

#### **Essex County Council Regular Meeting Agenda**

Date: Wednesday, September 7, 2022

Time: 7:00 PM

Location: Council Chambers, 2nd Floor

360 Fairview Avenue West Essex, Ontario N8M 1Y6

https://video.isilive.ca/countyofessex/live.html

Accessible formats or communication supports are available upon request. Contact Clerk's Office, clerks@countyofessex.ca, 519-776-6441 extension 1335

Pages

#### 1. Closed Meeting

There is no Closed Meeting scheduled for September 7, 2022

- 2. Moment of Reflection
- 3. Singing of 'O Canada'

#### 4. Land Acknowledgement Statement

We begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, Odawa and Potawatomie Peoples.

To recognize the land is an expression of gratitude to those whose territory you reside on, and a way of honouring the Indigenous people who have been living and working on the land from time immemorial.

We value the significant historical and contemporary contributions of local and regional First Nations and all the Original Peoples of Turtle Island.

- 5. Recording of Attendance
- 6. County Warden's Welcome and Remarks
- 7. Disclosure of Pecuniary Interest

# 8. Adoption of Regular Meeting Minutes

Minutes of the August 10, 2022 Regular Meeting of Essex County Council.

	Recommendation:  Moved by  Seconded by  That the minutes of the August 10, 2022 Regular Meeting of Essex  County Council be adopted as presented.		
9.	9. Delegations and Presentations		
	Recommendation:  Moved by  Seconded by  That the delegation from the Essex Region Conservation Authority be permitted to address County Council.		
	9.1.	James B Essex R County	egion Conservation Authority Bryant, Director, Watershed Management Services, egion Conservation Authority to make a presentation to Council regarding the Flood Hazard Identification and g Program (FHIMP) project funding.
10.	). Communications		
10.1. Correspondence			
	Recommendation:  Moved by  Seconded by  That the correspondence listed on the Regular Agenda for September 7, 2022, be received and any noted action approved.		
	:	10.1.1.	Pathway to Potential  August 2022 - Monthly Newsletter Update
	:	10.1.2.	Windsor-Essex Regional Chamber of Commerce August 16, 2022 - Border Chambers of Commerce ask government to Scrap the App
	:	10.1.3.	Iris Residential Inns and Services  August 10, 2022 Letter RF Request for increase in

22

funding

10.1.4.	The Hospice of Windsor and Essex County Inc.  August 15, 2022 - Media Release - Hospice Launches  20th Annual Face To Face Campaign, and Announces  New Program in Partnership With Essex-Windsor EMS		
10.1.5.	City of Kingston Resolution RE Provincial Government to release Landlord and Tenant Board Information		
10.1.6.	Town of Hanover Resolution RE Physician Shortage in Ontario by South Bruce Peninsula Council		
10.1.7.	Town of South Bruce Peninsula  Resolution RE Firefighter Certification Concerns		
10.1.8.	Northumberland County  Resolution RE Private Members Bull C-233 Keira's Law		
10.1.9.	Northumberland County  Resolution RE Former Mohawk Institute Residential School Document Release		
10.1.10.	Northumberland County Resolution RE Expanding Amber Alert System		
10.1.11.	City of Owen Sound Resolution RE Changes to the Amber Alert System		
10.1.12.	Town of Wasaga Beach Resolution RE Strong Mayors Building Homes Act		
10.1.13.	Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)  A. August 11, 2022 - Policy Blog RE Government Introduces Strong Mayors Legislation  B. September 1, 2022 - Advocacy Update RE Standing Up for Municipal professionals at Standing Committee on Bill 3: Strong Mayors, Building Homes Act		

10.1.14.	Ontario Human Rights Commission  August 18, 2022 - <u>HRTO Finds discrimination in OPP</u> <u>DNA sweep of migrant workers</u>	
10.1.15.	Ontario Premier's Office  August 18, 2022 - News Release - Premier Ford reappoints Secretary of the Cabinet Michelle  DiEmanuele's leadership will remain critical as government implements plan to build Ontario	
10.1.16.	Ontario Ministry of Municipal Affairs and Housing  August 17, 2022 - News Release - Working with  Municipalities to Move Ontario Forward, Province  announces funding at 2022 AMO conference to support  critical public services	
10.1.17.	Ontario Ministry of Municipal Affairs and Housing August 16, 2022 - Speech, Minister Steve Clark's Speech at the 2022 Association of Municipalities of Ontario Conference	
10.1.18.	Ontario Ministry of Municipal Affairs and Housing August 9, 2022 - Media Advisory - Minister Clark to Introduce Legislation to Help Municipalities Build More Homes	
10.1.19.	Association of Municipalities of Ontario (AMO) July 29, 2022 Letter RE Circular Economy Initiatives in the Made-in-Ontario Environment Plan	58
10.1.20.	Association of Municipalities of Ontario (AMO) August 8, 2022 - AMO's 2021 Annual Report	
10.1.21.	Association of Municipalities of Ontario (AMO)  August 9, 2022 - AMO Policy Update – Throne Speech  and Budget	
10.1.22.	Association of Municipalities of Ontario (AMO)  August 10, 2022 - AMO Policy Update - Strong  Mayors, Building Homes Act	

- **10.1.23.** Association of Municipalities of Ontario (AMO) August 11, 2022 AMO Watchfile Online
- **10.1.24.** Association of Municipalities of Ontario (AMO)

  August 18, 2022 AMO Watchfile Online
- **10.1.25.** Association of Municipalities of Ontario (AMO) August 25, 2022 AMO Watchfile Online
- 10.1.26. Association of Municipalities of Ontario (AMO)

  August 19, 2022 AMO Policy Update Provincial

  Health News from a Municipal Lens, Canada Child Care

  Plan Update, Flood Hazard Identification and Mapping

  Program
- 10.1.27. Association of Municipalities of Ontario (AMO)

  August 29, 2022 AMO Policy Update Standing
  Committee on Bill 3, Strengthening Public Health,
  Increasing and Preserving Purpose-Built Rental
  Housing Strategy
- 10.1.28. Association of Municipalities of Ontario (AMO)
  September 1, 2022 AMO Watchfile Online

#### 10.2. Resolutions

There are no resolutions for Council's consideration for September 7, 2022.

# 11. Consent Agenda

Recommendation:
Moved by
Seconded by
That the recommendations in the Administrative Report listed as item
11.1, on the Consent Agenda for September 7, 2022, be approved
and further that the information item listed as item 11.2 on the said
Consent Agenda be received.

11.1. Approval of Invoices - Legal/Consulting Services

Report number 2022-0907-LCS-R019-DS, Approval of Invoices
- Legal/Consulting Services, dated September 7, 2022 from
David Sundin, County Solicitor

	11.2.	Housing and Homelessness Advisory Committee (HHAC) Minutes of the June 21, 2022 Housing and Homelessness Advisory Committee meeting, Warden Gary McNamara, committee member.	69
12.	Repor	ts and Questions	
	12.1.	Essex-Windsor Solid Waste Authority (EWSWA)  Minutes of the EWSWA Meeting for July 5, 2022, Mayor Aldo DiCarlo, Vice Chair	81
		Recommendation:  Moved by  Seconded by  That the minutes for the July 5, 2022 Essex-Windsor Solid Waste Authority meeting be received.	
	12.2.	Financial Projected Results of Operations 2022 Report number 2022-0907-FIN-R13-SZ, Financial Projected Results of Operations 2022, dated September 7, 2022 from Sandra Zwiers, Director, Financial Services/Treasurer	96
		Recommendation:  Moved by  Seconded by  That Essex County Council receives the Projected Results of Operations 2022 for information.	
	12.3.	Request from the Town of Tecumseh to Initiate an OPA to Incorporate revised CIP Policies  Report number 2022-0907-IPS-R02-RB, Request from the Town of Tecumseh to Initiate an OPA to Incorporate revised CIP Policies, dated September 7, 2022, from Rebecca Belanger, Manager, Planning Services	101

		Moved by Seconded by	
		That County Council direct the Manager of Planning Services to initiate the planning process to undertake an Official Plan Amendment to modify the County's Official Plan regarding Community Improvement Plans and report back with further recommendations.	
	12.4.	County Road 42 and County Road 43 – Phase 1 Report Number 2022-0907-ISD-R21-AB, County Road 42 and County Road 43 – Phase 1, dated September 7, 2022 from Allan Botham, Director, Infrastructure and Planning Services	108
		Recommendation:  Moved by	
		Seconded by That Essex County Council receive report 2022-0907-ISD-R21-AB, County Road 42 and County Road 43 – Phase 1, as information, and as background to support the probable action, and decision to exercise the CAO's delegated authority under By-law 2022-25 to 'authorize unbudgeted expenditures or liabilities of the County of Essex exceeding \$50,000' and to proceed with limited tendering and to enter into a contract if favourable to do so, to complete Phase 1 of the County Road 42 and County Road 43 project.	
13.	Unfini	shed Business	
	13.1.	County of Essex  August 19, 2022 - Letter RE County of Essex AMO Delegation – Code Black - Solving the EMS Offload Delay Crisis	115
	13.2.	County of Essex  August 19, 2022 - Letter RE County of Essex AMO Delegation – Level the Field – Residents Are Paying for Greenhouse Growth	117
14.	New E	Business	
	14.1.	Public Reporting of Closed Meeting (Held August 10, 2022)	

#### 15. Adoption of By-Laws

# Recommendation: Moved by \_\_\_\_\_ Seconded by That By-laws 2022-27 and 2022-28, having been read a first, second and third time, be finally passed and enacted. 120 15.1. By-Law Number 2022-27 Being a by-law to adopt Official Plan Amendment Number 2 to the County of Essex Official Plan 130 15.2. By-law Number 2022-28 Being a by-law to confirm the proceedings of the Council of the Corporation of the County of Essex for September 7, 2022. **Notice of Motion**

16.



# **Essex County Council Regular Meeting Minutes**

Wednesday, August 10, 2022
7:00 PM
Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6
https://video.isilive.ca/countyofessex/live.html

Gary McNamara, Warden, Mayor, Town of Tecumseh

Joe Bachetti, Deputy Mayor, Town of Tecumseh

Tracey Bailey, Deputy Mayor, Municipality of Lakeshore

Tom Bain, Mayor, Municipality of Lakeshore Steve Bjorkman, Deputy Mayor, Town of Essex

Marc Bondy, Mayor, Town of LaSalle

Mark Carrick, Alternate Member, Town of LaSalle

Aldo DiCarlo, Mayor, Town of Amherstburg

Tony Gaffan, Alternate Member, Town of Kingsville Hilda MacDonald, Mayor, Municipality of Leamington

Richard Meloche, Mayor, Town of Essex

Michael Prue, Alternate Member, Town of Amherstburg

Gord Queen, Deputy Mayor, Town of Kingsville

Larry Verbeke, Deputy Mayor, Municipality of Leamington

Absent: Crystal Meloche, Deputy Mayor, Town of LaSalle

Leo Meloche, Deputy Mayor, Town of Amherstburg

Administration: Mike Galloway, Chief Administrative Officer

Mary Birch, Director, Legislative and Community Services/Clerk

Allan Botham, Director, Infrastructure & Planning Services Jeanie Diamond Francis, Manager, Community Services

Katherine Hebert, Deputy Clerk

Don McArthur, Manager, Communication and Organizational

Development

David Sundin, County Solicitor

Crystal Sylvestre, Administrative Assistant, Legislative and

**Community Services** 

# 1. Closed Meeting

Council:

178-2022 Moved By Larry Verbeke Seconded By Tom Bain

That Essex County Council move into a closed meeting following the regular session of Council on August 10, 2022.

Carried

#### 2. Moment of Reflection

#### 3. Singing of 'O Canada'

#### 4. Land Acknowledgement Statement

We begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, Odawa and Potawatomie Peoples.

To recognize the land is an expression of gratitude to those whose territory you reside on, and a way of honouring the Indigenous people who have been living and working on the land from time immemorial.

We value the significant historical and contemporary contributions of local and regional First Nations and all the Original Peoples of Turtle Island.

# 5. Recording of Attendance

Warden McNamara and members of Council attended the meeting at the Essex County Civic Centre, Council Chambers.

Leo Meloche and Crystal Meloche were absent.

Mark Carrick attended as the alternate member for the Town of LaSalle.

Michael Prue attended as the alternate member for the Town of Amherstburg.

Tony Gaffan attended as the alternate member for the Town of Kingsville.

(Nelson Santos – resigned as Mayor of Kingsville July 17, 2022)

# 6. County Warden's Welcome and Remarks

Warden McNamara welcomed the members of County Council, Administration and members of the public and delivered the following greeting:

"Welcome to everyone who is joining us virtually this evening. We are fortunate to have technology at our fingertips that makes it easy and

convenient for residents to attend meetings, as well as stay informed and participate in local government.

The County of Essex marked its 230th birthday last month. Over its history, the engagement of residents with their local governments has been critical in shaping the county we live in today. We want your continued participation. In a couple of months, you will be voting for the mayors, council members and school trustees who will represent you for the next four years.

The deadline for candidates to file their nomination papers is Friday, August 19, at 2 p.m. We want to see a wide diversity of passionate candidates with a commitment to serving their communities.

If you are one of those people, we encourage you to step forward. If you know one of those people, encourage them to step forward.

It is easy to be cynical, but I know that the folks who sit around this table and around council tables across Essex County make a big difference in the lives of local residents. They are the ones who take your calls about potholes and flooded basements. They are the ones who show up at community events and celebrations, where you can tap them on the shoulder for a chat.

Local government officials are the ones you deal with most, and they are ones who know you the best. Let's make sure we have an exceptional slate of candidates vying for local office in the October 24 municipal election. During four years in office, they can have a huge impact.

Next week, many of us who are current members of municipal councils will be gathering in Ottawa for the Association of Municipalities of Ontario annual conference. There we will discuss strategies for creating more affordable housing and reducing homelessness. We will share information and get insights from experts about addressing the climate crisis and reducing the amount of waste going into landfills.

It is also our opportunity to meet face-to-face with provincial ministers and officials to make sure they are aware of the issues that matter most to the residents of Essex County.

Through your municipal representatives, your voices are heard at many levels, so get informed and get involved in the upcoming municipal election. Your voice matters."

# 7. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest raised.

#### 8. Adoption of Regular Meeting Minutes

Minutes of the July 20, 2022 Regular Meeting of Essex County Council.

179-2022 Moved By Gord Queen Seconded By Hilda MacDonald

That the minutes of the July 20, 2022 Regular Meeting of Essex County Council be adopted as presented.

Carried

# 9. Delegations and Presentations

180-2022 Moved By Marc Bondy Seconded By Joe Bachetti

That the delegation regarding the Housing and Homelessness Advisory Committee Annual Report be permitted to address County Council.

Carried

# 9.1. City of Windsor - Housing and Homelessness Advisory Committee

Debbie Cercone, Interim Commissioner of Human and Health Services, Kirk Whittal, Executive Director of Housing and Children's Services, Jen Tanner, Manager of Homelessness and Housing Support, Mike Deimling, Social Housing Analyst and Kelly Goz, Coordinator, Housing Administration and Development to present the 2021 Housing and Homelessness Advisory Committee (HHAC) Annual Report.

# Refer to Reports and Questions item 12.1.

Jen Tanner provided Council with an overview of the 2021 Housing and Homelessness Annual Report. She highlighting the following points:

- The Canada Ontario Housing Benefit was implemented in Windsor-Essex in July 2021. Under this program, 267 households were assisted and of them 15 percent were County residents.
- The Housing and Homelessness Advisory Committee (HHAC) was working on a rent supplement mitigation strategy to seek

out sources of funding to lessen the impact to individuals whose supports had expired or were expiring.

- Legislative changes required updates to the rent geared to income calculations effective July 2021.
- As required by the Federal and Provincial government, the HHAC conducted point in time count of people experiencing homelessness in March 2021. The data collected from this count remained fairly consistent from previous years; this data was used in conjunction with other information to guide decisions related to housing and homelessness.
- The Homeless Individuals and Families Information System (HIFIS) was developed to record information pertaining to people experiencing homelessness. This database collects pertinent information used to connect people with timely support suited to their needs. Emergency shelters and a number of other regional providers were currently using the HIFIS program and it was expressed that the goal was to enroll all of the agencies that support the bi-names process for the region.
- Capital funding provided to the region had provided 99 new supportive housing units. The discussion included a breakdown of the new housing stock being 78 units in the City and 12 in the County.

Warden McNamara requested clarification on how decisions would be made regarding the allocation of \$3.521M that was received for the region for the years 2023-24. Kelly Goz explained the functions of the Community Advisory Board (CAB) as the designated community entity in place to ensure practice aligns with legislation and direction from the regional governments, including the 10-year Master Plan.

Ms. Goz provided information regarding various funding streams, noting that the Provincial government has continued to realign funding to be consistent with the Federal contribution towards homelessness prevention with a housing first approach. Discussions included the CAB's obligation to ensure that the legislated requirement to match funding provided from other levels of government was adhered to. Funding shortfalls versus regional need were discussed along with the necessity for a regional strategy that better addresses the need of the residents of both the City and the County.

The Warden urged City administration to incorporate the County of Essex and local tier staff in discussions to forge a more cooperative program that would be prepared to meet short timelines for funding opportunities and provide solutions to residents of the region in a more wholesome manner.

The accuracy of data that was collected regarding people experiencing homelessness in the County in the point-in-time count was questioned. It was suggested to the City that they engage local tier municipal offices, such as the planning departments, to gain more accurate information regarding the state of homelessness in County municipalities.

#### 10. Communications

#### 10.1. Correspondence

182-2022 Moved By Tracey Bailey Seconded By Aldo DiCarlo

That the correspondence listed on the Regular Agenda for August 10, 2022, be received and any noted action approved.

Carried

# **10.1.1** Windsor Essex Community Housing Corporation

July 26, 2022 - WECHC Board of Directors Names New CEO, Cynthia Summers

# **10.1.2** Windsor-Essex Regional Chamber of Commerce

July 19, 2022 - WERCC Chamber News

# **10.1.3** Windsor-Essex Regional Chamber of Commerce

August 5, 2022 - <u>Chamber News Update</u>

# 10.1.4 Great Lakes and St. Lawrence Cities Initiative (GLSLCI)

July - Making Waves Newsletter

#### 10.1.5 Invest Windsor-Essex

Highlights of the 2022 Second Quarter Activities

#### **10.1.6** Ontario Sheep Farmers

July 2022 - Livestock Guardian Dogs and Herding Dogs, proposed changes to description

#### 10.1.7 Pathway to Potential

Monthly Newsletter - July 2022 Updates

#### 10.1.8 St. Clair College Foundation

July 28, 2022 -Correspondence thanking Essex County Council for their investment and education and providing the Foundation Annual Endowment Report.

#### 10.1.9 Town of Essex

Resolution RE Endorsement of Active School Travel Charter

#### 10.1.10 Town of Aurora

Resolution RE Private Member's Bill C-233, <u>An Act to Amend</u> the Criminal Code of Canada (Sex-selective Abortion - Keira's Law)

#### 10.1.11 Township of Bonfield

Resolution RE Amber Alert System

#### 10.1.12 City of Brantford

July 29, 2022 - AMO Letter, resolution related to Potential Threat to Residential Home Ownership

#### 10.1.13 City of Brantford

Resolution RE Prosperity Partnership with Indigenous Nations and a Timely Resolution of Haldimand Tract Land Dispute

## 10.1.14 Municipality of Huron Shores

Resolution RE Increase the Administration Fee on Wildlife Claims

#### 10.1.15 Town of Mattawa

Resolution RE Amber Alert System - Draven Alert

# 10.1.16 Township of North Dumfries

Resolution RE Ontario Must Build it Right the First Time

#### 10.1.17 Municipality of Port Hope

Resolution RE Changes to Amber Alert System

#### 10.1.18 Municipality of Port Hope

Resolution RE Bill 109, More Homes for Everyone Act, 2022

#### 10.1.19 Township of Puslinch

Resolution RE Summary and Implications of <u>Provincial Bill</u> 109, the More Homes for Everyone Act 2022

#### 10.1.20 Town of Aylmer

Resolution RE Warming and Cooling Centre Policy - Appeal for Financial Support from Provincial and Federal Government

#### **10.1.21** Ontario Ministry of Education

July 25, 2022 - News Release - <u>Ontario Launches its Plan to Catch Up, Plan Starts with Students Back in Classrooms, On Time</u>

#### 10.1.22 Ontario Ministry of Health

July 21, 2022 - News Release - <u>COVID-19 Vaccine Bookings</u> to Open For Children Aged Six Months to Under Five Years, <u>COVID-19 Paid Sick Days Extended to March 31, 2023</u>

### **10.1.23** Ontario Ministry of Health

July 13, 2022 - News Release - <u>Ontarians Aged 18+ Eligible</u> for Second Booster Shot, Free rapid antigen tests extended to <u>December 31, 2022, including for general public</u>

# **10.1.24** Ontario Ministry of Health

August 3, 2022 - <u>News Release - Ontario Introduces French</u> <u>Accents on Health Cards</u>

# 10.1.25 Ontario Ministry of Municipal Affairs and Housing

July 26, 2022 - News Release - <u>Ontario Providing More</u> <u>Supportive Housing in Windsor, Province investing \$1.8</u> <u>million to building housing units for vulnerable populations</u>

# 10.1.26 Ontario Ministry of Municipal Affairs and Housing

August 2, 2022 - News Release - <u>Canada and Ontario support</u> <u>housing for vulnerable youth in Windsor</u>

#### 10.1.27 Ontario Ministry of Municipal Affairs and Housing

July 26, 2022 - News Release - <u>Ontario Creates Supportive</u> <u>Housing in Windsor, Province investing over \$3 million to</u> <u>support vulnerable populations at risk or experiencing</u> homelessness

#### **10.1.28** Ontario Ministry of Agriculture, Food and Rural Affairs

July 28, 2022 - News Release - <u>Canada and Ontario Taking</u> Further Action to Grow and Sustain the Agri-Food Workforce, Governments addressing agri-food labour challenges to <u>strengthen food security and supply chains</u>

#### 10.1.29 Ontario Premier's Office

August 3, 2022 - News Release - Ontario Training More
Workers for In Demand Careers in Auto Manufacturing
Free Program Will Help 500 People Start Better Jobs and Earn
Bigger Paycheques

#### 10.1.30 Association of Municipalities of Ontario (AMO)

July 28, 2022 - AMO Watchfile Online

#### 10.1.31 Association of Municipalities of Ontario (AMO)

August 3, 2022 - AMO Policy Update - Mental Health and Addictions Submission and Automated Camera-Based Enforcement Guidance Released

# 10.1.32 Association of Municipalities of Ontario (AMO)

August 4, 2022 - AMO Watchfile Online

# 10.1.33 Association of Municipalities of Ontario (AMO)

August 4, 2022 - <u>AMO Policy Update - High-Speed Internet</u> Access Announcement

#### 10.2 Resolutions

There were no resolutions for the consideration of Council for August 10, 2022.

