351**, being a By-Law to designate the property municipally known as 0 Sullivan Street (Christ Church Cemetery in Colchester)
3. **By-Law Number 2352**, being a By-Law to designate the property municipally known as 179 County Road 50 (John Snider House)
4. **By-Law Number 2353**, being a By-Law to designate the property

municipally known as 120 Talbot Street North (Grace Baptist Church in Essex)

5. **By-Law Number 2355**, being a By-Law to designate the property municipally known as 54 Talbot Street South (Dr. Robert B. Potts House in Essex Centre)
6. **By-Law Number 2356**, being a By-Law to designate the property municipally known as 138 Albert Street (Charles Roberts House in Essex Centre)
7. **By-Law Number 2357**, being a By-Law to designate the property municipally known as 0 County Road 12 (African Methodist Episcopal/New Canaan Cemetery)
8. **By-Law Number 2359**, being a By-Law to designate the property municipally known as 4005 County Road 11 (Central Grove African Methodist Episcopal Church)
9. **By-Law Number 2360**, being a By-Law to designate the property municipally known as 11 King Street West (E.F. Darby's Drugstore in Harrow)
10. **By-Law Number 2361**, being a By-Law to designate the property municipally known as 3 King Street west (John McAfee's General Store in Harrow)
11. **By-Law Number 2362**, being a By-Law to designate the property municipally known as 44 King Street East (Former Harrow Municipal Building)

#### 10.4 Planning-2024-20

135

RE: Request for Notice of Intention to Designate for Various Properties within the Town of Essex

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Planning Report-2024-20 entitled Request for Notice of Intention to Designate for Various Properties within the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated August 12, 2024 be received; and

**That** Council authorize the 'Notice of Intention to Designate' in accordance with Section 29 of the Ontario Heritage Act for the properties municipally known as:

1. 400 County Road 13 (Klie Farm)
2. 18 Talbot Street North (Imperial Bank of Canada)
3. 94 Talbot Street South (Arthur Raines House)
4. 98 Talbot Street South (Essex United Church Manse)
5. 102 Talbot Street South (Victorian House)
6. 21 King Street East (Robert Heaton Building)
7. 22 King Street West (I.O.O.F. Building)
8. 314 Queen Street (Station Master's House)
9. 0 County Road 11 (Gilgal Cemetery)

- 10.5 Drainage-2024-06** 202
- RE: Appointment of an Engineer under Section 78 and 76 of the Drainage Act to review the 4th Concession Road Drain South Side
- Recommended Action:
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Drainage Report-2024-06 entitled Appointment of an Engineer under Section 78 and 76 of the Drainage Act to review the 4th Concession Road Drain South Side prepared by Lindsay Dean, Drainage Superintendent dated August 12, 2024, be received; and
- That** Council appoint R. Dobbin Engineering Inc. under Section 78 and 76 of the Drainage Act to review the 4<sup>th</sup> Concession Road Drain South Side.
- 10.6 Environmental Services-2024-04** 207
- RE: Harrow-Colchester Water Supply Model Results
- Recommended Action:
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Environmental Services Report-2024-04 entitled, Harrow-Colchester South Water Supply System Model Results prepared by Rob Mackie, Manager, Environmental Services August 12, 2024, be received for information.
- 10.7 Environmental Services-2024-05** 257
- RE: Lakeshore-Essex Fringe Sanitary Servicing Study
- Recommended Action:
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Environmental Services Report-2024-05 entitled, Lakeshore-Essex Fringe Sanitary Servicing Study prepared by Kevin Girard, Director, Infrastructure Services dated August 12, 2024 be received; and
- That** Council appoint Stantec Consulting Ltd. to provide engineering services to complete the feasibility study to service the Essex Fringe area of the Municipality of Lakeshore with wastewater servicing in accordance with the completed request under Section 22 of the Town of Essex Procurement By-Law 2129 for a total cost of \$27,500 including non-refundable HST, to be paid for fully by the Municipality of Lakeshore.
- 10.8 Capital Works and Asset Management-2024-10** 265
- RE: Trees in Developments and Tree Request Policy
- Recommended Action:
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Capital Works and Asset Management Report-2024-10 entitled Trees in Developments and Tree Request Policy prepared by David McBeth, Manager, Capital Work and Asset Management dated August 12, 2024 be received; and

**That** Council approve the following changes effective immediately, to the Development Standards Manual regarding trees in new developments, which will be updated in the next iteration of the manual:

- Change the requirement from 1 tree per lot to trees being planted every 12m along each side of the right of way.
- Add that the Town of Essex will take over the responsibility for planting the trees in new developments.
- Add that the developers are to pay (by cash or cheque) for the number of trees required by the annual average tree price rounded to the nearest \$25, including non-refundable Harmonized Sales Tax (\$1,050 per tree in 2024) to the Town of Essex at the time of submission of development securities.

**That** Council direct Administration to create a Tree Planting Request Policy for residents looking for a tree to be planted in front of their property in the Town's right-of-way.