#### 11. Consent Agenda

183-2022 Moved By Marc Bondy Seconded By Tom Bain

That the recommendations in the Administrative Reports listed as item(s) 11.1, on the Consent Agenda for August 10, 2022, be approved.

Carried

#### 11.1. Approval of Invoices - Legal and Consulting Services

Report number 2022-0810-LCS-R19-DS, Approval of Invoices, Legal and Consulting Services, dated August 10, 2022, from David Sundin, County Solicitor

### 12. Reports and Questions

#### 12.1. Housing and Homelessness Initiatives Update

Report number 2022-0810-LCS-R17-MB, Housing and Homelessness Initiatives Update, dated August 10, 2022, from Mary Birch, Director, Legislative and Community Services/Clerk

181-2022 Moved By Mark Carrick Seconded By Richard Meloche

That Essex County Council receive Report #2022-0810-LCS-R018-MB regarding Housing and Homelessness Initiatives Updates, for information.

Carried

# 12.2. Vacancies Created by Resignation of Kingsville Mayor

Report number 2022-0810-LCS-R20-MB, Vacancies Created by Resignation of Kingsville Mayor, dated August 10, 2022, from Mary Birch, Director, Legislative and Community Services/Clerk

Mary Birch provided the report to Council outlining the positions vacated by the resignation of Kingsville Mayor, Nelson Santos. Ms. Birch noted that the Town of Kingsville had resolved on August 8, 2022 that Deputy Mayor Gord Queen would attend County Council meetings as acting Mayor and Tony Gaffan would attend as the alternate member representing the Town.

Ms. Birch explained that due to the forthcoming municipal election the seats left vacant would be assigned as follows for the remainder of this term of Council:

- If it were necessary for someone to fill in for the Warden, a member of County Council would be selected to be Presiding Officer for the meeting.
- The Tourism Windsor-Essex Pelee Island (TWEPI) board seat will remain vacant.
- The County of Essex Striking Committee seat will remain vacant.

The Essex County Library Board requires balanced representation throughout the term from each municipality; therefore as the representative for Kingsville, Gord Queen will assume the position on the Essex County Library Board for the remainder of the term.

184-2022 Moved By Marc Bondy Seconded By Tom Bain

That Essex County Council appoint Deputy Mayor Gord Queen to the Essex County Library Board for the balance of this term of Council; and further that the vacant position of Deputy Warden, vacant County position on TWEPI, and vacant position on the Essex County Striking Committee remain vacant for the balance of the term of Council.

**Carried** 

# 12.3. Restricted Acts of Council - Election Cycle 2022

Report number 2022-0810-LCS-R018-MB, Restricted Acts of Council - Election Cycle 2022, dated August 10, 2022 from Mary Birch, Director, Legislative and Community Services/Clerk

Mary Birch provided the report to Council regarding the ability under the Municipal Act to delegate the authority of Council in the event there are less than three quarters of the current Council eligible to return to Council after the nomination day or the municipal election. Based on retirement notifications of current members received to date, it was determined at this time that the Essex County Council would be required to enact a by-law to address restricted acts of council if they wished to conduct business prohibited by a lame duck Council.

Ms. Birch explained the proposed by-law ensured the continuity of business by delegating a specific list of authorities to the CAO, Mike Galloway or an alternate in his absence.

185-2022 Moved By Michael Prue Seconded By Marc Bondy

That, provisional upon Essex County Council being subject to the restricted acts of Council set out in Section 275 (3) of The Municipal Act, 2001 as amended, following nomination day, Essex County Council delegates approval authority for the period August 19, 2022 to November 23, 2022 to the Chief Administrative Officer, or in his absence the Acting Chief Administrative Officer in approving the following acts:

- 1. appointment or removal of any Officer (Department Head) of the County of Essex
- 2. disposition of real property owned by the County of Essex
- 3. unbudgeted expenditures or liabilities of the County of Essex exceeding \$50,000.

And further that Administration will report to Essex County Council any use of this delegated authority at the first regular County Council meeting of the new term.

Carried

#### 13. Unfinished Business

There was no Unfinished Business for August 10, 2022.

#### 14. New Business

There was no New Business for August 10, 2022.

# 15. Adoption of By-Laws

186-2022 Moved By Aldo DiCarlo Seconded By Larry Verbeke That By-law 2022-25 through 2022-26, for August 10, 2022, having been read a first, second and third time, be finally passed and enacted.

Carried

#### 15.1. By-law Number 2022-25

Being a By-law to Authorize the Delegation of Authority to the Chief Administrative Officer for Certain Duties During Restricted Periods

#### 15.2. By-law Number 2022-26

Being a By-law to confirm the proceedings of the Council of the Corporation of the County of Essex for August 10, 2022.

#### 16. Notice of Motion

There were no Notices of Motion for August 10, 2022.

#### 17. Adjournment

187-2022 Moved By Tracey Bailey Seconded By Joe Bachetti

That the Essex County Council meeting for August 10, 2022 be adjourned at 8:52 PM.

**Carried** 

Gary McNamara
Warden - County of Essex
Mary Birch
Director, Legislative and Community Services/Clerk
Date Signed

August 10, 2022

Letter to Mayor and Windsor City Councilors, Warden and County Councilors and Members of Provincial Parliament

The City of Windsor should be proud of supporting IRIS for the **past 20 years**. Our home is a gem for Windsor and Essex County, and founded by family members who were unable to find suitable housing with supports for their persistent seriously mentally ill relatives. Many of our residents would be homeless without our support.

We respectfully asked for a per diem increase to our funding, as a Housing with Supports home, when we wrote to you in April 2022.

Since then, we have been doing everything possible to ensure that our community-valued program can continue. However, in such a very short time we have experienced the following:

- a. Increase in minimum wage to \$15.00 per hour IRIS was already paying \$16.00 but we have now become unattractive to new staff and have experience turnover in staff.
- b. We have a one-million-dollar mortgage up for renewal this year, we are trying to determine if we will face a significant increase in interest. It is our understanding that other charities in Windsor received funding to be able to provide their services without the burden of carrying a large mortgage or paying rent.
- c. Increase in costs to obtain insurance with more rigorous form requirements regarding covid-19, and of course increased food, supplies and utilities costs, due to the high rate of inflation, which shows no sign of abating in the immediate future.
- d. Pension income increases for residents on OAS that reduce their cost of care for the City that has not passed to the homes. This could allow the City to offer a modest increase in the per diem.
- e. ODSP will now increase by 5%, in September 2022. Please pass this directly to the homes.

There has been a pattern, over the years, to freeze and thaw the funding we receive. We are currently in the freeze cycle, and have been since 2019. We are requesting a \$5 raise in our per diem to ensure that we can continue to provide quality services. We also request an indexing of our funding to inflation, to break this pattern of chronic under-funding.

I am confident that we will be able to work together to come up with a viable solution to keep IRIS open into the future. We are certainly willing to meet with members of Council and/or administration at any time to discuss and highlight the challenges we are facing. We can't do this alone; we need your help.

Karen Soulliere, Chair

**IRIS Residential Inns and Services** 







# **MEDIA RELEASE**

FOR IMMEDIATE RELEASE: Monday August 15th, 2022

# Hospice Launches 20th Annual Face To Face Campaign, and Announces New Program in Partnership With Essex-Windsor EMS

**WINDSOR, ONTARIO** – Face to Face Campaign founder John Fairley, as well as our Honorary Co-Chairs Jamie Henderson and Dr. Gary Ing were pleased to announce the launch of the 20<sup>th</sup> annual Hospice Face to Face Campaign during a special celebration at Hospice on Monday August 15<sup>th</sup> 2022. This year's campaign will continue to raise funds in support of Hospice's Fairley Family Transportation Program, which provides rides to medical appointment for Hospice clients. In addition, the campaign will also support a new initiative, beginning this fall.

In partnership with Essex-Windsor EMS, Hospice announced an innovative new program that the Face to Face Campaign will also support The G.E.N.I.E. Program (*Granting Exceptional N' Impactful Experiences*). The G.E.N.I.E. Program will offer the opportunity for patients receiving Hospice care, whether in Hospice Residences or in their own home, to request special trips or outings.

"Thanks to our partners at the County of Essex and Essex-Windsor EMS, we will be able to provide safe and accessible rides to patients who want to attend one last family reunion, spend a few hours at a local park, or even visit their family home one last time – creating a memorable experience for them and their loved ones," said Nancy Brockenshire, Hospice Executive Director. "All Hospice programs and services are offered at no cost to patients and families – including this one – making donations all the more impactful and important."

More than 40 paramedics and support staff with Essex-Windsor EMS have signed on to form a volunteer hospice transportation team to help palliative patients travel anywhere in the region as part of the G.E.N.I.E. Program.

"Our team was thrilled to champion this donation," said Essex-Windsor EMS Chief Bruce Krauter. "Our paramedics and staff look forward to volunteering their time to drive this vehicle, and are honoured to help to provide these experiences."

"This is an exciting addition to the Fairley Family Transportation Program and we look forward to supporting it through the 20<sup>th</sup> Annual Face to Face Campaign and beyond," said John Fairley, Campaign Founder.

The 2022 Face to Face campaign will operate similar to previous years, with canvassers able to collect donations both online (<a href="www.thehospice.ca">www.thehospice.ca</a>) and in person. Community members can show their support by pledging a specific canvasser, or supporting the cause as a whole, also either online or in person. To access the Face to Face canvasser kit, or for more information visit: <a href="www.thehospice.ca">www.thehospice.ca</a>. The Face to Face campaign runs from August 15 to September 30, 2022.

For more information please contact:

Katharen Bortolin
Director, Community Engagement and Advancement
The Hospice of Windsor and Essex County
519.995.8609 kbortolin@thehospice.ca

John Fairley
Face to Face Campaign Founder
519.819.4882
jfairley@stclaircollege.ca



August 11, 2022

Via email: premier@ontario.ca

The Honourable Doug Ford Premier of Ontario
Legislative Building
Toronto, ON M7A 1A1

Dear Premier:

Re: Kingston City Council Meeting, August 9, 2022 – New Motion 1 – Request to Provincial Government to release Landlord and Tenant Board Information

At the regular meeting on August 9, 2022, Council approved New Motion 1 with respect to request to the Provincial Government to release Landlord and Tenant Board Information. At the same meeting, the following resolution was approved:

**Whereas** landlords may issue to a tenant (1) a "Notice to End your Tenancy Because the Landlord, a Purchaser or a Family Member Requires the Rental Unit" (Form N12), or (2) a "Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use" (Form N13); and

**Whereas** over the last few years there has been significant reporting in Kingston and Ontario of growing use of N12 and N13 Forms through which some landlords have evicted tenants contrary to the provisions meant to protect tenants from illegal evictions and renovictions in order to increase the rent on the vacated unit; and

**Whereas** the Kingston Community Legal Clinic has reported that they have seen a steadily growing number of N12 and N13 applications between 2018 and 2022 and have noted that the Clinic does not receive all the N12 and N13 Forms issued as many tenants do not report receiving the Notices and many middle-income tenants do not qualify for Clinic services; and

Phone: (613) 546-4291 ext. 1247 Fax: (613) 546-5232 jbolognone@cityofkingston.ca

**Whereas** the media have recently reported that "there has been a substantial surge in overall applications to the Ontario Landlord and Tenant Board to evict a renter for renovations and repairs – not including any cases where tenants are asked to leave, but a formal application is never filed":

**Therefore Be It Resolved That** in order to assist in understanding the extent of the issue, Council request the Province to have that the Landlord and Tenant Board release its information on N12 and N13 applications from 2018 to 2022; and

**That** this request be sent to the Premier of the Province of Ontario, Doug Ford, the Minister of Housing and Municipal Affairs, Steve Clark, the Association of Municipalities of Ontario (AMO), and all Ontario municipalities with populations of 100,000 or more.

Yours sincerely,

John Bolognone

City Clerk /nb

C.C. Minister of Housing & Municipal Affairs Steve Clark

**AMO** 

Municipality of Chatham-Kent

Regional Municipality of Oxford City of Thunder Bay

Town of Ajax

City of Guelph

Town of Whitby

Lambton County

City of Cambridge

City of St. Catharines

City of Barrie

City of Oshawa

City of Greater Sudbury

City of Burlington

**Essex County** 

Town of Oakville

City of Richmond Hill

City of Windsor

City of Kitchener

Simcoe County

City of Vaughan

City of Markham

City of London

Regional Municipality of Niagara

**Halton County** 

Regional Municipality of Waterloo

City of Hamilton

City of Brampton

Regional Municipality of Durham City of Mississauga City of Ottawa City of York Regional Municipality of York City of Toronto



August 12, 2022

Mayor Janice Jackson Town of South Bruce Peninsula PO Box 310 315 George Street Wiarton, ON M7A 1A1

Via Email: janice.jackson@southbrucepeninsula.com

Re: Endorsement of Resolution - Physician Shortages In Ontario

Further to your correspondence dated July 22, 2022 regarding the above noted matter, please be advised that Hanover Council passed the following resolution at their August 8, 2022 meeting:

#### Moved by COUNCILLOR HOCKING | Seconded by COUNCILLOR KOEBEL

**THAT** the Council of the Town of Hanover support the motion from the Town of South Bruce Peninsula requesting that the Province acknowledge the shortage in all health care worker disciplines and that they take steps to increase the number of practicing physicians in the Province of Ontario. **CARRIED** 

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully,

Vicki McDonald

Vieni Moderal

Clerk

cc: Premier Doug Ford, Premier@ontario.ca

Hon. Sylvia Jones, Minister of Health and Long-Term Care Sylvia.jones@pc.ola.org

Rick Byers, MPP, Bruce Grey Owen Sound rick.byers@pc.ola.org

Hon. Stephen Lecce, Minister of Education stephen.lecce@pc.ola.org

Prime Minister Justin Trudeau justin.trudeau@parl.gc.ca

Hon. Jean-Yves Duclos, Minister of Health jean-yves.duclos@parl.gc.ca

Alex Ruff, MP, Bruce Grey Owen Sound alex.ruff@parl.gc.ca

College of Physician and Surgeons of Ontario feedback@cpso.on.ca

All Municipalities in Ontario



August 9, 2022

Honourable Michael Kerzner Solicitor General of Ontario 830 Sheppard Ave. W., Toronto ON M3H 2T1 Michael.Kerzner@pc.ola.org

Dear Solicitor General Kerzner:

#### Re: Mandatory Firefighter Certification

The Ontario Government has been making great improvements to the legislation which governs the manner in which municipalities conduct their business. One such piece of legislation is the Fire Protection and Prevention Act, 1997 and particularly, the requirements for firefighter certification.

While the Town of South Bruce Peninsula supports, in principle, the updates to requirements for volunteer and full-time fire service professionals, we must provide our comments in order for the Province to understand the great burden that the regulations will place on municipalities. Council discussed this issue at their regular Council meeting held on August 2, 2022 and adopted resolution R-296-2022 directing that you are contacted for assistance

Smaller municipalities such as ours, are not fortunate enough to have full-time firefighters. Our emergency personnel are all volunteers with the exception of our Fire Chief who is a full-time employee and our Deputy Fire Chief who is a part-time employee. It is difficult for our volunteers to dedicate the time to obtaining full certification in the manner legislated, as the fire service is not their primary employment. We have found that the average retention period for volunteers is three to five years meaning that once fully trained, most of our volunteers would leave the service or may even leave the service before they are fully trained and certified.

As you can imagine, this places a huge financial burden on our taxpayers as the certification is an additional cost which is funded wholly from the tax base. No grant funding or other financial assistance has been offered from the Province.

We are under the understanding that the Association of Municipalities of Ontario, many municipal governments and the Fire Chiefs across Ontario have raised concerns regarding the legislated requirements for certification. We are respectfully requesting that meaningful consultation and collaboration with the commenting parties takes place



quickly so that municipalities can better manage their finances and workforce where emergency service provision is concerned.

We look forward to hearing from you and to discussing our position on this important matter with you further.

Yours very truly,

Janice Jackson, Mayor

Janice.jackson@southbrucepeninsula.com

519-534-1400 ext 200

Enclosure (1)

cc: Premier Doug Ford, MPP Rick Byers, AMO, OSUM, All Ontario Municipalities, Ministry of the Solicitor General (Ministry Office)



# Excerpt from Council Meeting Minutes – August 2, 2022

#### 41. Notice of Motion – Mayor Jackson - Mandatory Firefighter Certification

Manager of Emergency Services/Fire Chief Wilson explained that the regulation was passed and only slightly amended. The financial burden is quite large to municipalities. The average retention of a fire fighter is 3-5 years. In order to become fully trained, it would take 3 years.

#### R-296-2022

It was Moved by J. Jackson, Seconded by J. Kirkland and Carried

**Whereas** municipal governments provide essential services to the residents and businesses in their communities;

**And whereas** the introduction of new Provincial policies and programs has an impact on municipalities;

**And whereas** municipal governments are generally supportive of efforts to modernize and enhance the volunteer and full-time fire services that serve Ontario communities:

And whereas the Association of Municipalities of Ontario (AMO) believes in principle that the fire certification is a step in the right direction, however it has not endorsed the draft regulations regarding firefighter certification presented by the Province;

**And whereas** municipalities and AMO are concerned that the thirty-day consultation period was insufficient to fully understand the effects such regulations will have on municipal governments and their fire services;

**And whereas** Fire Chiefs have advised that the Ontario firefighter certification process will create additional training and new cost pressures on fire services;

And whereas the Ontario government has not provided any indication that they will offer some form of financial support to deliver this service;

**And whereas** AMO, on behalf of municipal governments, in a letter to Solicitor General Jones dated February 25, 2022, made numerous comments and requests to address the shortcomings in the draft regulations;

**Now therefore** be it hereby resolved that the Town of South Bruce Peninsula does hereby support AMO's recommendations;

And that the Town of South Bruce Peninsula does hereby call on the Solicitor General of Ontario to work with AMO, municipal governments and Fire Chiefs across Ontario to address the concerns raised so that municipalities can continue to offer high quality services to their communities;

**And further that** a copy of this resolution is sent to AMO, OSUM, Premier Doug Ford, MPP Rick Byers and all Ontario Municipalities.



# **Council Resolution**

2				
Moved By 8.			Agenda Item 10.	Resolution Number 2022-08-18-561
Seconded By R	. Sande	rson		
			Council D	ate: August 18, 2022
contained within the	e Committe lowing iter		gs held August	Committees, as 2, 3 & 4, 2022) with the Committee Minutes), that
Committee	Item	Description		Held By
Name	#			
		/		
				:
And Further That a separate resolution	the items I	isted above and he	d for separate	discussion each require
Recorded Vote Requested by			Carried	
Todacorou p		uncillor's Name	Z	Warden's Signature
Deferred			Defeated	
	War	den's Signature		Warden's Signature



# **Social Services Committee Resolution**

Committee Meeting Date:	August 3, 2022
Agenda Item:	8a
Resolution Number:	2022-08-03 543
Moved by:	B. Sanderson
Seconded by:	R. Crate
Council Meeting Date:	August 18, 2022

"That the Social Services Committee, having considered the correspondence from the Township of Perry regarding 'Private Members Bill C-233 Keira's Law', and

**Further That** the Committee recommend that County Council support the resolution, and direct staff to advise the Northumberland-Peterborough South MP and MPP, the Township of Perry, and all Ontario municipalities."

Carried Committee Chair's Signature

Defeated Committee Chair's Signature

Deferred Committee Chair's Signature



# Township of Perry

PO Box 70, 1695 Emsdale Road, Emsdale, ON POA 1J0

PHONE: (705)636-5941 FAX: (705)636-5759 www.townshipofperry.ca

July 12<sup>th</sup>, 2022

Via Email justin.trudeau@parl.gc.ca karina.gould@parl.gc.ca

The Right Honourable Justin Trudeau, P.C., M.P. Prime Minister of Canada 80 Wellington Street Ottawa, ON L1A 0A2

The Honourable Karina Gould, P.C., M.P. Minister of Families, Children and Social Development House of Commons Ottawa, ON K1A 0A6

Dear Prime Minister Trudeau and Minister Gould,

RE: Township of Perry – Support Town of Aurora Council Resolution "Private Member's Bill C-233 "Keira's Law"'

Please be advised that at their last regular meeting of Council on Wednesday July  $6^{th}$ , 2022, the Council of the Corporation of the Township of Perry supported the following resolution:

"Resolution #2022-286 Moved By: Margaret Ann MacPhail Seconded By: Joe Lumley

**Be it resolved that** the Council of the Corporation of the Township of Perry hereby supports the Town of Aurora's Resolution, Motion 10.1, dated May 24, 2022 re: Private Member's Bill C-233 "Keira's Law";

**And further that** Council directs staff to provide a copy of this resolution of support to the Right Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Karina Gould, MP, Minister of Families, Children, and Social Development; The Honourable Candice Bergen, Interim Leader of the

...2

Conservative Party of Canada; Yves-Francois Blanchet, MP, Leader of the Bloc Quebecois; Jagmeet Singh, MP, Leader of the New Democratic Party; MP Tony Van Bynen; MP Leah Taylor Roy; MP Scott Aitchison; Town Clerk Michael de Rond, Town of Aurora, and all Ontario municipalities.