**10.9 Capital Works and Asset Management-2024-11**

274

RE: Asset Management Policy

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Capital Works and Asset Management Report-2024-11 entitled, Asset Management Policy by Erica Tilley, Assistant Manager, Capital Work and Asset Management dated August 12, 2024 be received; and

**That** Council adopt the policy attached hereto titled, Asset Management Policy.

**10.10 Recreation and Culture-2024-03**

287

RE: Reallocation of Mural Funds

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Recreation and Culture Report-2024-08-03 entitled Reallocation of Mural Funds prepared by Cynthia Cakebread dated August 12, 2024, be received;

**That** Council approve the reallocation of unused mural project funds from CS-22-0058 in the amount of \$7,622.00 and CS-23-0035 in the amount of \$10,000.00 to instead be used for the rehabilitation of the Liberation Mural located at 103 Talbot St. N (attached to The Royal Canadian Legion Branch 201); and

**That** any remaining unused funds be reallocated to CS-24-0002 Art Installation by December 2024.

**10.11 Community Services-2024-30**

291

RE: Co-An Park Master Plan

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Community Services Report-2024-30 entitled Co-An Park Master Plan, prepared by Jake Morassut, Director, Community Services, dated August 12, 2024, be received;

**That** Council approve the Master Plan for Co-An Park, as presented; and

**That** Council direct Administration to update and negotiate the agreements that govern the operational use, capital investment, service delivery and programming of Co-An Park with the Town of Amherstburg, including any sub agreements required with the Essex County Steam and Gas Museum and the Co-An Park Board.

**10.12 Community Services-2024-31**

299

RE: Arena Canteen Lease Agreement

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Community Services Report-2024-31 entitled Arena Canteen Lease Agreement prepared by Jake Morassut, Director, Community Services dated August 12, 2024, be received;

**That** the Council approve entering into a lease agreement with M&M Concessions for leased space at 243 McAfee Street in Harrow and 60 Fairview Avenue West in Essex Centre for a three-year term, commencing September 1, 2024, subject to the general terms and conditions as outlined in By-Law 2363; and

**That** By-Law 2363 be read a first, a second and a third time and finally passed on August 12, 2024.

10.12.1 By-Law 2363

304

**10.13 Community Services-2024-33**

316

RE: Special Events Resource Team (SERT) – August 2024 Update

Recommended Action:

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Community Services Report-2024-27 entitled Special Event Resources Team (SERT) – August 2024 Update prepared by Jake Morassut, Director, Community Services, dated August 12, 2024, be received for information.

**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	The Corporation of the Township of Terrace Bay  RE: Sustainable Funding for Ontario Provincial Police Small Rural Municipalities	322
13.1.2	Town of Bradford West Gwillimbury  RE: Ontario Long Service Medals	324
13.1.3	City of Toronto  RE: Requesting the Province to Support Family Physicians	326
13.1.4	The Town Of Plympton-Wyoming  RE: Underserviced Cellular Communication Services in Rural and Urban Centres	329
13.1.5	Ministry of Citizenship and Multiculturalism  RE: Ontario Heritage Act (OHA) as part of Bill 23, More Homes Built Faster Act 2022.	331
13.1.6	Ministry of Infrastructure  RE: Update on the Community Project Application submitted under the Housing-Enabling Water Systems Fund (HEWSF)	333

**13.2 Correspondence to be considered for receipt and support**

13.2.1	Affordable Housing Task Force  RE: Appointment of Affordable Housing Task Force Member  Moved by _____ Seconded by _____ <b>That</b> the application by Christopher Carpenter to be appointed to the Affordable Housing Task Force be received or received and supported.	335
--------	---	-----

**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	<b>Committee of Adjustment - June 18, 2024</b>	341
14.2	<b>Essex Centre Business Improvement Area - June 19, 2024</b>	348
14.3	<b>Essex Municipal Heritage Committee - June 27, 2024</b>	356

**15. Financial**

**16. New Business**

**17. Notices of Motion**

**17.1 The following Notices of Motion were presented at the July 15, 2024 Regular**



**Council Meeting and are being brought forward this evening for Council's consideration:**

17.1.1 Councillor Allard

Moved by Councillor Allard

Seconded by \_\_\_\_\_

**That** Council direct Administration to include funding under the Essex Centre and Harrow Community Improvement Plan in the 2025 Budget for Accessible Entrances for Council's deliberation.

17.1.2 Mayor Bondy

Moved by Mayor Bondy

Seconded by \_\_\_\_\_

**Whereas** the Town is receiving a number of complaints from the Public regarding damaged Bell pedestals and their unsightly appearance and risk to public safety;

**Whereas** the Town has permitted the occupancy of such infrastructure to Bell within the Town to services its residents; and

**Whereas** the unsightly condition of this infrastructure does not fit the aesthetic and care afforded to the residents of Essex by the Town.

**Be it Resolved that,** Council direct administration to send a letter regarding the damaged pedestal boxes that requests the immediate attention to Bell's infrastructure to address these concerns of safety and aesthetics within the Town of Essex.

17.1.3 Councillor Verbeek

Moved by Councillor Verbeek

Seconded by \_\_\_\_\_

**That** in light of events locally and around the region, Council supports Bill 173, Intimate Partner Violence Epidemic Act, and urges the Province to immediately pass Bill 173 and declare at the provincial level that Intimate Partner Violence is an epidemic.

**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 2331

360

RE: Being a by-law to provide for Little Drain and Extension: Replacement Bridge for Thompson (2380 County Road 20 West), Geographic Township of Colchester South, Project REI2023D016

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2331 being a by-law to provide for Little Drain and Extension: Replacement Bridge for Thompson (2380 County Road 20 West), Geographic Township of Colchester South, Project REI2023D016 be read a third time and finally passed on August 12, 2024.

RE: Being a by-law to confirm the proceedings of the July 15, 2024, Regular Meeting of Council of the Corporation of the Town of Essex

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2347 being a by-law to confirm the proceedings of the July 15, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a third time and finally passed on August 12, 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 2349

RE: Being a by-law to confirm the proceedings of the August 12, 2024, Regular Meeting of Council of the Corporation of the Town of Essex

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That By-Law 2349 being a by-law** to confirm the proceedings of the August 12, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a first, a second time and provisionally adopted on August 12, 2024.

## 20. Adjournment

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the meeting be adjourned at [TIME].

## 21. Future Meetings

### 21.1 Tuesday, September 3, 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>

### 21.2 Monday, September 16, 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>