#### Carried."

Your attention to this matter is greatly appreciated.

Sincerely,

Beth Morton

Clerk-Administrator

cc: Candice Bergen, Interim Leader of the Conservative Party of Canada Yves-Francois Blanchet, Leader of the Bloc Quebecois Jagmeet Singh, Leader of the New Democratic Party MP Tony Van Bynen MP Leah Taylor Roy MP Scott Aitchison Michael de Rond, Clerk, Town of Aurora All Ontario Municipalities

BM/ec



Legislative Services Michael de Rond 905-726-4771 clerks@aurora.ca

Town of Aurora 100 John West Way, Box 1000 Aurora, ON L4G 6J1

May 31, 2022

Delivered by email justin.trudeau@parl.gc.ca karina.gould@parl.gc.ca

The Right Honourable Justin Trudeau, P.C., M.P. Prime Minister of Canada 80 Wellington Street Ottawa, ON K1A 0A2

The Honourable Karina Gould, P.C., M.P. Minister of Families, Children and Social Development House of Commons Ottawa, ON K1A 0A6

Dear Prime Minister Trudeau and Minister Gould:

Re: Town of Aurora Council Resolution of May 24, 2022

Motion 10.1 - Councillor Humfryes; Re: Private Member's Bill C-233 "Keira's Law"

Please be advised that this matter was considered by Council at its meeting held on May 24, 2022, and in this regard, Council adopted the following resolution:

Whereas violence against women is a Canadian public health crisis that demands urgent action; and

Whereas one in four women experience domestic violence in their lifetime. One woman or girl is killed every other day, on average, somewhere in our country; and

Whereas the most dangerous time for a victim of abuse is when she separates from her partner. According to research from the U.S. Centre for Disease Control and Prevention, when there is a history of coercive control, violence and a recent separation, a woman's risk of domestic homicide goes up 900 times; and

Whereas the current Canadian court system is not equipped to protect women.

According to the National Judicial Institute, there is no mandatory education for Judges on domestic violence. Judges need education on what constitutes domestic violence or coercive control. A formal education program would ensure

another line of defense for victims, as well as preventing violence and abuse before it happens; and

Whereas the COVID-19 pandemic has only exacerbated the domestic violence crisis. Women's shelters and crisis centres have reported a marked increase in requests for services this year. The concerns for children are significant. According to recent research from The Children's Hospital of Eastern Ontario, doctors have seen more than double the number of babies with serious injuries as this time last year. These include head injuries, broken bones or in some cases death. Institutions across the country are reporting a similar trend; and

Whereas, according to Article 19 of the UN Convention on the Rights of the Child, children must be protected from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child." Our current family justice system often fails our children in this regard; and

Whereas, in worst case scenarios, children are killed by a violent parent. As reported by the Canadian Domestic Homicide Prevention Initiative, recent separation and domestic violence are the two biggest risk factors for domestic violence related child homicides; and

Whereas custody disputes are an additional risk factor. Each year in Canada, about 30 children are killed by a parent. Mothers are responsible about 40 per cent of the time, often due to postpartum depression or mental illness. In the 60 per cent of cases where fathers are the murderers, anger, jealousy or post-separation retaliatory revenge are the usual motivations; and

Whereas Keira's Law is named after four-year-old Keira Kagan, who was killed while in the custody of her father, in 2020; and

Whereas many cases of domestic violence are inappropriately labelled as "high conflict" in the family court system. According to research by Rachel Birnbaum, a Social Work Professor at the University of Western Ontario who specializes in child custody, approximately one third of cases called "high conflict" by the court had substantiated evidence of valid concerns about domestic violence. These cases must be recognized and treated differently by judges; and

Whereas voting in favour of "Keira's Law", contained in Private Member's Bill C-233, will not only protect victims of violence and children, it will save lives by

amending the *Judges Act* to establish seminars for judges on intimate partner violence and coercive control;

- Now Therefore Be It Hereby Resolved That Aurora Town Council calls upon the House of Commons to support Member of Parliament Anju Dhillon's Private Member's Bill C-233, that will raise the level of education on domestic violence and coercive control for federally appointed Judges; and
- 2. Be It Further Resolved That a copy of this resolution be sent to: The Right Honourable Justin Trudeau, Prime Minister of Canada; The Honourable Karina Gould, MP, Minister of Families, Children and Social Development; The Honourable Candice Bergen, Interim Leader of the Conservative Party of Canada; Yves-Francois Blanchet, MP, Leader of the Bloc Quebecois; Jagmeet Singh, MP, Leader of the New Democratic Party; MP Tony Van Bynen; and MP Leah Taylor Roy; and
- 3. Be It Further Resolved That a copy of this resolution be circulated to all Ontario municipalities and the Federation of Canadian Municipalities (FCM).

The above is for your consideration and any attention deemed necessary.

Yours sincerely,

Michael de Rond

**Town Clerk** 

The Corporation of the Town of Aurora

MdR/lb

Copy: Hon. Candice Bergen, M.P., Interim Leader of the Conservative Party of Canada Yves-François Blanchet, M.P., Leader of the Bloc Québécois Jagmeet Singh, M.P., Leader of the New Democratic Party of Canada Tony Van Bynen, M.P. Newmarket—Aurora Leah Taylor Roy, M.P. Aurora—Oak Ridges—Richmond Hill Federation of Canadian Municipalities (FCM) All Ontario municipalities



# **Council Resolution**

₩.				
Moved By 8.			Agenda Item 10.	Resolution Number 2022-08-18- 567
Seconded By R	. Sander	son	10111 101	2022-00-10-001
			Council D	ate: August 18, 2022
	e Committe lowing item	e Minutes (meetin	gs held August	Committees, as 2, 3 & 4, 2022) with the Committee Minutes), that
Committee Name	Item #	Description		Held By
Name	*		7.00	
	****			
			/	
And Further That a separate resolution	the items lis	sted above and he	ld for separate	discussion each require
Recorded Vote Requested by		ıncillor's Name	Carried Z	Warden's Signature
Deferred	d		Defeated	
	Ward	en's Signature		Warden's Signature



# **Corporate Support Committee Resolution**

Committee Meeting Date:	August 2, 2022
Agenda Item:	7c
Resolution Number:	2022-08-02_525
Moved by:	R. Crate
Seconded by:	J. Henderson.
Council Meeting Date:	August 18, 2022
"That the Corporate Services Co Municipality of Shuniah regarding Release' for information, recomm actions to advise that Northumbe Shuniah; and Further That the Corporate Serv	ommittee, having considered the correspondence from the grigory of the grigory of the control of the country of the country of the country of the resolution from the Municipality of country support the resolution from the Municipality of the committee recommend that Council direct staff to advise atives and MP Philip Lawrence, as well as advise MPP David lities."
	Carried Rang Rach  Committee Chair's Signature  Defeated  Committee Chair's Signature
	DeferredCommittee Chair's Signature

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# MUNICIPALITY OF SHUNIAH A Superso Lang Experience

## MUNICIPALITY OF SHUNIAH

420 Leslie Avenue, Thunder Bay, Ontario P7A 1X8 Phone: (807) 683-4545 Fax: (807) 683-6982 Email: shuniah@shuniah.org www.shuniah.org

June 30<sup>th</sup>, 2022

Federation of Canadian Municipalities (FCM) Association of Municipalities of Ontario (AMO)

Via Email

To Whom it may concern,

RE: Letter of Support – The Corporation of the City of Brantford - 5.1 Release of all Federal and Provincial Documents Related to the Former Mohawk Institute Residential School

Please be advised that, at its meeting on June 28th, 2022, the Council of the Municipality of Shuniah resolved to support the resolution adopted May 17, 2022 by The Corporation of the City of Brantford.

A copy of the above noted resolution is enclosed for your reference and consideration.

We kindly request your support and endorsement for the release of all Federal and Provincial document related to the Former Mohawk Institute Residential School.

Yours truly,

Kerry Bellamy

Clerk KB/jk

Cc:

Right Hon. Justin Trudeau, Prime Minister of Canada

Hon. Doug Ford, Premier of Ontario

Hon. Marc Miller, Minister of Crown-Indigenous Relations

Hon. Patty Hajdu, Minister of Indigenous Services and MP

Hon. Greg Rickford, Minister of Indigenous Affairs

The Most Rev. Linda Nicholls, Primate of the Anglican Church of Canada

Hon. Kevin Holland, MPP Thunder Bay-Atikokan

Hon, Lise Vaugeois, MPP Thunder Bay Superior North

The Survivors Secretariat

All municipalities in Ontario

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	COU	NCIL RESOLU	TION	
SHUNIAH	Resolutio	on No.: 231-2	Da	ate: <u>Jun 28, 2022</u>
Moved By:	Donna B	lunt		
	ereby supports the ederal and Provincia ntial School; and			
BE IT RESOLVE	ED:			
Premier Doug Ford Services and MP P Church of Canada the Federation of C	directed to forward a col; Minister of Crown-Indeatty Hajdu; Minister of Linda Nicholls; MPP Kanadian Municipalities lities in Ontario with an	digenous Relations Ma Indigenous Affairs Gre evin Holland, MPP List (FCM); the Associatio	rc Miller; Minister o g Rickford; Primate e Vaugeois; the Su n of Municipalities	f Indigenous e of the Anglican rvivors' Secretariat;
Carried	☐ Defeated	☐ Amended	□ Deferred	Signature
	Municipality of Shuniah,	420 Leslie Avenue, Thunder E	ay, Ontario, P7A 1X8	Digitatare



May 18, 2022

Federation of Canadian Municipalities (FCM);

Association of Municipalities of Ontario (AMO);

Sent via email: resolutions@fcm.ca; policy@amo.on.ca

To Whom it may concern:

Please be advised that Brantford City Council at its Special City Council meeting held May 17, 2022 adopted the following:

# 5.1 Release of all Federal and Provincial Documents Related to the Former Mohawk Institute Residential School

WHEREAS the Truth and Reconciliation Commission Final Report, 2015 confirmed that Residential Schools were part of a coherent policy implemented by the Federal Government to eliminate Indigenous people as distinct Peoples and to assimilate them into Christian society against their will; and

WHEREAS the Deputy Minister of Indian Affairs Duncan Campbell Scott outlined the goals of that policy in 1920, when he told a parliamentary committee that "our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic…"; and

WHEREAS the Truth and Reconciliation Commission Final Report, 2015 also confirmed that despite the coercive measures that the government adopted, it failed to achieve its policy goals. Although Indigenous Peoples and cultures have been badly damaged, they continue to exist; and

WHEREAS the former Mohawk Institute Residential School operated from 1831 to 1970 within the boundaries of what is now the City of Brantford; and

WHEREAS Survivors have released statements of missing, murdered, and buried students; and

WHEREAS, to date, the unmarked burials of over 7000 missing Indigenous children have been discovered nation-wide; and

WHEREAS, following the May 2021 announcement by Tk'emlúps te Secwépemc First Nation of locating 215 potential burials of children in unmarked graves at the Kamloops Indian Residential School in British Columbia, the Survivors of the Mohawk Institute,

along with their families and community members called on the Federal and Provincial governments to support a search for the remains of missing children who may have been buried on the Mohawk Institute's grounds and the surrounding area; and

WHEREAS, as of November, 2021, a search, led by the Survivors' Secretariat, of the Mohawk Institute Residential School grounds and over 200 hectares of land associated with the school began; and

WHEREAS Survivors of the Mohawk Institute Residential School are demanding the release of all Federal and Provincial documents related to the former Mohawk Institute Residential School; and

WHEREAS staff of the City of Brantford are currently undertaking a search of City records and archives for any documents, maps, or other relevant information related to the operation of the Mohawk Institute Residential School in order to release this information to the Survivors' Secretariat to aid in the search for truth, justice and healing; and

WHEREAS this Council is committed to working to advance reconciliation and renewed relationships with First Nations; and

WHEREAS the Truth and Reconciliation Commission of Canada issued 94 Calls to Action, thirteen of which are directed at municipal governments;

#### NOW THEREFORE BE IT RESOLVED:

- A. THAT the Council of The Corporation of the City of Brantford respectfully REQUESTS THE IMMEDIATE RELEASE, to the Survivors' Secretariat, of all documents in the possession of the Government of Canada or the Government of Ontario and the Anglican Church related to the former Mohawk Institute Residential School now located on Six Nations of the Grand River Territory, within the geographic boundaries of the City of Brantford; and
- B. THAT the Clerk BE DIRECTED to send a copy of this resolution to: Prime Minister Justin Trudeau; Premier Doug Ford; Minister of Crown-Indigenous Relations Marc Miller; Minister of Indigenous Services, Patty Hajdu; Minister of Indigenous Affairs, Greg Rickford; Linda Nicholls, Primate of the Anglican Church of Canada; MPP Will Bouma; MP Larry Brock, Mayor David Bailey; Chief Mark Hill; Chief Stacey Laforme; and the Survivors' Secretariat; and
- C. THAT the Clerk BE DIRECTED to send a copy of this resolution to the Federation of Canadian Municipalities (FCM) and the Association of Municipalities Ontario (AMO) for circulation to all municipalities in Ontario with an invitation to adopt a similar resolution, and, specifically, to those located within the Haldimand Tract,

including: Haldimand County; the County of Brant; the City of Cambridge; the City of Kitchener; the City of Waterloo; and the Region of Waterloo.

I trust this information is of assistance.

Yours truly,

Tanya Daniels

City Clerk, tdaniels@brantford.ca

Cc All Ontario Municipalities Survivors' Secretariat



# **Council Resolution**

4				
Moved By <u>B. (</u>	Ostrand	er	Agenda Item 10.	Resolution Number 2022-08-18- 567
Seconded By $\underline{R}$	. Sande	rson	item 10.	2022-00-10
			Council D	ate: August 18, 2022
contained within the	e Committe lowing iter		s held August	Committees, as 2, 3 & 4, 2022) with the Committee Minutes), that
Committee	Item	Description		Held By
Name	#			
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	**************************************			
And Further That a separate resolution		isted above and hel	d for separate	discussion each require
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Requested by		umaillada Nama	Carried 7	
	Co	uncillor's Name		Warden's Signature
Deferre			Defeated _	
	War	den's Signature		Warden's Signature



# **Corporate Support Committee Resolution**

Committee Meeting Date:	August 2, 2022
Agenda Item:	7b
Resolution Number:	2022-08-02 <u>-52</u> 4
Moved by:	J. Hendorson B. Cote
Seconded by:	& Cote
Council Meeting Date:	August 18, 2022
Municipality of Brighton, Town of regarding 'Expanding Amber Ale correspondence; and  Further That the Committee recresolution to the Honourable Doc (Solicitor General), Commissione Police), the Honourable David Pand MPP for Northumberland—For Northumberland—F	mmittee, having considered the correspondence from the f Cobourg, County of Hastings, and Municipality of Shuniah at System', recommend that County Council support the commend that County Council direct staff to send a copy of the ug Ford (Premier of Ontario), the Honourable Michael Kernzer er Thomas Carrique (Commissioner of the Ontario Provincial iccini (Minister of the Environment, Conservation and Parks Peterborough South), MP Philip Lawrence (Northumberland—iation of Municipalities of Ontario, and to all municipalities in
	Carried Randy Charter  Committee Chair's Signature
	DefeatedCommittee Chair's Signature
	DeferredCommittee Chair's Signature



Date:

June 20, 2022

Resolution No. 2022-256

Moved By:

**Seconded By:** 

MBATEMA)

Whereas the Ontario Amber Alert is a warning system that quickly alerts the public of a suspected abduction of children who are in imminent danger;

And Whereas the goal is to broadcast as much information about the child, the abductor and suspect vehicles as quickly as possible so that the public can respond with any relevant information that might lead to the child's safe return;

And Whereas people are encouraged to share the Amber Alert with as many people as possible. If a child or vulnerable person is abducted, spreading the information quickly is critical to their safe return;

And Whereas an Amber Alert makes the Public aware to keep an eye out for the child, vulnerable person, suspect and the vehicle described, in the alert. If they spot them, try to gather as many details as they can, including the specific location where they saw them, the time, the direction they were travelling in and any other identifying details that will help to locate them;

And Whereas an Amber Alert gives citizens instructions to call 9-1-1 or the phone number included in the alert immediately if they have a trip or a sighting related to an Amber Alert; An Amber Alert will only be activated if:

- The police have confirmed that an abduction has taken place; and
- There is reason to believe the victim is in danger of serious physical injury, and there is information available that, if broadcast to the public, could assist in the safe recovery of the victim.

And Whereas it is essential to remember that an Amber Alert is not always appropriate in every circumstance and that their continued effectiveness depends on ensuring that they are only used in cases that meet the above criteria;

And Whereas the recent tragic death of 11 year old Draven Graham showed that the Amber Alert system is flawed when it comes to vulnerable children who can go missing but are not abducted;

And Whereas at the time this motion was written, there have been almost 75,000 citizens who had signed a petition on Change.Org requesting that a Draven Alert be created;

And Whereas it is clear that there needs to be an addition to the alert system to allow for law enforcement to send out an alert for vulnerable children who go missing under circumstances that do not involve an abduction but are at serious risk of injury or death;

Therefore be it resolved that the Municipality of Brighton and its Council endorse the following:

- 1. That the Minister of the Solicitor General and the Commissioner of the Ontario Provincial Police, as well as the Premier's Office, be requested to make the necessary changes to the Amber Alert system and create a new alert called the Draven Alert, which will protect vulnerable children who have not been abducted but are at high risk of danger, injury or death and alert the public that they are missing.
- 2. That this motion be sent to all municipalities across Ontario and the Association of the Municipalities of Ontario (AMO) for endorsement.

Carried OR Defeated Mayor					
Recorded Vote <u>For Clerks Use Only</u>					
Recorded vote called by:	Recorded vote called by:				
T	For	Against	Abstain	Absent	COI
Mayor Brian Ostrander					
Councillor Ron Anderson					
Councillor Mark Bateman					
Councillor Doug LeBlanc					
Councillor Emily Rowley				71.5	
Councillor Mary Tadman					
Deputy Mayor Laura Knegt		550-			
Total					*****
Carried Defeated Clerk's Initials					



# Resolution

Moved By Last Name Printed	Suzanne Séguin Séguin	Resolution No.: 227-22
Seconded By Last Name Printed	Nicole Beatty Beatty	Council Date: June 27, 2022

THAT Council receive the correspondence for information purposes; and

FURTHER THAT Council recognize the recent tragic death of 11-yearold Draven Graham with deepest sympathies to their family; and

FURTHER THAT Cobourg Council acknowledge that at the time this motion was written, there have been over 80,000 citizens who had signed a petition on Change.Org requesting that a Draven Alert be created; and

FURTHER THAT Cobourg Council endorse a recent resolution as passed by the Municipality of Brighton and its council as follows:

That the Minster of the Solicitor General and the Commissioner of the Ontario Provincial Police, as well as the Premier's Office, be requested to make the necessary changes to the AMBER alert system and create a new alert called the Draven Alert, which will protect vulnerable children who have not been abducted but are at high risk of danger, injury or death and alert the public that they are missing.

That this motion be sent to all municipalities across Ontario and the Association of Municipalities Ontario (AMO) for endorsement.



Office of the Warden, C.A.O. & Clerk

**Hastings County** 

235 Pinnacle St. Postal Bag 4400, Belleville ON K8N 3A9

Tel: (613) 966-1311 Fax: (613) 966-2574 www.hastingscounty.com

July 4, 2022

The Honourable Doug Ford
Premier of Ontario
Minister of Intergovernmental Affairs
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

VIA email: doug.fordco@pc.ola.org

Dear Premier Ford:

Re: Hastings County Council – June 30, 2022 – Expanding Amber Alert System

Please be advised that the Council of the County of Hastings, at its regular meeting held June 30, 2022, passed the following resolution:

Moved by: Councillor Tom Deline Seconded by: Councillor Loyde Blackburn

**WHEREAS** we have all become aware of the recent tragic death of Draven Graham, and 11 year old child on the autistic spectrum, after walking away from the family home;

**WHEREAS** the Amber Alert has been very effective in announcing to the public, children who have been abducted and;

**WHEREAS** a similar alert program for those who have special needs who leave family custody would seem to be warranted in the Province of Ontario;

**BE IT RESOLVED THAT** the County of Hastings request the Province of Ontario to develop and implement a community warning program similar to Amber Alert for those persons of special needs or circumstances who leave the caregivers or locations and potentially put themselves at risk;

**AND THAT** copies of this resolution be forwarded to Premier Ford, the leaders of the Opposition Parties in Ontario, the District School Boards, all Hastings County Municipalities, and the local Ontario Provincial Police Service to ask them to support the resolution.

#### Carried

I trust you will find this in order; however should you have any questions or concerns, please do not hesitate to contact me at 613-966-1311, ext. 3205 or via email at bradleyc@hastingscounty.com.

Yours Truly,

Cathy Monzon-Bradley

C Minzm-Bradley

County Clerk

Copy: The Honourable Stephen Lecce, Minister of Education to all Ontario School Boards

Mr. Peter Tabuns, Interim Leader NDP - Leader of Official Opposition

Mr. Steven Del Duca, Leader of the Liberal Party

All Ontario Municipalities

Ontario Provincial Police Local Detachments - Centre Hastings and Bancroft

Hastings County Member Municipalities



## **MUNICIPALITY OF SHUNIAH**

420 Leslie Avenue, Thunder Bay, Ontario P7A 1X8
Phone: (807) 683-4545 Fax: (807) 683-6982
Email: shuniah@shuniah.org www.shuniah.org

July 13th, 2022

The Honourable Doug Ford
Premier of Ontario
Minister of Intergovernmental Affairs
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Via Email: doug.fordco@pc.ola.ca

#### **Dear Premier Ford:**

RE: Letter of Support – The County of Hastings and The Municipality of Brighton – Expanding the Amber Alert System

Please be advised that, at its meeting on June 12<sup>th</sup>, 2022, the Council of the Municipality of Shuniah resolved to support the resolution adopted June 30<sup>th</sup>, 2022 by the County of Hastings, and the resolution adopted June 20<sup>th</sup>, 2022 by the Municipality of Brighton.

A copy of the above noted resolution is enclosed for your reference and consideration.

Yours truly,

Wellamy Kerry Bellamy

Clerk KB/jk

Cc:

Hon. Michael Kernzer, Solicitor General of Ontario

Mr. Thomas Carrique, Commissioner of the OPP Hon. Patty Hajdu, MP Thunder Bay Superior North

Hon. Patty Hajdu, MP Thunder Bay Superior North

Hon. Marcus Powlowski, MP Thunder Bay Rainy River

Hon, Lise Vaugeois, MPP Thunder Bay Superior North

Hon. Kevin Holland, MPP Thunder Bay-Atikokan

Association of Municipalities of Ontario

All Ontario Municipalities



# **COUNCIL RESOLUTION**

SHUNIAH	Resolutio	n No.: 247-	Date: <u>Jul 12, 2022</u>
Moved By:	A Blir	tim	
Municipality of Bri Amber Alert Syste those persons of	ighton regarding them and create a ne	ne request to make to make to the Line I ircumstances who lead to the I ircumstance who I ircumstance who lead to the I ircumstance who ircumstance who I ircumstance who ircumstance who I ircumstance who	County of Hastings and the necessary changes to the Oraven Alert, which will protect eave the caregivers or locations
Ford; Solicitor Ge Provincial Police local MPP's Lise	neral of Ontario M Thomas Carrique;	ichael Kernzer; Cor local MP's Patty Ha in Holland; the Assoc	nis resolution to Premier Doug mmissioner of the Ontario ajdu and Marcus Polowski and ciation of Municipalities of Ontario
Causiad	☐ Defeated	☐ Amended	☐ Deferred
t⊿ Carried			Wendy Jarchy Signature
	Municipality of Shuniah,	420 Leslie Avenue, Thunder B	ay, Ontario, P7A/1X8



Telephone: (519) 376-4440 ext. 1235 Facsimile: (519) 371-0511

Website:

E-mail: jeckenswiller@owensound.ca

www.owensound.ca

August 25, 2022

Honourable Michael Kerzner Solicitor General George Drew Building 18<sup>th</sup> Floor, 25 Grosvenor St. Toronto ON M7A 1Y6

#### Via Email

Dear Solicitor General:

#### Re: Changes to the Amber Alert System

City Council, at its meeting held on July 25, 2022, considered the above-noted matter and passed Resolution No. R-220725-010 as follows:

"THAT in consideration of correspondence listed as Items 5.a and 5.b on the July 25, 2022 Information Package respecting the Draven Alert, City Council directs staff to send a letter to the Ministry of the Solicitor General, Commissioner of the Ontario Provincial Police, Premier of Ontario, all Ontario municipalities, and the Association of Municipalities of Ontario (AMO) requesting that changes be made to the Amber Alert system to alert the public of missing vulnerable children who have not been abducted, but are at high risk of danger, injury, or death."

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Jamie Eckenswiller, AMP (he/him)

Deputy Clerk

City of Owen Sound

cc. Thomas Carrique, Ontario Provincial Police Commissioner Hon. Doug Ford, Premier of Ontario Association of Municipalities of Ontario All Ontario Municipalities



August 19, 2022

The Honourable Steve Clark Minister of Municipal Affairs and Housing 777 Bay Street 17th Floor Toronto ON M7A 2J3

Dear Minister Clark:

Re: Strong Mayors, Building Homes Act

Please be advised that the Council of the Town of Wasaga Beach, during their August 18, 2022 Council meeting adopted the following resolution:

"That Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information;

And further that a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and other matters, and that the motion be circulated to all Ontario municipalities."

The Town of Wasaga Beach Council does not support the Strong Mayors, Building Housing Act as the proposed changes will not demonstratively speed up the construction of housing and will erode the democratic process at the local level where members of Council have to work together to achieve priorities. What is needed to speed up construction of housing is greater authority for local municipalities to approve development without final clearances from outside agencies after they have been given reasonable time to provide such clearances.

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at <a href="mayor@wasagabeach.com">mayor@wasagabeach.com</a> or (705) 429-3844 Ext. 2222.

Yours sincerely,

Nina Bifolchi Mayor

 c. Members of Council All Ontario Municipalities

Administration: (705) 429-3844 Planning 56 of 131

Building: By-Law: Parks & Rec: 429-1120 429-2511 429-3321

Arena: Public Works: 429-0412

Fire Department:

429-2540 429-5281

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street, 17th Floor Toronto ON M7A 2J3 Tel.: 416 585-7000 Ministère des Affaires municipales et du Logement

Bureau du ministre

777, rue Bay, 17° étage Toronto ON M7A 2J3 Tél.: 416 585-7000



234-2022-3540

August 10, 2022

Dear Head of Council:

As Ontarians face the rising cost of living and a shortage of homes, our government was re-elected with a strong mandate to help more Ontarians find a home that meets their needs.

Our government also made an election promise to build 1.5 million new homes for the people of Ontario over the next 10 years to address the housing supply crisis.

I am pleased to inform you that our government introduced the proposed Strong Mayors, Building Homes Act on August 10, 2022, that, if passed, would make changes to the *Municipal Act*, 2001, City of Toronto Act, 2006, and the *Municipal Conflict of Interest Act*. These amendments would empower mayors in the City of Toronto and City of Ottawa to deliver on shared provincial-municipal priorities and get more homes built faster.

If passed, the proposed changes impacting the City of Toronto and City of Ottawa are intended to take effect on November 15, 2022, which is the start of the new municipal council term. Other growing municipalities could follow at a later date.

If you have any comments or feedback regarding these proposed changes, you may submit them to the Ministry of Municipal Affairs and Housing at: <a href="mailto:StrongMayors@ontario.ca">StrongMayors@ontario.ca</a>.

Sincerely,

Steve Clark Minister



Sent via email to: minister.mecp@ontario.ca

July 29, 2022

Honourable David Piccini Minister of the Environment, Conservation and Parks College Park 5th Floor 777 Bay St Toronto, ON M7A 2J3

Dear Minister Piccini:

# RE: Circular Economy Initiatives in the Made-in-Ontario Environment Plan

Congratulations on your appointment as Minister! We look forward to working with you to continue to advance the circular economy in Ontario.

I am writing to you on behalf of the Association of Municipalities of Ontario Waste Management Task Force to highlight several circular economy policy initiatives that municipal governments would like to see addressed.

We wanted to follow up on two outstanding Environmental Registry Proposals that we had additional comments on:

- ERO # 019-0045: Administrative Penalties Regulation made under the *Resource Recovery and Circular Economy Act, 2016*
- ERO # 019-4656: Proposed amendments to the producer responsibility regulations for tires, batteries and electrical and electronic equipment made under the *Resource Recovery and Circular Economy Act, 2016*

As well we wanted to follow-up on a few action items that are part of the Made-In-Ontario Environment Plan:

- Guidance to educate the public and key stakeholders about reducing and diverting food and organic waste under the <u>Food and Organic Waste Policy</u> <u>Statement</u>
- Transition of the Blue Box to full producer responsibility
- The proposal to phase out food and organic waste from landfills by 2030 that will focus on building processing capacity in the province
- Work with partners to conduct audits to identify materials that could be recovered and recycled through new producer responsibility designations
- Modernize environmental approvals to support sustainable end markets for waste and new waste processing infrastructure.

## Administrative Penalties Regulation (ERO # 019-0045)

As noted in our letter of November 3, 2021, municipal governments strongly support the passage of an administrative penalties regulation as part of the move to performance-based recycling regulations. Clear consequences for non-compliance will lead to better economic and environmental outcomes. It is important for this regulation to be passed quickly so this regulatory enforcement tool is available.

We do however want to note a few areas of concern:

- The current proposal refers to the incorrect part of the O. Reg. 391/21 (i.e., it refers to Part IV instead of Part VI related to a failure to establish or operate a system for managing blue box material)
- Section 11 sets out that there are no penalties for "best efforts" provisions. This
  should be amended to state that penalties do apply if best efforts are not met.
  Best efforts should be based on producers taking, in good faith, all reasonable
  steps to meet the requirements of the regulation. Failure to comply with this
  standard should result in enforcement and penalties similar to other provisions
  and requirements.

# Proposed amendments to the producer responsibility regulations for tires, batteries and electrical and electronic equipment (ERO # 019-4656)

Given the period of time that has passed between when this regulation was proposed, we believe that additional information has come forward that could be used to refine the proposal, including:

# Overarching

- Oconsumer fees Given the likely inclusion of more consumer fees (e.g., Ontario beverage producers considering levies in a similar manner to Manitoba), we remain concerned about the removal of consumer protection requirements like the reporting and audit requirements for visible fees under the Tire Regulation. We are concerned that improperly charged fees or those not exposed to market conditions could jeopardize policies as they have in the past.
- Frequency of management audits and internal verification process for supply data - The need for producers to provide annual audited supply and management performance data is not red tape. It is a fundamental component of a proper oversight regime. Virtually all outcome/performance-based regulations (e.g., financial, environmental, health and safety, resource related) require annual reporting.

These requirements are necessary to ensure a level playing field and to ensure the outcomes sought in the regulation are achieved. They are also necessary to ensure that materials supplied into the market are properly managed at the end-of-life and that the rules strengthen ongoing investment into Ontario's economy and their associated returns.

We note concerns being raised already about performance particularly from the battery and electrical and electronic equipment that make this issue more pressing.

Further, whether an audit is completed annually or every three years (for each of those three years) would not substantially reduce the work needed to be undertaken. The process only makes it more difficult to locate dated information.

- Producer Responsibility Organization (PRO) and producer shared liability

   This is a fundamental change to the intention of the original regulations and runs counter to the foundation of the Act that makes producers individually liable for compliance. PROs are simply contractors acting on behalf of producers. Producers have the ability to make them liable in the individual contracts they have with them. No justification has been provided for this change. It does not reduce administrative burden and compromises the tenets of the Act. These changes should be removed.
- Electrical and electronic equipment regulation
  - The latest Resource Recovery Report by the Resource Productivity and Recovery Authority (RPRA) clearly highlights the issue with the current targets. The management targets for 2021 and 2022 are ~18,000 tonnes lower than what was collected through the Ontario Electronic Stewardship Plan in 2019. It is also our understanding that there is 500 less collection points in the province currently than what was operated under the Ontario Electronic Stewardship Plan. We would strongly advocate that the Province revert to initial targets set in the draft regulation which were set at 75% and subsequently 80%. In addition, the Province should remove the allowable management deductions set out in s.18(2) and the double counting associated with refurbishment in s. 17(1)3.
- Hazardous Special Products (HSP) regulation
  - There is a concern that a literal read of the definition of pressurized containers may lead to an interpretation that foam insulation containers are excluded. However, we do not believe this to be the government's intent.

Foam insulation cylinders were included in the previous Stewardship Ontario Municipal Hazardous or Special Waste (MHSW) program as they are provided in TC-39M non-refillable pressurized containers and are not explicitly excluded. A memo from Stewardship Ontario dated April 19, 2012 mentions foam insultation containers. They were collected as part of this program at the cost of the producer.

The Ministry of Environment, Conservation and Parks (MECP) was clear in their presentation in March of 2021 that it was proposing to "transition current MHSW Program materials". Furthermore, the decision notice posted June 8, 2021 on the Environmental Registry stated that the regulation is "aligned with what is currently covered under the MHSW program" with the exception of "certain definitions, e.g., refillable propane containers, antifreeze, solvents, and paints and coatings, to ensure that only intended materials are regulated."<sup>1</sup> Clarifying this definition in the regulation would be helpful.

- While performance data is not yet available, we remain concerned about the lack of performance targets for most of the designated materials in the Regulation.
- The new requirements being sought by producer responsibility organizations under the Blue Box regulation (i.e., Community Statements of Work) remove all hazardous or special waste packaging as it potentially impacts their ability to produce food grade post-consumer recycled (PCR) content from the processed commodities. This provides greater rationale to ensure more of these products are captured under the Hazardous and Special Products (HSP) regulation so that they can be properly managed. Pharmaceuticals, automotive additives and cleaners, automotive additives and cleaner containers, fuels, miscellaneous flammable materials, oxidizers, corrosives – acids, corrosives – caustics, fuels, reactive chemicals, and many pesticides (e.g., insect repellents, sanitizers, disinfectants and antimicrobial products, diatomaceous earth, pet products, ant traps, insecticidal soaps) are currently excluded. These products and their packaging should be included in this regulation. We note that many are included in HSP policies in other jurisdictions like Manitoba, Saskatchewan, and British Columbia.
- Producers of HSP were obligated to continue to service current collection sites for the first 15 months from July 1, 2021, and new collection requirements apply starting January 2023.

<sup>&</sup>lt;sup>1</sup> Environmental Registry Ontario, Decision Summary: Proposed producer responsibility regulation for Hazardous and Special Products (HSP), June 8, 2021. Available at https://ero.ontario.ca/notice/019-2836.

As municipalities have not heard anything from Producers on setting up their own collection sites to meet their legislative requirements, it appears producers will continue to rely on the status quo municipally developed system. To date little interest has been shown to properly fund these sites, to improve conditions or to innovate. The lack of any targets and the incorporation of new material is problematic. There is an opportunity for enhancement of regulatory requirements through more aggressive and better-defined diversion targets, as well as adding another phase to the regulation that designates the remainder of the materials that are collected at municipal hazardous depots.

#### **Blue Box Transition**

Our understanding is that the Ministry was proposing to update the Transition Schedule to include municipalities that were not captured in the initial iteration but have a Blue Box program in place (e.g., Township of Madoc, South River) and to add First Nations communities.

It would also be helpful to get an update on the Schedule to ensure that all Ontario communities that have Blue Box programs in place pre-2020 are accounted for. We note that a number of municipalities (e.g. South River, Black River-Matheson, Huron East-Brussels/Tuckersmith, Kapuskasing Moonbeam Management Board, Moose Deer Point, Northeast Recycling, Rainy River, and the Sault North Waste Management Council) did not report into the Datacall annually given their size and available resources, but did operate a Blue Box program.

Additionally, municipal governments are concerned about being considered producers under the Blue Box regulation. While we acknowledge that communities produce paper, the quantities represent a fraction of the overall paper and packaging generated in the system. This will be another administrative burden for communities. We recommend that you exempt governments from the definition of producer.

# **Organic Waste**

As part of AMO's Climate Change Series, a discussion paper was posted late last year on Recommendations for the Diversion of Food and Organic Waste in Ontario. These recommendations include four key actions that are discussed in further detail in the paper:

- 1. Develop and implement a coordinated provincial plan to address food loss and waste, including:
  - a. An awareness/public education campaign to drive sustained consumer behaviour change in all sectors to avoid and reduce food loss and waste.
  - b. Working with retailers to develop and promote "smart shopping" offerings and merchandising in grocery/food stores to support consumer behaviour

- change (e.g., smaller size offerings, information on best before dates, uses for left over foods).
- c. Promoting and participating in reallocation of surplus food by supporting food rescue organizations through food donation provisions in government catering contracts including food waste reduction measures.
- 2. Implement an organic waste disposal ban for Ontario, including:
  - a. Progressive source separation requirements for Ontario businesses, institutions, and commercial entities starting with the largest organizations.
  - b. Mechanisms to help maintain and expand current infrastructure, develop new infrastructure, and incent better environmental and economic outcomes.
  - c. Provide enough time to allow for proper planning and consultation.
  - d. Phase-in of smaller generators and exemptions for unique environments.
  - e. Reporting requirements for all organic waste processing facilities.
  - f. Ensuring proper oversight and enforcement mechanisms.
- 3. Establish an escalating landfill levy for all waste being sent to disposal in Ontario or being exported outside Ontario to address the true cost of waste, climate change and greenhouse gas reduction and to create incentives for reduction or diversion activities. Funds raised from this levy should be allocated to municipal governments through a joint fund established to reduce waste, increase waste diversion, offset costs related to municipal operations (e.g., diversion at municipally operated buildings, administrative costs associated with the ban and levy), and promote other activities that reduce greenhouse gas emissions.
- 4. Address issues related to compostable products and packaging by:
  - a. Finalizing the Blue Box Regulation under the *Resource Recovery and Circular Economy Act* (RRCEA) and include reporting, collection and management targets, and enforcement for compostable materials.
  - b. Enforce labelling requirements to ensure only products and packaging that can be proven to compost at scale and in practice without contaminating end products are labelled or marketed as compostable.
  - c. Researching the efficacy of compostable materials in existing organics processing facilities (e.g., compost and anaerobic digestion) and make recommendations on how producers of these materials should best manage them at end-of-life.

We believe the recommendations we have provided will be helpful as the government considers next steps on a food and organic waste ban. We look forward to working with you on this issue and would be pleased to speak with you about the work we have undertaken. We also hope that you might be able to share the following information:

- Results from the project completed by the MECP and ECCC on <u>compostable</u> <u>products and packaging pilot testing</u>.
- Guidance materials with details and examples for stakeholders regarding the <u>Food and Organic Waste Policy Statement</u> such as:
  - How targets will be calculated and measured;
  - The baseline system calculator that has been discussed by the Ministry in the past;
  - Best practice guidance material for multi-residential buildings;
  - Further clarification on which businesses and entities are obligated to meet targets; and,
  - Data and record-keeping expectations.

These requirements begin in 2023 and municipal governments have been asking for this guidance for several years.

## New Designations under the RRCEA

Consistent with the Made-In-Ontario Environment Plan, municipal governments have been exploring what materials might make sense to designate under the *Resource Recovery and Circular Economy Act* based on several environmental and economic factors. We hope to release in a draft Discussion Paper in the next few weeks that can hopefully assist the government with a constructive dialogue in this area.

# **Modernize Environmental Approvals**

In order to realize the ambitious outcomes envisioned in the Made-in-Ontario Environment Plan it will be pivotal for the government to move quickly to remove some of the current barriers to ensure new waste diversion and disposal capacity can be developed to accommodate increasing volumes of material. Municipal governments support streamlining the approvals process and reviewing existing requirements. We are aware of several examples where process improvements or new infrastructure plans have been abandoned due to these barriers. Municipalities are prepared to meet quickly with the government and other stakeholders to explore options to reduce approval timelines for new facilities or changes to current approvals.

It is important to emphasize this is not about reducing the level of environmental protection involved in obtaining approvals for facilities. These facilities may pose potential environmental risks so they should have appropriate controls in place. Instead, this is about ensuring organizations seeking an approval for a change, an expansion or a new facility have greater certainty on project timelines and costs, as well as, maximizing built assets. Under Ontario's Place to Grow Plan, municipalities need certainty on timelines to accommodate growth.

We look forward to our continued work together on these issues. Please contact us at your earliest convenience to discuss any questions or concerns that you might have.

Sincerely,

DocuSigned by:

-03DA508D46754E2...

Hilda MacDonald, Mayor, Municipality of Leamington Chair, AMO Waste Management Task Force



# **Administrative Report**

# Office of the County Solicitor

To: Warden McNamara and Members of Essex County

Council

From: David Sundin, BA (Hons), LL.B.

**County Solicitor** 

Date: Wednesday, September 07, 2022

**Subject:** Approval of Invoices – Legal/Consulting Services

Report #: 2022-0907-LCS-R019-DS

## **Purpose**

To present legal and consulting invoices for Council approval.

# **Background**

Section 16.1.2 of By-law #41-2018, being a By-law to Provide Rules Governing the Order and Proceeding of the Council of The Corporation of the County of Essex requires that "Auditor's fees, consultation fees over and above contractual amounts, legal expenses, and items of a capital nature not already approved in budget estimates are to be referred to County Council for approval".

## **Discussion**

Page 66 of 131

Five invoices, totaling \$19,428.63 have been received for Council's approval. The nature of this account is summarized as:

Name of Legal/Consulting Service	Account Description	Amount
McTague	July 31, 2022	\$314.65
	Invoice #318798	·
McTague	July 31, 2022	\$4,664.64
<u> </u>	Invoice # 318800	. ,
MatthewsDinsdale	August 15, 2022	\$12,923.81
	Invoice # 432013	, ,
Hicks Morley	August 31, 2022	\$1,450.95
,	Invoice # 620757	. ,
Hicks Morley	August 31, 2022	\$74.58
,	Invoice # 620758	,
Total	All Invoices	\$19,428.63

# **Financial Implications**

Allocations for legal matters related to the above commitments are included within the departmental Budgets for 2022.

# **Consultations**

These accounts have been reviewed by the County Solicitor and Director of Human Resources and are considered an accurate representation of the services rendered.

# Recommendation

That Essex County Council approve the payment of invoices, for legal/consulting services as outlined in report number 2022-0907-LCS-R019-DS in the amount of \$19,428.63.

# **Approvals**

Respectfully Submitted,

David Sundin

David Sundin, BA (Hons), LL.B., County Solicitor

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

<b>Appendix Number</b>	Title
Appendix A	Due to the confidential information of a personal nature being included on the above referenced invoices, Appendix I will be provided to members of County Council under separate cover

# **Housing & Homelessness Advisory Committee**

Meeting held June 21, 2022

A meeting of the Housing and Homelessness Advisory Committee is held this day commencing at 10:00 o'clock a.m. via Zoom video conference, there being present the following members:

Marina Clemens, Chair
Councillor Kieran McKenzie
Anna Angelidis
Jessica Brunet
Fiona Coughlin
Kathy Hay
Warden Gary McNamara, County of Essex
Leigh Vachon (arrives at 10:12 a.m.)
Joyce Zuk

#### Regrets received from:

Eric Hill Angela Yakonich

#### Guests in attendance:

Sydney Coyle, Trans Wellness Ontario regarding *Item 4.2* Hope Lovell

#### Also present are the following resource personnel:

Thom Hunt, City Planner
Michael Cooke, Manager Planning Policy, Deputy City Planner
Laura Strahl, Planner III
Frank Garardo, Planner III
Jeannie Diamond Francis, County of Essex
Gayle Jones, Diversity/Accessibility Officer
Jennifer Tanner, Manager, Homelessness & Housing Support
Kelly Goz, Coordinator, Housing Administration & Development
Tina Moore, Coordinator, Housing Administration & Development
Karen Kadour, Committee Coordinator

#### 1. Call to Order

The Chair calls the meeting to order at 10:03 o'clock a.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

#### 2. Disclosure of Interest

None disclosed.

#### 3. Adoption of the Minutes

Moved by F. Coughlin, seconded by J. Brunet,

That the minutes of the Housing and Homelessness Advisory Committee of its meeting held March 22, 2022 **BE ADOPTED** as presented.

Carried.

#### 4. Presentations

## 4.1 Working Together to Address Ontario's Current Housing Crisis

Thom Hunt, City Planner provides the following highlights of the Presentation entitled "Working Together to Address Ontario's Current Housing Crisis":

- Refers to the letter he wrote as the Chair of the Regional Planning Commissioners of Ontario regarding the current housing crisis.
- Lobbied the Provincial Government on their Housing Affordability Task Force Report which is the subject of that letter as they were aware of a round of legislated policy changes that the government was considering.
- The Provincial Government produced Bill 109 which was titled "The More Homes for Everyone Act" and many of the legislated amendments directly impact municipal planning approval processes in towns and cities in general.
- One of the narratives was that the housing crisis is caused generally by a lack of supply of housing units regardless of the kind of housing units. If there were faster Planning Act approvals and timelines, there would be more supply and the affordability issue crisis itself would get solved by having more supply.
- What causes concern on Bill 109 is that there is going to be a cumulative effect on the municipalities in terms of the timelines and requirements to make decisions on by-law amendments, Official Plan Amendments and site plans. There is going to be a refund mechanism so if decisions are not made within the prescribed timelines, the municipality will be compelled to refund the applications that exceed the number of days it should take.

- Having to refund the application will have a huge effect on the municipality's ability
  to have staff work on a number of these applications quickly. In 2021, the City of
  Windsor had a record number of development applications with the same staffing
  levels.
- Will have to double their staff in order to meet these prescribed timelines given the volume of applications that they are currently seeing.
- Unfortunately, these costs will be borne by the taxpayer when these refunds are made.
- If this is the case, development will not pay for development.
- In terms of Bill 109, municipalities will no longer be in the public engagement consensus building on applications so the municipality will have to frontload some of the dialogue that takes place before they deem an application complete which is a paramount shift in the way that planning is undertaken in our towns and cities.
- The changes in Bill 109 do not come into effect until the new year so there is an opportunity to lobby the provincial government.
- He will present at the conference in Ottawa to the Association of Municipalities of Ontario (AMO).
- The take-away for HHAC is that the Housing Affordability Task Force was perhaps authored by builders and those financiers that are involved in housing in general.
   It did not go deep enough into the changes to prescribe any meaningful change on affordability.
- This current Bill is going to increase development costs and increase timelines because of the way this has been set-up.

Warden McNamara states that the developers have the ear on the Ministers that saying that it is the municipalities that are creating the bureaucracy in delaying any kind of a development which should not be on the backs of municipalities.

Councillor McKenzie states that he disagrees with Bill 109 and asks what HHAC can do. He assumes that there will be opportunities for some commentary on the regulations as they are developed and asks if HHAC can send something forward to City Council and County Council as there may be more coming to deregulate the housing sector.

T. Hunt responds that other municipalities provided extensive comments only to find out the government pulled the prescribed consultation timeline and the *Act* received Royal Assent before consultations closed. Municipalities have been asked to do resolutions by their Council to say there needs to be action by the provincial government. At the end of the day, it is a huge financial hit to the cities which will be on the backs of the taxpayers which is not the way that development should occur.

Councillor McKenzie refers to the remarks made by T. Hunt relating to impacts, specifically doubling staff resources, and increasing the cost of development, and asks if the fees for the permits will also be increased.

T. Hunt responds that increasing the fees is not viable as it will penalize the people who will receive the refund because they are the ones who will be paying. He adds that if there is a deficit of one to two million dollars in fees, and double the staff resources, we will have to refund two million dollars. So there will be a shortfall of one million dollars that the general taxpayer will pick up.

Councillor McKenzie asks if this could incentivize developers to delay the projects themselves to hit that fifty percent rebate mark.

- T. Hunt responds that it would be the one hundred percent mark as some of the developers do not want to go to market immediately, they just want the approval. If an application is refunded, they are still compelled to work on it.
- F. Coughlin states that the Housing Affordability Task Force was specifically told that it was not about affordable housing, they could not talk about surplus government land, the regulation of rental houses; they could only talk about supply side measures.
- A. Angelidis notes that this is disheartening as so much advocacy work has been done in this sector to lobby the government regarding permits and fees and to encourage affordable housing. She indicates that all of this work has gone in the opposite direction with the focus on the builders.
  - J. Zuk leaves the meeting at 10:37 o'clock a.m.

Laura Strahl, Planner III Special Projects provides a Presentation entitled "Multi-Residential Interim Control Bylaw " and the following highlights are provided:

- The City of Windsor passed Interim Control By-law 103-2020 on July 13, 2020
- Prohibits the use on all lands, buildings, and structures for a Group Home, Shelter, Lodging House, and a Dwelling with five or more dwelling units
- Retained Project Team in September 2021 to complete MRICBL Study, OPA and Zoning By-law Amendment
- Must be completed by July 13, 2022
- Background Studies now completed
- The City needs more housing in the inner areas of the City, with populations in a majority of the City declining due to a lack of new housing options and shrinking average household sizes;
- The City is not seeing enough purpose-built rental housing constructed to meet demand;
- Access to retail, transit and other community amenities can bolster the market for new residential development, making an area attractive to prospective new households;
- Similarly, adding residential uses near existing retail clusters can improve the viability of those retail environments. The practice of redeveloping major retail centres for a mix of uses including residential, as well as other community

amenities such as parks, community centres, and even additional retail is growing across Ontario and Canada;

City of Windsor Official Plan

**Development Strategy** 

- Regional Commercial Centres will eventually become vibrant commercial/residential areas
- Nodes will exhibit a wide variety of land uses, including higher density residential and employment uses, and have access to frequent public transit service.
   Corridors will be mixed commercial, residential and employment uses with higher density

#### Policy Changes - Official Plan

Low Profile Residential Areas – Stable Neighbourhoods

- Policies to protect character through limits of gross floor area and height
- Zoning By-law revised to include maximum height (9.0 m) and maximum gross floor area (400 sq m)
- Require site plan control for 5 or more units in a development.
- Require design brief as part of application process to define character and demonstrate compatibility
- Design Guidelines will provide additional development details/examples
   Policy Changes Official Plan

# Mature Neighbourhoods

- In addition to policies and zoning for Low Profile Neighbourhoods:
  - Design brief to describe historic and current architectural style, materials and site characteristics.
  - Site Plan control to apply to all development and redevelopment in excess of 50 per cent increase in coverage or gross floor area.
  - Development or redevelopment to be consistent with historic neighbourhood character

Moved by F. Coughlin, seconded by J. Brunet,

That the update by the City Planner regarding Ontario's housing crisis and Bill 109 and the update by the Planner III, Special Projects regarding the Multi-Residential Interim Control By-law **BE RECEIVED.** 

Carried.

#### 4.2 Trans Wellness Ontario

#### Item 4.2 Trans Wellness Ontario

Sydney Coyle, Education Lead, Trans Wellness Ontario appears before the Committee and provides the following overview of the LGBTQ2S Youth Homelessness in Canada:

- 150,000 young people experiencing homelessness in Canada
- 25-40% of homeless youth in Canada identify as LGBTQ2S

- 35,000 homeless youth in Toronto (6,000/night)
- 21% of youth in Toronto shelters identify as LGBTQ2S
- 9 youth emergency shelters equals 350 beds
- 4 transitional housing programs equals 110 beds
- LGBTQ2S youth have difficulty finding shelters where they feel safe and respected; they experience high rates of discrimination and violence in shelters.
- LGBTQ2S-specific housing options are an essential component in addressing youth homelessness and meeting the needs of LGBTQ2S youth.
- LGBTQ2S youth are overrepresented in the homeless youth population, but underrepresented in shelters and face more discrimination than any other youth group.
- Some youth feel safer on the street than in the shelters as they have to deal with homophobia, biphobia and transphobia.
- S. Coyle states that a lack of proper training for shelter staff results in a lack of knowledge and ignorance towards queer and trans people. Ney advises that Trans Wellness is a non-profit organization funded through grants and community donations. Ney adds that Trans Wellness Ontario wants to support those agencies that are helping people experiencing homelessness, in order to develop programming and to best support their trans clients.
- S. Coyle recommends that the City of Windsor provide funding for the five major organizations in the Windsor Essex community to receive diversity training. As the Education Lead, ney has developed a specialized training for different sectors including health care education, and one that is specifically entitled "Poverty, homelessness and Rejection". We talk about challenges that queer and trans persons experience in the shelter system and how to be ally service providers. They are requesting funding to train the staff who are working at the five main organizations Downtown Mission, the Welcome Centre, Hiatus House, Salvation Army and Housing Information Services as a start and once this is successful, they would like to provide this training to all agencies addressing housing and homelessness within the community. Additionally they are requesting funding to do consultation services to review an organization's physical spaces, policies and procedures. Ney adds that the City of Toronto has made it mandatory for all shelter staff to receive LGBTQ cultural competency training and asks that the City of Windsor make it mandatory for shelter staff to receive diversity training.

In response to a question asked by the Chair regarding if Trans Wellness Ontario has data relating to people seeking permanent housing in the non-profit or private market, S. Coyle responds that many people experienced the same barriers, i.e. clients did not feel safe, transphobia issues and random employment due to not enough income to sustain housing.

Councillor McKenzie concurs that there is a lack of available housing for all folks across the community and it is important to understand that there is a need to provide better services. He asks the presenter how many folks they serve in the community.

S. Coyle responds that in 2021, Trans Wellness Ontario conducted over 1,500 counselling appointments, 245 food banks and 128 intakes. They worked with clients to find housing supports.

In response to a question asked by Councillor McKenzie regarding the people they serve and the services provided, would housing be something they would try to address, S. Coyle responds that housing assistance was provided to thirty individuals.

Councillor McKenzie requests that Gayle Jones, Diversity/Accessibility Officer, City of Windsor provide remarks relating to the presentation by S. Coyle.

- G. Jones responds that the presentation is consistent with the research regarding the challenges, the barriers and discrimination that is faced by the queer and trans community. She adds that it is difficult for people to relate to something that they have not experienced and we are fortunate to have the Trans Wellness organization that has that expertise. In terms of the best format for training moving forward, she asks if this process has been used in other municipalities, i.e. the municipality funds the training for shelters.
- S. Coyle responds that ney is not certain if other municipalities have made the training mandatory, but is aware that the City of Toronto has done so.
- J. Tanner advises that the city has direct funding and has a contractual relationship with four of the five organizations listed, and states the city administrative staff would be happy to work with Trans Wellness and help facilitate training opportunities within the shelter system. We want to see the shelters migrate towards best practices; to operate more as a system and adds that the community had undertaken an Review of Emergency Shelter Services in Windsor and Essex County and there were some specific recommendations in that review to allow for safe shelter spaces for the trans community.
- K. Goz states that the shelter system has a significant turnover of staff so if Trans Wellness is able to do training modules that could be prerecorded, and can be embedded in those organizations in training packages, that would be ideal.
- S. Coyle responds they are currently in a partnership with the Windsor Essex Children's Aid Society to develop modules

The Chair asks if Trans Wellness is involved with the County.

S. Coyle responds that homelessness in the County looks very different from the City as there are no services out in the County. We know that discrimination against the

queer and trans community is much higher in the County. Many queer and trans youth remain closeted and are not able to come out due to safety concerns.

J. Diamond Francis advises that on June 1, 2022, that County Council approved funding for a homelessness hub in Leamington. It is important that the staff receive the appropriate training in order to deliver the service and it is hoped to have a service provider in the fall 2022. She adds that County Council will fund this initiative for two years.

Moved by Councillor K. McKenzie, seconded J. Brunet,

**WHEREAS,** members of the 2SLGBTQIA+ community face barriers to finding appropriate housing and housing services in Windsor/Essex in disproportionate numbers and;

**WHEREAS** the barriers faced are multi-faceted and complex including institution al, administrative as well as discriminatory,

THEREFORE BE IT RESOLVED that the Housing and Homelessness Advisory Committee recommends that the City of Windsor Administration consult with community partners in Housing, Social Services and appropriate community advocacy groups including Trans Wellness Ontario and others to bring forward recommendations for both Windsor City Council and County of Essex Council consideration to address the housing challenges faced specifically by the 2SLGBTQIA+ community.

Carried.

#### 5. Business Items

#### 5.1 Updates by Administration

Goal 1: Sustain & expand social housing & affordable housing supply \

# 2022 Canada Ontario Housing Benefit (COHB) Applications for Windsor Essex

T. Moore provides the following overview:

The Canada-Ontario Housing Benefit (COHB) is a federal-provincial housing allowance program providing an income-tested, portable housing benefit (PHB) payment to low-income households. The COHB is designed to help increase affordability of rental housing for eligible households that are on social housing waiting lists. Approved applicants under this program must consent to being removed from the social housing wait list. The City of Windsor estimates the 2022-23 COHB allocation has the potential to assist approximately 250 to 260 households.

The Ministry of Municipal Affairs and Housing (MMAH) released the 2022-23 COHB application on May 4, 2022 which was later than anticipated, and will assist with housing costs on or after May 1, 2022 not April 1, 2022 as previously reported. Within days of the release COHB staff began working to process COHB applications for residents of Windsor and Essex County.

#### 2022 Ontario Renovates – Social Housing Repair Program (OR-SHRP)

T. Moore provides the following information:

Applications for the 2022 Ontario Renovates Social Housing Repair Program (ORSHRP) have been distributed to Social Housing Providers in Windsor and Essex County.

- The City of Windsor engaged an external consultant to conduct operational reviews and building condition assessments (BCA's) for the social housing providers.
- Applications received for the upcoming 2022-23 OR-SHRP Program, will be evaluated in conjunction with the Building Capacity Assessments (BCA's) completed by Pretium. The BCA reports have been shared with all of the Social Housing Providers in an effort to assist them in identifying and prioritizing the repairs required. Items identified within the BCA, will take priority when applications are considered and are subject to Service Manager discretion and available funding.
- Applications with the accompanying quotes are due to our office on or before July 15, 2022.
- This initiative aligns with our Housing and Homelessness Plan (HHP) Goal 1: Sustain and Expand Social and Affordable Housing Supply; Strategy 1.6 (Page 17) which refers to conducting a review of the current social housing stock to determine the current and future state of repair and leverage government funding to support capital repair, replacement and upgrading of major building components for social housing as well as the City of Windsor HHP target to repair, on an annual basis, an average of 30% of social housing stock. (Page 14)

#### **Current & Future Capital Funding Streams**

J. Tanner provides the following highlights:

The province has released another round of **Social Services Relief Funding** (**SSRF**, **Phase 5**), and provided the Service Manager with a total allocation of \$3.4 million. City Administration has submitted an investment plan to the Ministry of Municipal Affairs & Housing and is awaiting approval of its plan to utilize \$1.37 million for operating costs, including the continuation of the COVID Isolation & Recovery Centre for people experiencing homelessness, and \$1.92 million in capital funding to create new affordable housing in Windsor and Essex County. Any announcements about these projects will come directly from the provincial government.

The Canada Mortgage and Housing Corporation (CMHC) is the lead in delivering National Housing Strategy Initiatives over the next 10 years by offering funding opportunities for new construction and repair/renewal to local private and non-profit organizations with the purpose of increasing the housing stock, or sustaining the existing affordable housing supply. An announcement for Round 3 of the **Rapid Housing Initiatives (RHI)** is imminent and will be reported as program details are available.

On September 21, 2020, the Government of Canada announced round 1 of the Rapid Housing Initiative (RHI), a \$1 billion program to help address urgent housing needs through the rapid construction of affordable housing. In June 2021, CMHC announced the creation of 4,500 new affordable housing units across the country with an additional investment of \$1.5 billion through a Round 2 of the Rapid Housing Initiative (RHI). These housing units will support Canadians who are in uncertain housing situations, experiencing or at risk of homelessness, or living in temporary shelters because of the pandemic.

As part of round 2 RHI, the City of Windsor as Consolidated Municipal Service Manager for Windsor and Essex County received a priority allocation of \$9,337,117 in Round 2 to create a minimum of 35 units of new permanent affordable housing as part of the Cities Stream. The City submitted an application for 3 projects, 2 in the City and 1 in the County and all 3 projects were approved by CMHC in October 2021 with projects currently underway anticipated to be complete by the end of 2022.

### Goal 2: Sustain and expand housing that is linked with supports.

#### **New Supportive Housing**

COVID-related capital funding from upper levels of government was utilized to provide funding to Assisted Living South West Ontario (ALSO) to purchase and renovate a building to create 29 new supportive housing units. This facility will begin intakes in July.

#### **Goal 3: Ending Homelessness**

Windsor Essex By-Names Prioritized List data for May 2022.

K. Goz provides the following as it relates to the By-Names prioritized list.

Monthly homelessness data			Outflow		Inflow			Balance Check		
Chronic	Month	Actively Homeless	Move-Ins	Moved to Inactive	Newly Identified	Aged-In	Returned from Inactive	Returned from Housing	Net Monthly Change	Balance Check
Past month for balance check static values	Apr-22	347	28	23	12	6	14	7	-12	
Current month dynamic formulas	May-22	360	30	24	22	5	10	30	13	Yes

Monthly homelessness data			Outflow		Inflow			Balance Check		
Veteran Mo	Month	Actively Homeless	Move-Ins	Moved to Inactive	Newly Identified	Aged-In	Returned from Inactive	Returned from Housing	Net Monthly Change	Balance Check
Past month for balance check static values	Apr-22	1	0	0	0		0	0	0	
Current month dynamic formulas	May-22	2	0	0	0		0	1	1	Yes

Month			Outflow		Inflow			Balance Check		
		Actively Homeless	Move-Ins	Moved to Inactive	Newly Identified	d Aged-In	Returned from Inactive	Returned from Housing	Net Monthly Change	Balance Check
Past month for balance check static values	Apr-22	439	54	34	32		16	12	-28	
Current month dynamic formulas	May-22	463	36	37	50		12	35	24	Yes

#### **Housing Hub Consultation**

K. Goz provides the following information relating to the Housing Hub.

In July 2021, City Council approved a report (C 98/2021) in which Administration presented a Housing Hub Vision, that aims to build on the success of the Homelessness & Housing Help Hub (H4) and create a permanent space where people at risk of homelessness or experiencing homelessness can go for housing help and a variety of other services such a health, mental health and addictions supports. The hub vision also includes onsite permanent affordable housing and a flexible space that can be used in response to civic emergencies.

City Administration engaged with Glos Arch + Eng to conduct community consultations with key stakeholders, elected officials and service users which was completed in late 2021. Glos has also identified what physical space would be required for the Housing Hub and preliminary construction / renovation cost estimates. The final report will be presented to City Council this summer, and a copy will be provided to HHAC and the County.

#### **New Emergency Shelter for Women & Families**

As previously reported to HHAC, COVID-related capital funding from the provincial and federal levels of government was allocated to the purchase of a hotel and renovations to convert it to an emergency shelter. The renovations are now complete and the Welcome Centre staff are onsite getting things set up to begin welcoming women and families at the end of June. This facility will be the first family shelter in the community,

offering up to 20 rooms for families, and the capacity to accommodate up to 32 single women. It will also be the first pet friendly shelter in Windsor-Essex when the Welcome Centre begins its pet intake process later this summer.

5.2 l	<b>Jpdates</b>	from	Member	<b>Organizations</b>
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None.

#### 6. Date of Next Meeting

The next meeting will be held in September 2022 (date to be determined).

#### 7. Adjournment

There being no further business, the meeting is adjourned at 12:05 p.m.

	CHAIR
	01.7
COMMITTEE COORD	INATOR



# Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, July 5, 2022

Time: 3:30 p.m.

**Location:** Council Chambers (2<sup>nd</sup> Floor)

**Essex County Civic & Education Centre** 

360 Fairview Ave. West Essex, Ontario N8M 1Y6

#### **Attendance**

**Board Members:** 

Gary Kaschak – Chair
Kieran McKenzie
Jim Morrison
Ed Sleiman
Marc Bondy
Aldo DiCarlo – Vice Chair

City of Windsor
City of Windsor
City of Windsor
County of Essex
County of Essex

Gary McNamara County of Essex (Ex-Officio)

**EWSWA Staff:** 

Michelle Bishop General Manager

Steffan Brisebois Manager of Finance & Administration

Tom Marentette Manager of Waste Disposal

Teresa Policella Executive Assistant

**City of Windsor Staff:** 

Anne Marie Albidone Manager of Environmental Services
Tony Ardovini Deputy Treasurer Financial Planning

**Absent:** 

**Board Members:** 

Fabio Costante City of Windsor Hilda MacDonald County of Essex

Drew Dilkens City of Windsor (Ex-Officio)

**EWSWA Staff:** 

Cathy Copot-Nepszy Manager of Waste Diversion

**City of Windsor Staff:** 

Shawna Boakes Executive Director of Operations

Tracy Beadow Project Administrator

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Natasha Gabbana Manager of Performance Measurement & Financial

Administration

Chris Nepszy City Engineer/Commissioner of Infrastructure Services

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**County of Essex Staff:** 

Mary Birch Director of Council & Community Services/Clerk

Mike Galloway County of Essex CAO

Sandra Zwiers Director of Financial Services/Treasurer

#### 1. Call to Order

The Chair called the meeting to order at 3:33 p.m.

#### 2. Roll Call of Board Members Present

Marc Bondy - Present
Fabio Costante - Not present
Aldo DiCarlo - Present
Gary Kaschak - Present
Hilda MacDonald - Not present
Kieran McKenzie - Present
Gary McNamara -Present (arrived at 3:54)
Jim Morrison - Present
Ed Sleiman - Present

#### 3. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

# 4. Approval of the Minutes

# A. June 7, 2022 Regular Meeting Minutes

Moved by Marc Bondy Seconded by Ed Sleiman

**THAT** the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated June 7, 2022, be approved and adopted.

61-2022 Carried

# 5. Business Arising from the Minutes

No items were raised for discussion.

#### 6. Delegations

There were no delegations for July 5, 2022.

#### 7. Waste Diversion

#### A. Blue Box Transition Update Re: Circular Materials

The General Manager provided an update on the Blue Box Transition to Extended Producer Responsibility. The Authority is scheduled for transition August 28, 2024. The transition period ends December 2025. The Producers will be fully responsible for the Blue Box program commencing January 1, 2026.

At the June Board meeting, the General Manager reported that Circular Materials Ontario (CMO) released a set of procurement documents to engage with the municipalities of Ontario during the transition period to continue to provide collection services.

A number of areas of concern were identified within the documents by the municipal working groups and Authority staff. Through the Association of Municipalities of Ontario (AMO), Municipal 3Rs Collaborative (M3RC), Regional Public Works Commissioners of Ontario (RPWCO) and the Municipal Waste Association, a letter was composed to CMO outlining the concerns. On June 22, 2022, CMO issued revised documents on its website. The revised documents included changes or removal of items that Ontario municipalities had identified as concerns and/or unacceptable conditions. However, some financial and operational concerns still remain unresolved.

Further, in early June, CMO announced that they had contracted with Reverse Logistics Group (RLG) to issue Requests for Proposals (RFPs) for interested parties, including Essex-Windsor, to establish Receiving Facilities for Blue Box material. They have taken all the municipalities in the Province and have grouped them into catchment areas. The catchment area for Essex-Windsor is the area that the Authority is currently.

A Receiving Facility operates differently than how the Authority is currently operating. Currently, the recyclables delivered to the Authority are processed or sorted by commodity, baled and marketed. The RFPs for Receiving Facilities require fibre and container products delivered to the facility be either loose loaded (loaded to an open trailer) or baled and then shipped to a full processing facility. Currently there are approximately 20-25 Material Recovery Facilities (MRFs) similar to the Authority in Ontario. CMO is looking to create large MRFs. Instead of having 20-25, they may have 10 in the entire Province. They are looking for receiving facilities to basically bulk the material and ship it to another location.

The procurement documents contain much of the same language in the original collection documents. The terms create significant risk to municipalities. The

Authority is currently in the process of meeting internally, as well as with our municipal partners, to identify those concerns and either respond to CMO directly or as a group to provide municipal input. The General Manager noted that from an administrative standpoint, there terms that Administration is not prepared to recommend to the Board.

Mr. McKenzie asked if there is anything that the Board could do to strengthen the Authority's position.

The General Manager stated that there is not a lot that she can ask of the Board right now except to stay abreast of the situation. If we can not come to an agreement, there is nothing forcing municipalities in Ontario to accept their terms and the Authority can step away if we can't come to terms that are mutually agreeable that have a balance of risk. Our intention is to not cause a disruption at the curb and impact the residents of the region. She noted that there is a united front from administrative positions among the municipalities and they are sticking together and are making headway. The intention is to try to make sure that the risk does not fall to the municipalities.

Mr. McKenzie asked if there is any value in reaching out to our own elected representatives at the provincial level to see if there is any type of intervention that can be made on our behalf to support our position.

The General Manager stated that any advocacy is welcome.

Mr. McKenzie asked if the government still has a role to play.

The General Manager stated that the ball is in CMO's court. From a provincial standpoint, they are expected to follow the Regulations. The reality is that if municipalities do not come to agreement with CMO, they may not achieve their timelines.

Mr. McKenzie asked if the Board should direct Administration to reach out to local elected officials to provide them with the information and the analysis and ask them to respond and then perhaps that opens up dialogue where that response could turn into advocacy.

The General Manager stated that she would leave it up to Mr. McKenzie to make that motion, if he wishes. She stated that the situation is fluid and she will continue to provide updates to the Board.

Mr. McKenzie stated that he has a motion at the appropriate time.

Mr. Morrison agrees with where Mr. McKenzie is going but perhaps it would be too early to move down that path. He noted that the AMO conference is in August and he would hope that some councillors would be there advocating for some of these issues. His concern is there doesn't seem to be a push back in any way from our elected representatives or AMO. He thinks that we need to

give them time to work through this issue but not for an extended period of time.

Mr. Kaschak agreed with Mr. Morrison. He stated that a motion could come forward but that we probably should wait to see the outcome of this topic from the AMO conference.

Mr. McKenzie asked that Administration share the information or the positions that have been articulated by AMO regarding the Blue Box transition process with our locally and provincially elected officials. He noted that he would speak to it if there is a seconder.

Mr. Bondy seconded.

Mr. McKenzie believes that the information needs to be brought forward to our elected officials, there is a significant transition with a core service that we deliver in our region to residents and all of us will be affected by this in one way or another. We need to get people thinking about whether or not the new proponents who are going to be responsible for delivering the services are moving forward in a way that's going to be seamless as it's supposed to be and also in a way that's going to be responsible and that our residents are going to find to be an acceptable service level. He stated that we are the ones that are going to be on the front lines of being accountable to residents in terms of why this has happened. He is looking to bring more voices and more awareness to the issue with the people who have an opportunity to influence the final outcomes.

Mr. Bondy agrees with Mr. McKenzie but believes we should wait until after the AMO conference in August. Mr. Bondy believes the motion is too early and should be brought forward later in August or September once we hear what AMO is going to do. Mr. Bondy cannot see how every municipality or region affected is going to create their own deal. He assumes it will be Province wide. Mr. Bondy does not see anybody accepting terms that does not provide at least the same service that is currently being done.

Mr. McKenzie stated that he would accept a friendly amendment to bring forward the motion after the AMO conference.

Moved by Kieran McKenzie Seconded by Marc Bondy **THAT** the Board receive the report as information.

> 62-2022 Carried

B. Blue Box Transition to Extended Producer Responsibility – Request for Delegated Authority

The General Manager stated that the purpose of the report is to request the Board to authorize the General Manager to execute any agreements responsible for the collection and processing of Blue Box recyclables within Essex-Windsor that are approved by the Technical Staff Committee with the Producers or Producer Responsibility Organizations (PROs).

The General Manager explained that upon the creation of the Authority, a Technical Staff Committee was also established. The Technical Staff Committee is comprised of Authority, County of Essex and City of Windsor staff. Legal services are provided by the Authority's solicitor who is also the solicitor for the County of Essex. The City of Windsor liaises with their legal department as required. The committee meets regarding the Authority budget and any large financial variances.

Mr. McNamara arrived at 3:54 p.m.

The General Manager stated the Authority could potentially be in lame duck status in August. The lame duck status not only affects the Authority Board from August until after the election but the Authority Board would also be on hiatus until the new members are announced through the striking committees by the City of Windsor and County of Essex councils. For example, for the 2014 election, the first meeting of the Authority Board was not until March 2015. For the 2018 election, the first meeting of the Authority Board was not until April 2019. There is a potential for this Board to not be standing as it is currently for a period of almost six months.

There have been many discussions with regards to the Blue Box transition through AMO and working groups. It has been suggested by AMO that Administration look at requesting delegated authority because of the Blue Box transition process. The Producers are saying that regardless of a municipalities transition date they intend to engage with all municipalities at the same time. They are looking to having the same contracts go out to all the municipalities, which means that if the Authority potentially does not have a Board, Administration cannot enter into agreement with the Producers.

The General Manager stated that Administration is being proactive and requesting that the Board delegate authority to the General Manager with consensus from the Technical Staff Committee to authorize the engagement or the execution of agreements.

Mr. Morrison stated that he sees the need for a delegation of authority for this situation and we have to be ready to be able to respond. Mr. Morrison asked if there is something more specific in terms of in consultation with the Technical Staff Committee.

The General Manager stated that this will be similar to the way that the Technical Staff Committee meets to discuss the Authority budget. The Technical Staff Committee achieves consensus before the budget is presented to the Board. In addition, legal counsel will also be engaged at this time. Normally, when consulting with the Technical Staff Committee, the Authority does not involve the legal component. In this situation any documents will need to be vetted by the legal department.

Mr. Morrison asked if the General Manager will ensure that she has the majority of the Technical Staff Committee on side.

The General Manager stated that she would welcome any amendments to the wording but currently the Technical Staff Committee works on consensus. The General Manager asked the Manager of Environmental Services to provide further comments.

The Manager of Environmental Services stated that the Technical Staff Committee reaches 100% consensus on all issues. She noted that she has been on the committee for a very long time and that the committee always works to consensus. She noted that if the Board were to decide to not approve the delegation of authority, this would mean that the Authority would not be able to respond to the Producers and a non-response on their behalf would be considered the same as saying we are not interested and we would lose that opportunity.

Mr. Morrison stated that he has a motion at the appropriate time.

Mr. McKenzie stated that he supports the recommendation. The purpose of this recommendation is to empower Administration to be able to act up until a new Board would be constituted. He would suggest that once the striking committee process is complete, that the delegation of authority that is being contemplated would cease and would revert back to normal process be incorporated into the recommendation. Mr. McKenzie would invite Mr. Morrison to consider that in his motion.

Mr. Morrison stated that it would be just for this process. He would accept if we want to handle it as a friendly amendment. He would agree that would be the end of the delegation of authority.

Mr. Kaschak stated that appears to be a friendly amendment and asked if there was any further discussion on the amended motion. There was no other discussion.

Moved by Jim Morrison Seconded by Ed Sleiman

**THAT** the Board delegate authority to the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of

the region, the legal agreement(s) needed for the transition of the Blue Box Program to Extended Producer Responsibility as described within this report. And further THAT the delegation of authority would cease immediately upon the appointment of the new Board of the Essex-Windsor Solid Waste Authority.

> 63-2022 Carried

C. Request for Reallocation of Budgeted Funds Re: Regional Organic Waste Management Program

The General Manager stated the purpose of the report is to request the reallocation of funds that were previously approved in the 2022 budget to support the Regional Organic Waste Management program.

The General Manager discussed program spending to date and the balance of funds in the Waste Diversion Reserve. In November 2021 the Board approved the sole sourcing of the next phasing of consulting work related to the preparation of the request for proposals to GHD with an upset limit of \$50,000. The scope of the RFP changed once it was determined a short-term processing contract would be procured and the funds were not required for the preparation of the RFP.

The General Manager stated that a lot of the work preparing the RFP was completed in-house by Authority and City of Windsor Staff and the technical work to build a facility of some nature was not required so the funds have not been used. The funds are currently earmarked for GHD but the Authority is asking the Board to reallocate the funds. As the Authority moves through the RFP process for the balance of the year, and potentially not have a Board, this would allow Administration to engage a consultant to do additional work as required. One of the items that has been noted is the potential need for a consultant once we know where the material is going to be processed. Depending on the location of the processing facility, analysis is required to determine the most efficient and economical way to get the material there.

Mr. Morrison asked if any comments could be made in public session regarding the RFP that closed last week.

The General Manager stated that two submissions were received. The evaluation committee is in the process of reviewing the submissions and a report would be brought forward at the August meeting.

Mr. McNamara stated this is a good start for the short term and he is prepared to move the report at the proper time. He also wanted to share that the County of Essex is looking at uploading all waste, including organics to the County level, instead of having seven distinct contracts. The municipalities are seeing large increases for waste collection contracts. The County is looking at better ways of doing this.

Moved by Gary McNamara Seconded by Marc Bondy

**THAT** the Board approve the reallocation of funds included in the approved 2022 Operational Plan and Budget to support additional consulting required for the Regional Organic Waste Management Program.

64-2022 Carried

D. Extension of Agreement with Green for Life Environmental Services Inc. – Hazardous and Special Waste Program

The General Manager stated that the purpose of the report is to recommend the Authority approve a one-year extension from January 1, 2023 to December 31, 2023, under the same terms and conditions as contained in the original tender documents plus a 3% inflationary adjustment with Green for Life Environmental Services Inc. (GFL) for the Hazardous and Special Waste Program (MHSW).

The General Manager explained that the MHSW program operates depots at all Authority facilities to allow residents to dispose of materials such as propane tanks, paint, fertilizer, batteries and light bulbs and divert this waste from the Regional Landfill. The labour component as well as disposal and transportation of this material is contracted. GFL disposes of this material in an environmentally sound manner.

The General Manager noted that the MHSW program is also going through a transition process and currently the Authority receives partial funding through stewards for this program. Due to this transition, a short-term contract was established which began in August 2019 through December 31, 2020, which was when the transition was supposed to happen. There have been delays with the transition and the Authority is at the end of the extension agreements. The Authority is requesting a one-year extension as the transition is still ongoing. The company that the Authority originally engaged with has been bought by GFL. GFL continues to operate the program and there have been no issues to date.

Due to the contract being short-term, there was no price escalation built into the original contract. The contract has been extended twice without a price increase. Administration feels that a 3% inflationary adjustment is fair based on the inflationary pressures that we are seeing across the board particularity because there is a transportation component.

Mr. Morrison stated that he would be supporting this and would move the motion at the appropriate time. He asked the Manager of Environmental Services if there is any way that we could accommodate residents so they do not have to cross the scale and provide a more direct route to the building.

The Manager of Environmental Services explained the current process at the Public Drop Off Depot. She further noted that when the Public Drop Off was built, it was not designed for the population that we currently have. She noted they are in the process of looking at a redesign of the area.

Mr. McNamara asked if signs can be put up to direct residents to the MHSW building.

The Manager of Environmental Services stated that there are signs that indicate where to go but residents have to go through the scale as chemicals need to be weighed even though they are free to drop off.

Mr. McNamara stated that this program is very important and we do not want these items going into the landfill. He asked if there is a way to evaluate the efficiency of this program.

The General Manager stated that there are two ways to track the household chemical waste. The first way is scale traffic, as well as the volume being shipped out. The other way is through waste audits which will be performed at the end of the year. The cost of the program has gone up over the years, not only because the cost of labour and disposal has risen, but because the Authority is seeing more material being brought to the sites. It is a cost that should be borne by the Authority because we own our own landfill. It is very important to keep this material out of the landfill, not only for the waste environment within the landfill but for the health and safety of Authority staff. We do not want residents hiding material in their garbage.

Moved by Jim Morrison Seconded by Aldo DiCarlo

**THAT** the Board approve a one-year extension from January 1, 2023 to December 31, 2023 under the same terms and conditions as contained in the current agreement and tender document, "Provision of Equipment and Labour for the Receiving, Loading, Transportation and Disposal of Municipal Hazardous and Special Waste (MHSW) and for the Operation of MHSW Depots at EWSWA Facilities", plus a 3% inflationary adjustment between the Essex-Windsor Solid Waste Authority and Green for Life Environmental Services Inc.

65-2022 Carried

# 8. Waste Disposal

There were no Waste Disposal items for July 5, 2022

#### 9. Finance & Administration

#### A. 2022/2023 EWSWA Insurance

The Manager of Finance provided an update regarding the Authority's comprehensive insurance program renewal for the period of July 1, 2022 to

June 30, 2033 and explained that AON, the Authority's insurance broker, was again challenged on securing and negotiating coverage on behalf of the Authority due to insurers deeming the recycling industry, as a whole, a greater risk due to recent claims across the Province in 2022. The Manager of Finance referred to the table outlining the premiums. There is an overall increase in premiums of \$39,511 from the previous year which equates to increase of approximately 8%.

The largest increase in premium rates relates to the property and equipment coverage. A new premium for the Authority in 2022 relates to cyber coverage. The Authority was able to secure coverage for the 2022-2023 period. This includes business interruptions, losses relating to security breach, reputation loss, cyber extortion loss or data recovery costs.

The Manager of Finance also noted that there have been some decreases in premiums with the largest being the environmental coverage policy. This year the Authority has been offered a two-year term.

Since 2014, the Authority has participated in risk assessments. To date, there are no critical recommendations and the Authority has accepted all advisory recommendations. Unfortunately, insurers still feel risks are high for the Authority and consequently some of the premiums and deductibles have changed for the 2023 period.

The financial implications for the 2022 budget included an expenditure of \$562,000 for insurance related costs with approximately \$250,000 incurred as of the term expiry date of June 30, 2022. A portion of the renewal for 2022 will be \$270,500 for a total projection of \$537,200, resulting in a favourable variance of \$24,800 for 2022.

In 2020, the Authority Board approved establishing an Insurance Reserve \$250,000 would be used to mitigate the potential financial risks to the Authority in the event of a claim. The reserve is reviewed annually as part of the budget process to ensure adequate funds are available. The reserve would need to be replenished in the event of a claim.

Mr. McNamara commented that an increase under 10% is very good, especially when looking at the inflation rate of 7.7%. He commended the Authority on obtaining 100% coverage on assets. Mr. McNamara asked which aspects of the organization do insurers feel is the highest risk.

The Manager of Finance stated that it is predominantly the property and equipment and the fibre recycling facility.

Mr. McNamara commented on significant increases in the municipal sector.

The General Manager stated that there are two elements driving the increase. One being the fibre building which has the potential for a fire and the other factor is the Authority markets material from the recycling facility to the United

States. Every year as part of the renewal, the insurers ask how much revenue is from the sale of material to the United States. The Authority has had a significant increase in 2021 in commodity prices and it also becomes reflected in our liability. They see this as a potential liability claim if we ship material from Authority sites across the border and if there was a claim in the U.S.

Mr. Morrison commented that it is good to see that cyber concerns are addressed and the rates seem reasonable when looking at the potential losses that the Authority could have. He asked how the Authority went about getting cyber coverage.

The Manager of Finance stated that the plan that was offered is fairly robust and the premiums are very reasonable due to the County of Essex also obtaining cyber coverage. The insurance providers are looking to have that type of coverage now because of the significant amount of risks associated to data breaches and information loss. He noted that on July 15, 2022, the Authority is implementing a two-factor authentication log-in method which will provide another level of security.

Mr. Sleiman asked if the rates increased because of the Authority's previous claim or if it is an average of all the solid waste authorities in the province.

The General Manager explained that similar to personal insurance you many never have a claim but your insurance rate increases. The claim that the Authority had in 2005 was a significant claim and the Authority has tried to do everything to mitigate the risk but others like the Authority have had claims and insurers look at everyone and the reality of the business.

Mr. Bondy asked if the Authority has discussed a fee rather than a commission. He commented that insurers make a commission which could typically be 15-20%. He noted that savings could be realized if the Authority could negotiate a fee.

The General Manager stated that the Authority has not but will make note for the next negotiation.

Mr. Bondy also suggested that in regards to the sales to the United States, that they could do it based on the number of trips. For example, if the prices went up for the recyclables, the exposure does not change and there would be a better return on the sale.

Moved by Gary McNamara Seconded by Marc Bondy **THAT** the Board receive the report as information.

> 66-2022 Carried

#### B. County of Essex Council Motion Re: Regional Waste Collection

The General Manager referred to page 36 of the agenda. She provided an update on motions that were passed at the County of Essex Council meeting on June 15, 2022 regarding regional waste collection.

The General Manager provided background regarding the agreement that created the Authority between the City of Windsor and the County of Essex and how waste collection is handled.

On March 16, 2022, County Council agreed to a regional approach to the organics program.

On June 15, 2022, there was discussion at County Council regarding the seven county municipalities and how they currently procure and manage seven different waste contracts and the potential cost savings that exists if waste collection services were regionalized.

The General Manager referred to page 37 of the agenda package that outlined the motions passed by County Council. She noted that the motions coincide with the regional organics program.

The General Manager, Steffan Brisebois-Manager of Finance, Sandra Zwiers-County of Essex Director of Financial Services/Treasure and David Sundin - Authority and County of Essex Solicitor are in the process of planning a kick-off meeting with the seven county municipalities. The Authority has requested information to identify the nuances of all seven contracts to prepare for the kick-off meeting.

Moved by Aldo DiCarlo Seconded by Gary McNamara **THAT** the Board receive the report as information.

> 67-2022 Carried

#### 10. Other Items

Mr. Bondy asked if the sales of recyclables are still maintaining a higher level than normal.

The General Manager stated that in the first quarter of 2022 there was a favourable variance. A six-month financial report will be prepared for the August agenda. The markets should remain strong for at least the remainder of the year. Due to current inflation prices, commodity prices and supply demand issues, we will continue to see those strong prices.

Mr. Morrison asked if Mr. Costante's request at the last meeting will be deferred to the next meeting.

The General Manager stated that Mr. Costante was unable to attend today's meeting and that he requested the item be deferred until the August 10<sup>th</sup> meeting.

# 11. By-Laws

#### A. By-Law 8-2022

Moved by Marc Bondy Seconded by Ed Sleiman

**THAT** By-Law 8-2022, being a By-law to Authorize the Extension of an Agreement between the Essex-Windsor Solid Waste Authority and Green for Life Environmental Services Inc. for the Provision of Equipment and Labour for the Receiving, Loading, Transportation and Disposal of Municipal Hazardous and Special Waste (MHSW) and for the Operation of MHSW Depots at Essex-Windsor Solid Waste Authority Facilities.

68-2022 Carried

#### B. By-Law 9-2022

Moved by Marc Bondy Seconded by Ed Sleiman

**THAT** By-Law 9-2022, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 5<sup>th</sup> day of July, 2022.

69-2022 Carried

## 12. Future Meeting Dates

Wednesday – August 10, 2022 Wednesday – September 14, 2022 Tuesday – October 4, 2022 Tuesday – November 1, 2022 Tuesday – December 6, 2022

# 13. Adjournment

Moved by Kieran McKenzie Seconded by Marc Bondy **THAT** the Board stand adjourned at 4:49 p.m.

> 70-2022 Carried

All of which is respectfully submitted.

Gary Kaschak Chair

Michelle Bishop General Manager



# **Administrative Report**

## Office of the Director, Financial Services/Treasurer

To: Warden McNamara and Members of Essex County

Council

From: Sandra Zwiers, MAcc, CPA, CA

**Director, Financial Services/Treasurer** 

Date: Wednesday, September 07, 2022

**Subject:** Financial Projected Results of Operations 2022

Report #: 2022-0907-FIN-R13-SZ

#### **Purpose**

To report the projected results of operations for the fiscal period ending December 31, 2022.

## Background

In accordance with established practice, a projection of results of operations for the current fiscal period is prepared on the basis of results of operations to various interim dates.

# Discussion

Based on July year-to-date activity and discussions with the senior administrative team, the Corporation is projected to be in a net deficit position of approximately \$2,000. Operationally, the Corporation is projected to be in a surplus position of approximately \$229,000, offset by a projected deficit in the Corporation's capital programs of approximately \$231,000.

It is important to highlight that projections are predicated on a number of significant assumptions, namely:

- Favourable resolution to various outstanding wage related matters within collective bargaining groups;
- Winter control activities remaining within the five-year average;
- Social services caseloads and Social Housing costs remaining favourable;

- No significant tax write-offs;
- Stable returns on investments within the Corporation's investment portfolio;
- A stabilization of existing inflationary conditions; and
- The impacts of COVID-19 remain at projected levels for the remainder of the year.

Factors contributing to the projected year-end position are highlighted below by department:

# **Community Services**

\$9,900

The surplus is primarily driven by a staff retirement in the Housing with Supports program that created marginal wage savings during the spring.

The 2022 Budget anticipated the opening of a new Housing with Supports Home in January however due to construction related delays, the home opened mid-year. The subsidy savings are expected to be offset by a reduction in regional per diem funding.

The pandemic continues to put pressure on vulnerable populations in our community and the Manager of Community Services took mitigating action to address the increased demand for discretionary medical and client transportation costs. In year savings in other operational expense lines are being redirected to cover these requests.

#### **Sun Parlor Home**

\$115,250

The healthcare sector is experiencing significant staffing shortages and burnout. Overtime to cover staff absences and the payment of incentives, while significant, is projected to be fully funded by provincial subsidy programs.

The 2022 Budget incorporated funding to support an increase in direct care staffing hours however a shortage of skilled healthcare professionals in the region made achieving hiring goals challenging.

Capital projects related to direct resident care are projected to be complete by year end. Other interior building related capital projects were impeded by access to the Home due to outbreak conditions and the lack of capacity in the vendor market to take on these smaller projects. The 2023 Capital program will reflect carryover projects unable to be completed in 2022.

Overall, the departmental surplus is driven primarily by receipt of unanticipated subsidy funding received in 2022 for the prior operating year.

# **Emergency Medical Services**

(\$341,650)

As the pandemic drags on, EWEMS is experiencing a similar staffing crisis to Sun Parlor Home. The increase demand for service and offload delays combined with a limited market of qualified paramedics is resulting in the need to cover shift absences with part time staff and overtime to maintain levels of service. To date, pandemic related funding from the Province is supporting the additional costs.

As previously reported to council, inflationary impacts, particularly in fuel, are contributing to the department's projected deficit.

Pandemic related supply chain issues have also delayed the receipt of new ambulances to relieve the fleet of aging vehicles. The need to keep units in service longer than planned in the fleet program has nearly doubled projected repair and maintenance costs. A portion of the Corporation's Safe Restart funding is projected to be applied to buffer these negative variances.

# **Infrastructure and Planning Services**

(\$46,200)

Inflation and construction market capacity impacted the capital program in 2022. Asphalt escalation and fuel increases drove up the cost of projects and fleet operations. Offsetting these negative variances are favourable line painting and surface treatment procurements.

The expansion capital program, funded entirely from reserve, is projected to be significantly underspent. Market capacity combined with the complexities of coordinating projects with utility companies, other levels of government and land acquisition processes have delayed a number of projects. Administration will bring an updated expansion plan forward as part of the 2023 Budget package.

# **Library Services**

\$NIL

Library operations continued their progression towards pre-pandemic service levels in 2022 with the gradual increase in programming. Vacancies in a manager, IT and clerk position combined with savings in departmental pension/benefit costs and other office expenses contributed to a projected surplus that will be transferred to ECL's Rate Stabilization Reserve to nullify any 2022 variance.

# **General Government**

\$264,200

The 2022 Budget included the hiring of a records management specialist in March. Recruitment was delayed and the position was filled later in the year generating savings. Additional savings from a long-term medical leave and

wage recoveries from ECL for interim leadership support are contributing to the departmental surplus in wages.

#### **External Commitments**

(\$3,500)

The 2022 External Commitment program was augmented to include the responsibility for the Isolation and Recovery Centre as well as the Leamington Housing Hub pilot project. Both programs are fully funded and do not impact the Corporation's bottom line.

The deficit projection represents a nominal difference in the budget for MPAC services to actual billing for regional property assessment services.

# **Closing Comments**

There are no other significant variances to report at this time.

The Corporation's projected financial position is based on seven months of activity with significant uncertainty regarding budget performance for Social Services, Social Housing, Emergency Medical Services, Sun Parlor Home, Infrastructure Services and outstanding contract/wage settlements and pay/internal equity adjustments. Variance from projection in any one of these operations could have a significant impact on the Corporation's financial position for 2022. Additionally, COVID-19 levels in our region will continue to influence our operations and it is unknown how long these impacts will last.

Financial Services, with the assistance of departments, continue to look for opportunities for reductions/cost savings and will carefully monitor operations and report accordingly.

# **Financial Implications**

In accordance with the Corporation's Reserve Strategy, surpluses not identified for specific application are to be transferred to the Rate Stabilization Reserve at year-end. Conversely, deficits are to be mitigated through recommended withdraws from appropriate reserves including the Rate Stabilization Reserve at year-end. Should projections result in an actual deficit at year-end, Administration recommends drawing from the Corporation's Safe Restart/COVID funds (accounted for as deferred revenue in the Corporation's accounting records). The driving factor of deficits relate to supply chain and inflationary pressures stemming from prolonged pandemic pressures.

# **Consultations**

- Senior Leadership Team
- Manager of Budget & Administration

# Recommendation

That Essex County Council receives the Projected Results of Operations 2022 for information.

# **Approvals**

Respectfully Submitted,

Sandra Zwiers

Sandra Zwiers, MAcc, CPA, CA, Director, Financial Services/Treasurer

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

<b>Appendix Number</b>	Title
N/A	N/A



# **Administrative Report**

# Office of the Manager, Planning Services

To: Warden McNamara and Members of Essex County

Council

From: Rebecca Belanger, MCIP, RPP

**Manager, Planning Services** 

Date: Wednesday, September 07, 2022

**Subject:** Request from the Town of Tecumseh to Initiate an

**OPA to incorporate revised CIP Policies** 

Report #: 2022-0907-IPS-R02-RB

# Purpose

To request direction from County Council to initiate a process to amend the County's Official Plan for the purpose of incorporating Community Improvement Plan policies that would allow for the County to participate in grant programs of lower-tier Community Improvement Plans (CIP) specific to attracting large scale industrial development.

# Background

Attached to this Council Report is correspondence from the Town of Tecumseh providing a resolution which states "that County Council be requested to initiate a process to amend the County Official Plan in order to incorporate revised Community Improvement Plan policies that would allow for the County to participate in grant programs of lower-tier Community Improvement Plans that have been adopted in accordance with Section 28 of the Planning Act".

The Town of Tecumseh has finalized the process to put in place a new Townwide Community Improvement Plan aimed at targeting and incentivizing large-scale industrial development. The proposed CIP focusses on attracting major new industrial investment and development in the Town. The industrial CIP will allow the Town to provide rebates for eligible costs through financial incentive programs. It is common practice by municipalities through the use of CIPs to provide a suite of incentives including municipal

rebates on property tax, development charges, and Planning and Building application fees. The intention of this industrial CIP is to strategically focus on incentivizing significant industrial development, in alignment with Federal and Provincial incentive programs, in order to generate broad economic development benefits to the Town and region. The Town's Official Plan currently contains policies that support the establishment of a CIP (S.10.8) and has recently been updated to provide broadened application.

As the Town has embarked on this process, it was noted due to the two-tier municipal structure in Essex County, local municipalities are only able to provide tax increment rebates for their portion of the property tax. The County and Education portions would still require full collection. For the Town of Tecumseh, this results in potential rebate to only 48.5% (municipal levy) of the total tax bill. The balance of the tax bill (31% County levy and 20.5% Education levy) would not be eligible for rebate. Adopting a matching CIP policy at the County level would afford local municipalities the ability to increase the financial incentive to qualifying developments. It should be noted; Education levies must still be collected.

In 2021, the Province released Driving Prosperity: Ontario's Automotive Plan Phase 2 with a main objective to transition and expand Ontario's automotive sectors towards vehicle and parts production for more hybrid and EVs by building at least 400,000 electric vehicles and hybrids by 2030. The County is well positioned to support the transition of the automotive sector as directed by the Provincial and Federal government in recent announcements.

With the recent major announcement regarding Stellantis/LG, Essex County is poised to attract similar companies, or large-scale feeder plants and enhance local synergies within the automotive sector. The intent of the CIP initiative would be to offer similar tax incentives that are available to single tier municipalities or cities. In order to attract the \$5 billion-dollar electric vehicle battery plant, the City of Windsor along with senior levels of government reportedly contributed significant incentives including a 20-year incremental property tax rebate. Incentives offer the region methods to further diversify and expand local economies in Essex County to ensure long-term sustainability and substantial job creation.

The County's Official Plan contains limited policies regarding Community Improvement Plans. Currently, the County Official Plan has policy 3.2.4.1 (f) encouraging CIPs for downtown/uptown areas. County Planning has conducted research regarding the method to support Tecumseh's request to contribute matching municipal tax increment rebates for large scale industrial investment and additional OP policies are required. Under Section

28(7.2) of the *Planning Act*, the County has the ability participate with the Town of Tecumseh for Community Improvement Plan grants and incentives and the County does not need a CIP to do so. Although, the Town of Tecumseh's request provides the impetus for the addition of policies in the County OP to participate in local CIP's, it should be noted that the OPA will generally allow the County to partner with all local municipalities offering financial incentives for economic stimulus for large scale industrial development.

#### **Discussion**

The County obtained an Outline of Services from Dillon Consulting to provide planning assistance to advance the project through the planning approvals process. Due to statutory requirements associated with an Official Plan Amendment under the *Planning Act*, this process is expected to take a minimum of three months to complete. Public consultation will form part of the work program and stakeholders such as Invest-WindsorEssex will be contacted to obtain their feedback. All seven municipalities will be consulted throughout the development of the OPA to ensure local municipalities have the ability to participate and respond to the language of the proposed amendment. Following receipt of County Council's approval, the work program will commence immediately with the intention of bringing the OPA back to County Council for approval expeditiously completing the amendment prior to advancing to Phase 2 of the County's Official Plan review.

It is recommended that the County Official Plan Amendment allowing the County to participate in local CIP financial incentives (tax increment grants) relating only to large scale industrial investment be advanced at this time due to the recent announcement and potential for multiplier interest in feeder plants. For clarity, a tax increment grant affords an eligible property owner an annual rebate based on the increase in property tax arising from new development or re-development that generates an increase in the property's current value assessment.

Since the County has initiated the Official Plan review process, it is further proposed that this issue of matching tax increment grant funding be added to the list of topics to be included in the RFP for Phases 2 and 3 of the Official Plan review.

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Request from the Town of Tecumseh to Initiate an OPA to Incorporate revised CIP Policies

County Planning also recommends that a program guide should be developed to describe how the County will participate in local Community Improvement Plans and what levels of funding will be offered.

# **Financial Implications**

The Outline of Services from Dillon Consulting to provide planning assistance to advance this project through the planning approvals is \$20,000 excluding applicable taxes. This initiative was not anticipated during the development of the 2022 Budget and therefore is an unbudgeted expenditure. Coordination with and understanding of the Town of Tecumseh's CIP program is considered to be an important aspect of awarding this consulting work. Dillon Consulting was retained by the Town of Tecumseh and Administration recommends limited tendering (direct award) to Dillon Consulting in place of a competitive procurement.

In addition to third party consultant fees, adopting matching CIP policies will generate costs related to the value of the awarded tax increment grants and the cost to administer the program (review applications, calculate and pay grants on an annual basis and maintain records). Tecumseh's tax increment grant limits the tax rebate to 50% of the year over year increase in assessment and provides for a rebate for up to 10 years. The collection of a portion of the property tax growth will help to offset the majority of the cost of the program. The balance, if any, would need to be funded from other sources. It is difficult to estimate the net cost of the program until specific applications are made and processed. Tecumseh's CIP allows for a variety of qualifying large industrial development ranging in size from 125,000 square feet all the way up to an automotive assembly plant having approximately 1,500,000 square feet. An analysis of structure values suggests an average value per square foot of \$60 (based on 2016 CVA). The table below illustrates the possible range of tax increment grant costs on an annual basis for a single application.

# Estimated Range of Annual Tax Increment Grant Cost (for a single application)

Square Footage	Large Industrial CVA Estimate (based on \$60/sqft)	Annual County Tax Levy (Using 2022 Large Industrial Tax Rate)	50% Tax Increment Rebate
125,000	\$7,500,000	\$100,076	\$50,038
1,500,000+	\$90,000,000	\$1,200,915	\$600,458+

NOTE:

The top end of the range could exceed 1,500,000 sqft if the development is an automotive assembly plant. Chart is for illustration purposes only and Council has the option of discontinuing the program in the future should strategic development targets be achieved.

The 2022 Budget does not include funding for a matching CIP Policy Program. Should Council approve the advancement of matching CIPs, the 2023 Budget would include an estimate of the financial impact.

On an annual basis, County Council may wish to establish a funding cap as part of the budget setting process. Since the County's CIP Policy Program would be open to matching by all local municipalities within the County, the program would also need to establish the criteria for prioritizing eligible projects in the event requests exceed available funding.

The benefit of the County's participation in providing matching tax grant funding will position the County and local municipalities at a level playing field with single-tier municipalities including the City of Windsor and play a significant role in increasing the level of large industrial development in the County. As a region with primarily residential assessment, programs that encourage growth in other tax classes help to diversify our assessment base and strengthen our ability to weather economic challenges.

## **Consultations**

Town of Tecumseh Planning and Finance Departments

- Dillon Consulting
- County of Essex Official Plan Planning Advisor
- County of Essex Director of Financial Services/Treasurer

# Recommendation

That County Council direct the Manager of Planning Services to initiate the planning process to undertake an Official Plan Amendment to modify the County's Official Plan regarding Community Improvement Plans and report back with further recommendations.

# **Approvals**

Respectfully Submitted,

Rebecca Belanger

Rebecca Belanger, MCIP, RPP, Manager, Planning Services

Concurred With,

Allan Botham

Allan Botham, P.Eng., Director, Infrastructure and Planning Services

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

<b>Appendix Number</b>	Title
Α	Correspondence from the Town of Tecumseh,
	Industrial CIP

May 17, 2022

#### mbirch@countyofessex.ca

Ms. Mary Birch
Director, Legislative and Community Services /Clerk
County of Essex

Dear Ms. Birch:

Re: DS-2022-21 Industrial CIP, Recommendations for Statutory Public Meeting

The Corporation of the Town of Tecumseh, at its May 10, 2022 meeting, passed the following motion regarding an Industrial CIP and recommendations for a statutory public meeting:

**That** Report DS-2022-21 entitled "Proposed Industrial Community Improvement Plan - Recommendation for Statutory Public Meeting", **be received**;

**And that** the scheduling of a public meeting, to be held on Tuesday, June 7, 2022 at 4:30 p.m., in accordance with the *Planning Act* for the purpose of seeking public and stakeholder input on a proposed Industrial Community Improvement Plan, **be** authorized;

**And further that** County Council **be requested** to initiate a process to amend the County Official Plan in order to incorporate revised Community Improvement Plan policies that would allow for the County to participate in grant programs of lower-tier Community Improvement Plans that have been adopted in accordance with Section 28 of the *Planning Act*.

The link to Report DS-2022-21 Industrial CIP, Recommendations for Statutory Public Meeting can be found <u>here</u>. Arrangements have been made to hold the Public Meeting on **Tuesday**, **June 7**, **2022** at **5:30 pm** (not 4:30 as noted in the resolution).

We would ask that County Council begin the process to amend the County Official Plan to allow the County to participate in grant programs of lower tier Community Improvement Plans (i.e. broadened CIP policies, support of lower tier grant programs).

Yours very truly,

( JAlexander

Jennifer Alexander, DPA
Deputy Clerk & Manager Legislative Services

JA/sw

cc: Mr. Brian Hillman, Director Development Services (bhillman@tecumseh.ca)

Ms. Rebecca Belanger, Manager, Planning Services (<a href="mailto:rbelanger@countyofessex.ca">rbelanger@countyofessex.ca</a>)



# **Administrative Report**

# Office of the Director, Infrastructure & Planning Services

To: Warden McNamara and Members of Essex County

Council

From: Allan Botham, P.Eng.

**Director, Infrastructure & Planning Services** 

Date: Wednesday, September 07, 2022

Subject: County Road 42 and County Road 43 – Phase 1

Report #: 2022-0907-ISD-R21-AB

#### **Purpose**

The purpose of the subject report is to provide County Council with an update on Phase 1 of the larger County Road 42 and County Road 43 ("CR 42/43") Roadway Expansion Project (the "Project") (please refer to Figure 1). This update includes information on the status of construction, and market conditions in the region.

This information is provided as background to support the probable action, and decision to exercise the CAO's delegated authority under By-law 2022-25 to 'authorize unbudgeted expenditures or liabilities of the County of Essex exceeding \$50,000' and to enter into a contract to complete Phase 1 of the Project.

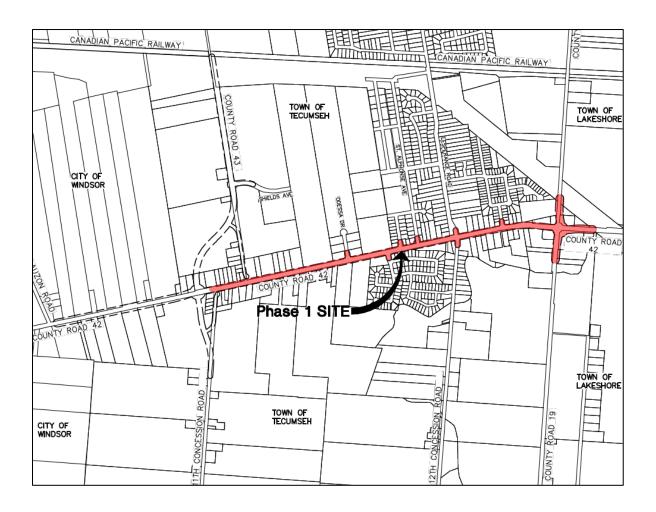
# Background

The Project began a number of years ago with the completion of an Environmental Assessment ("EA") and continued through 2022 with necessary property acquisitions and utility relocations. Recommendations from the EA and recent growth projections support the need for the project, particularly the:

(1) New Windsor/Essex Regional Acute Care Hospital to be constructed on land at the corner of County Road 42 and the 9<sup>th</sup> Concession, and the expected increase in traffic that will ensue during the hospital construction and following the hospital opening;

- (2) Historic commitments to the Town of Tecumseh by the County to improve that section of County Road 42 and realign County Road 43 (Banwell Road); and
- (3) Increases in traffic along that section of County Road 42 as Tecumseh and Lakeshore continue to grow and County Road 42 becomes even more important for commuter traffic.

Figure 1



A recent announcement regarding the battery plant to be located at the corner of Banwell Road and EC Row Expressway has made the Project even more pressing. County municipalities continue to grow, along with the number of daily commuters, and a new factory complex will only increase these pressures in this area of the County.

The Project is intended to take place over multiple phases, and is set to be, both financially and logistically, the largest single project ever undertaken by the County.

Detailed Design of Phase 1, underground works (storm sewers, sanitary sewers and watermain) to accommodate the widening of CR 42 from CR 19 to just west of CR43, and roundabouts at the intersections of CR42/43 and CR 19/42, were completed in December 2021.

A Request for Tenders (the "RFT") with respect to Phase 1 of the Project was posted on April 5, 2022. The closing of the RFT was then extended by the County to May 24, 2022, providing more time for potential bidders to submit the best and most reasonable pricing.

On May 18, 2022, 2 business days prior to the RFT closing, a "Contractor Contract Hardship Action Form" (the "Hardship Form") was provided by one of the potential bidders.

The Hardship Form sought to transfer the risk of any potential volatility in prices for fuel, materials, and excess soil to the County. The Hardship Form was received after the close of the advertised Q&A period. While a formal response was not posted on Bids & Tenders, Administration reviewed the hardship requests and determined the County had already provided public responses to 2 of the 3 concerns as part of the procurement process. A review of tendering practices of municipalities within Windsor Essex revealed the third hardship request, allowing for fuel escalation indexes, was not being entertained by any other municipality. The RFT continued to its advertised closing date.

Ultimately, the County did not receive any bids in response to the RFT. As no potential bidders submitted bids, the County was permitted, pursuant to the County's Procurement Policy, to directly approach contractors for the purpose of seeking to negotiate the costs for the Project directly with a contractor without needing to go back to tender. This process is called "limited tendering".

Administration had discussions with two potential contractors to gain an understanding of whether or not limited tendering is advisable in this situation. Only one of the contractors approached can actually commit to undertake the Project at this time should the County proceed with a limited tendering process and resulting contract. The estimate from the potential contractor for Phase 1 of the Project is \$29,000,000.

With respect to the budget and cost, Phase 1 of the Project is a joint project between the County of Essex and the Town of Tecumseh, with the Town of Tecumseh paying for watermain and sanitary sewer portions of the work, and the County paying for the remainder of the works. The previous projection of cost for Phase 1 was \$18,500,000 (\$14,500,000 County share and \$4,000,000 Tecumseh share). Due to various reasons, including current market values, the most recent estimate of cost for Phase 1 from the County's consultant, and as of August, 2022, is in the range of \$25,000,000 to \$30,000,000. A breakdown of cost is provided in Table 1.

Commencement of the Phase 1 - Underground works in 2022 is critical to allow for the progression of subsequent phases of the Project, particularly Phase 2 - Construction of a multi-lane roundabout at CR 42 and CR 43 and realignment of CR 43, in 2023-2024.

#### **Discussion**

Administration is concerned that any delay in the Project is problematic given the growth in that area, and the impending arrival of both a new regional hospital and battery plant, which will very likely increase traffic volumes even further. Also, of concern is the County's historic commitment to Tecumseh to improve the County Road 42/43 corridor.

As already mentioned above, the County's Procurement Policy governs what happens when no bids are received in response to a call for tenders. Section 9 of the Policy allows for what is known as "limited tendering", which allows the County to directly contract with a service provider without going through the formal and competitive tendering process.

Being respectful of normal procurement practices and public trust, all options are weighed against need, budget, current market conditions, risk and probability of success. Therefore, Administration considered options of, "do nothing" and putting the Project on hold, re-tendering, or proceeding with a limited tendering process.

For the reasons noted above regarding anticipated growth, and historic commitments, doing nothing and putting the Project on hold is neither responsible nor feasible and therefore the "do nothing" option is not recommended. "Do nothing" does not satisfy the pressing needs of the County road network in the CR42/43 corridor.

Re-tendering of Phase 1 is a potential option that warrants consideration. A public process of re-tendering provides an unlimited number of contractors an opportunity to reconsider the Project, their goals and workload. Typically, there are benefits with a large contract spanning 12-18 months such as a long backlog of work to keep employees, preferred pricing from suppliers of large quantity items, and regular payments. However, with volatile prices of construction materials and unstable supply chains, these

typical principles cannot be relied upon. Also, there are no guarantees any contractors will submit a bid, especially since the terms of the RFT would remain the same as the last time the RFT was posted. Additionally, there is no guarantee that the price will be any better than what the County may receive through the limited tendering process. Our consultant has confirmed that recent tenders closed by the City of Windsor for work of similar size and type are coming in 30-40% higher than estimated. In summary, there are risks of delay and contract pricing should the re-tendering option be exercised.

Proceeding with the limited tendering option with the interested contractor offers a high probability of an executed contract being in place in 2022, at a value that is reasonable in relation to the engineer's estimate and the comments received from another potential proponent.

In order to proceed with limited tendering option, a written justification is required and must be approved by the designated approval authority under the Policy. Given the dollar figure associated with the Project, County Council is the proper approval authority in this instance. However, given that County Council has delegated its authority until after the new Council is sworn in following the October election, it will be the CAO who makes the decision and this report is being provided to County Council to advise of the decision of the CAO in exercising the authority delegated to him.

This report serves as the written justification, should the CAO proceed with the limited tendering process, as required by the Policy.

### **Financial Implications**

Phase 1 of the Project, CR 42/43 corridor improvements, was included in the 2022 budget, with the County of Essex share of \$14,500,000. Should a contractor begin construction in 2022, it is expected that the value of work constructed in 2022 would not exceed \$3,000,000 given the time of year and remaining reasonable number of available working days.

The total cost of Phase 1 of the Project is projected to be \$29,000,000. Approximately \$6,000,000 of total cost is the responsibility of the Town of Tecumseh for the construction of new sanitary sewers and watermain. Therefore, the expected variance to the Phase 1 budget to the County of Essex is approximately \$8,500,000 (please refer to Table 1).

Administration from the Town of Tecumseh has confirmed support of both the limited tendering process and the additional costs attributable to their share of the project.

#### Table 1

Phase 1 Cost Shares	Budget	Revised Estimate	Variance
County of Essex	\$14,500,000	\$23,000,000	(\$8,500,000)
Town of Tecumseh	\$4,000,000	\$6,000,000	(\$2,000,000)
Total	\$18,500,000	\$29,000,000	

Phase 1 of the Project was budgeted to be funded by the Corporation's Expansion Reserve. The increase in cost will require additional draws from the Expansion Reserve. While the reserve can accommodate this project increase, Administration will need to assess the longer-term impact to the Expansion Reserve to ensure future projects are not negatively impacted. The 2023 Budget will include the balance of the Phase 1 project costs as well as an estimate for the commencement of Phase 2.

#### **Consultations**

Infrastructure & Planning Services consulted with the County Solicitor, the Director of Financial Services/Treasurer and the office of Procurement. Administrative staff from the Town of Tecumseh were also consulted.

### Recommendation

That Essex County Council receive report 2022-0907-ISD-R21-AB, County Road 42 and County Road 43 – Phase 1, as information, and as background to support the probable action, and decision to exercise the CAO's delegated authority under By-law 2022-25 to 'authorize unbudgeted expenditures or liabilities of the County of Essex exceeding \$50,000' and to proceed with limited tendering and to enter into a contract if favourable to do so, to complete Phase 1 of the County Road 42 and County Road 43 project.

# **Approvals**

Respectfully Submitted,

Allan Botham

Allan Botham, P.Eng., Director, Infrastructure and Planning Services

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

<b>Appendix Number</b>	Title
N/A	N/A



August 19, 2022

The Hon. Sylvia Jones, Minister of Health Ministry of Health College Park, 5th Floor 777 Bay St. Toronto, ON M7A 213

Via Email Sylvia.Jones@pc.ola.org

Dear Hon. Minister Jones,

Re: County of Essex AMO Delegation – Code Black - Solving the EMS Offload Delay Crisis

On behalf of the County of Essex we would like to thank you for the Ministry of Health's time during the AMO conference to hear our delegation regarding solving the offload delay crisis in congested hospitals in Essex-Windsor and across the entire province.

Paramedics province-wide are spending too much time in ambulances idling outside of emergency rooms, instead of being on the road responding to emergency calls. These "offload delays" are caused by rules requiring Paramedics to remain with their patients until the patients have been admitted to the hospital, which can last 12 hours or more. They have a cascading impact on the health care system, often resulting in Code Blacks – when there are no local ambulances available to immediately respond to emergency calls.

Offload delays are an inefficient use of precious Paramedic resources and an obvious and ongoing risk to public safety. They have a negative impact on Paramedic morale and public faith in the system, the quality of emergency care and the use of precious tax dollars.

This problem can only be solved through provincial leadership and province-wide action. The province needs to recognize offload delays as a public safety risk and set clear expectations with hospitals that offload delays are unacceptable.

As discussed in our delegation with the Ministry of Health, the province can emulate successes in New Brunswick and Quebec, where there is a culture that places a priority on having Paramedics on the road, by implementing several targeted measures:





- Create incentives for hospitals to meet 30-minute offload targets and enforce consequences for those that fail to meet the targets.
- Require hospitals to triage patients brought in by Paramedics as a first priority

   every time.
- Implement Fit-to-Sit programs: Allow low acuity patients brought in by ambulance to go to the waiting room so Paramedics can get back on the road.
- Require hospitals to take a whole-hospital approach and develop escalation plans mobilizing all levels of the hospital to deal with emergency department surges and offload delays.
- Create standardized measurements and reporting between hospitals and paramedics to ensure consistent and accurate data collection to inform decisions.

As the Land Ambulance service provider to the entire Essex-Windsor region, the County of Essex understands the value of an integrated approach to healthcare delivery. Together, we believe this initiative will achieve a significant impact in moving the health and well-being of people and Paramedics across the province.

Yours truly,

Gary McNamara Warden Mike Galloway, MBA, CMO Chief Administrative Officer

CC: The Hon. Doug Ford, Premier of Ontario (<a href="doug.fordco@pc.ola.org">doug.fordco@pc.ola.org</a>)

Dr. Catherine Zahn, Deputy Minister of Health (<a href="catherine.zahn@ontario.ca">catherine.zahn@ontario.ca</a>)

Bruce Krauter, Chief, Essex-Windsor Emergency Medical Services, County of Essex (<a href="BKrauter@countyofessex.ca">BKrauter@countyofessex.ca</a>)

Peter Dundas, President, Ontario Association of Paramedic Chiefs (peter.dundas@peelregion.ca)

Anthony Leardi, MPP, Essex Riding (<u>Anthony.Leardi@pc.ola.org</u>)

Trevor Jones, MPP, Chatham-Kent-Essex (<u>Trevor.Jones@pc.ola.org</u>)

Andrew Dowie, MPP, Windsor-Tecumseh Riding (<u>Andrew.Dowie@pc.ola.org</u>)

County of Essex Council





August 19, 2022

The Hon. Peter Bethlenfalvy, Minister of Finance Ministry of Finance Frost Bldg S 7<sup>th</sup> Floor 7 Queen's Park Cres Toronto, ON M7A 1Y7

Via Email Minister.fin@ontario.ca

Dear Hon. Minister Bethlenfalvy,

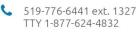
Re: County of Essex AMO Delegation – Level the Field – Residents Are Paying for Greenhouse Growth

On behalf of the County of Essex, the Municipality of Leamington and the Town of Kingsville, we would like to thank the Ministry of Finance for taking time during the AMO conference to discuss the importance of "Leveling the Field" so our residential property owners stop paying for the cost of greenhouse growth.

The County of Essex is home to North America's largest vegetable greenhouse cluster. There are more than 4,500 acres of greenhouse operations in our member municipalities, where 80 per cent of Ontario's greenhouse vegetable acreage is located.

This growing multi-billion-dollar industry helps secure the Ontario, North American and global food supply. The financial success of greenhouse operations – which have grown exponentially over the last three decades – has also bolstered provincial and federal tax revenues. However, local property tax revenues are falling far short of the escalating costs municipalities are shouldering to maintain roads and other services required by these increasingly industrialized greenhouse operations.

The cost of municipal services provided to the greenhouse industry is being heavily subsidized by residential property taxpayers and small businesses. The largest of those costs are for building, upgrading and maintaining roads that are used 24/7 by tractor trailers hauling greenhouse produce and supplies. Also included are the costs of planning and reviewing sophisticated development applications, as well as recreation, health and social services provided to greenhouse businesses and their employees – the majority of whom are temporary foreign workers. There is also a collateral cost as the owners of residential land abutting large greenhouses are asking to have their municipal property





County of Essex AMO Delegation – Level the Playing Field – Residents are Paying for Greenhouse Growth August 19, 2022

assessments reduced because they are living next to what are essentially industrial operations.

Large-scale greenhouses are taxed at a maximum of 25 per cent of the residential property tax rate. That's the same rate paid by open field cash-crop farms that place a lighter burden on municipal resources. Large-scale greenhouse operations will pay \$3 million in property taxes to the County of Essex and the municipalities of Leamington, Kingsville, Amherstburg and Essex this year. If they were taxed at the same rate as residential property owners, they would pay \$12 million. If they were taxed at the same rate as other industries, they would pay over \$24 million.

Your government has an opportunity to level the field as we continue to work with the greenhouse industry to ensure its long-term success. We urge the province to work with MPAC in order to create a separate property tax classification for large-scale greenhouses that lets single and upper tier municipalities set the rate. This will provide municipalities with a way to collect property taxes that are more in line with the significant burden large-scale greenhouses, which operate much like industrial factories, place on municipal services. This makes sense from the perspective of both local and provincial taxpayers. Another option is for the province to reinstate the agricultural subsidy it once provided to offset the low tax rate for farmland, which currently includes greenhouses.

The County of Essex and our member municipalities want to work with the province and MPAC toward a solution that allows us to provide the services needed to sustain strong, vibrant communities around a thriving greenhouse industry without placing an unfair financial burden on residents and small businesses.

We look forward to receiving the ministry's response, as well as MPAC.

Yours truly,

Gary McNamara Warden Mike Galloway, MBA, CMO Chief Administrative Office

CC: The Hon. Doug Ford, Premier of Ontario (<a href="mailto:doug.fordco@pc.ola.org">doug.fordco@pc.ola.org</a>)

Nicole McNeill, President and Chief Administrative Officer, MPAC (<a href="mailto:Nicole.mcneill@mpac.ca">Nicole.mcneill@mpac.ca</a>)

Peter Neufeld, CAO, Municipality of Leamington (<a href="mailto:pneufeld@leamington.ca">pneufeld@leamington.ca</a>)

Hilda MacDonald, Mayor, Municipality of Leamington (<a href="mailto:macdonald@leamington.ca">macdonald@leamington.ca</a>)

John Norton, CAO, Town of Kingsville (<a href="mailto:jnorton@kingsville.ca">jnorton@kingsville.ca</a>)

Gord Queen, Acting Mayor, Town of Kingsville (<a href="mailto:gqueen@kingsville.ca">gqueen@kingsville.ca</a>)

519-776-6441 ext. 1327 TTY 1-877-624-4832

360 Fairview Ave. W. Suite # 314 Essex, ON N8M 1Y6 Anthony Leardi, MPP, Essex Riding (<a href="mailto:Anthony.Leardi@pc.ola.org">Anthony.Leardi@pc.ola.org</a>)

Trevor Jones, MPP, Chatham-Kent-Essex (<a href="mailto:Trevor.Jones@pc.ola.org">Trevor.Jones@pc.ola.org</a>)

Andrew Dowie, MPP, Windsor-Tecumseh Riding (<a href="mailto:Andrew.Dowie@pc.ola.org">Andrew.Dowie@pc.ola.org</a>)

County of Essex Council

519-776-6441 ext. 1327 TTY 1-877-624-4832

**Q** 360 Fairview Ave. W. Suite # 314 Essex, ON N8M 1Y6



# The Corporation of the County of Essex By-Law Number 2022-27

A By-law to adopt Official Plan Amendment Number 2 To the County of Essex Official Plan.

**Whereas** the Planning Act permits municipal Councils to adopt amendments to Official Plans in accordance with the procedure outlined in the Act and corresponding regulations; and

**Whereas** the Council of the Corporation of the County of Essex supports amendments to the Official Plan as provided herein;

**Now therefore** the Council for the Corporation of the County of Essex, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

- 1) Amendment Number 02 to the Official Plan for the County of Essex, consisting of the attached schedule, is hereby adopted.
- 2) That the Clerk is hereby authorized to notify the Ministry of Municipal Affairs and Housing of the approval of Amendment Number 02 to the Official Plan for the County of Essex;
- 3) This By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time and Finally Passed this 7th day of September, 2022.

Gary McNamara, Warden
Mary S. Birch, Clerk

#### **Clerk's Certificate**

I, Mary S. Birch, Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy, of **By-law Number 2022-27** passed by the Council of the said Corporation on the **7**, day of **September**, **2022**.

Mary S. Birch, Clerk Corporation of the County of Essex

# **Amendment Number 2**

**To the Official Plan for the County of Essex** 

# Amendment Number 2 to the Official Plan for the County of Essex

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## Amendment Number 2 to the Official Plan for the County of Essex

# **Statement of Components**

**Part "A" - The Preamble** does not constitute part of this amendment.

**Part "B" - The Amendment** consisting of the following attached Schedule "E1" Resources Plan, constitutes Amendment Number 2 to the Official Plan for the County of Essex.

**Part "C" - Appendices** does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

#### Part "A" - Preamble

#### **Purpose**

The purpose of Official Plan Amendment No. 2 is to modify and expand the mapping of the Mineral Aggregate Resources Overlay identified on Schedule "E1" to include the subject lands (See Map 1 for the location of the subject lands in the Municipality of Leamington).

The subject lands are proposed to be amended in the land use schedules to include a Mineral Aggregate Overlay in conjunction with the underlying designations of Agricultural and to a lesser extent Settlement Area, in accordance with Section 2.3 Management of Mineral Resources Policy Section of the Official Plan.

#### **Basis of the Amendment**

The owners of the licensed and operating sand pit known as the Mainyard/Woolatt Pit are proposing to expand their operations onto the adjacent lands to the south (shown on Map 1). The new sand pit is referred to as the MOS Pit and will have an area of approximately 7.3 hectares. In preparation of obtaining the extractive license from the Ministry of Natural Resources and Forestry (MNRF) for the expanded area (MOS Pit), it was identified that the MOS Pit lands were not identified within Mineral Aggregate Resources area on Schedule "E1" to the County of Essex Official Plan. Furthermore, a large portion of the existing Mainyard/Woolatt Pit was also not shown on Schedule "E1".

During the five year review of the County of Essex Official Plan, the County's consultant prepared all land use schedules. At that time, the Ministry of Municipal Affairs and Housing (MMAH)acted as the one-window and through that, consulted with various Provincial Ministries during the development of the new Official Plan. At that time, there was no concern expressed regarding the Mineral Aggregate Resources Mapping as proposed. Recent consultation with MNRF confirmed that there is historical mapping that shows that the subject lands are within a sand and gravel resource area (see Appendix 1) and has confirmed that the mapping update is appropriate.

The County's Official Plan requires that for the establishment of new extractive operations outside of the areas identified as "Mineral Aggregate Resources" on Schedule "E1", or on lands designated as "Settlement Areas" or "Natural Environment" on Schedule "A1" will require an amendment to

#### By-Law Number 2022-27

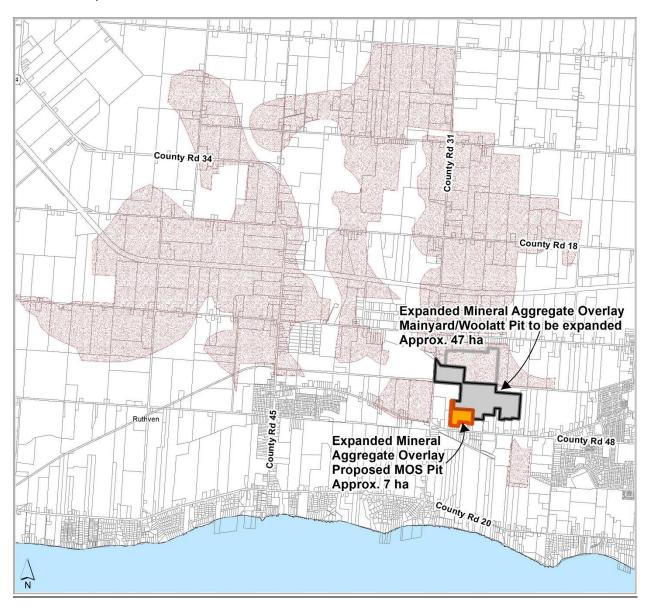
Page 7

this Plan. Therefore, the Official Plan Amendment proposes to expand the Mineral Aggregate Resources Area identified on Schedule "E1" to include the area of the existing Mainyard/Woolatt Pit that is not currently identified on Schedule "E1" as well as to include the area of the proposed MOS Pt.

It is the opinion of the County of Essex that this amendment is appropriate and represents good planning. Several studies including a Planning Justification Report, Noise Impact Study, Hydrogeological Study, Archaeological Study and an Environmental Impact Study, have demonstrated that the expansion of the extractive area is appropriate in this location with minimal impacts to adjacent sensitive land uses.

# Map 1

The subject lands to be shown within the Mineral Aggregate Resources Area on Schedule "E1", in accordance with Section 2.3.2, Mineral Aggregate Resources, of the Official Plan.



#### Part "B" - The Amendment

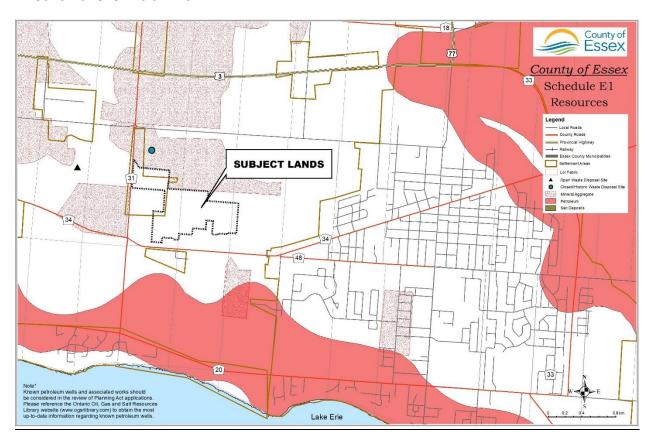
#### **Details of the Amendment**

The Official Plan for the County of Essex is amended as follows:

That Schedule "E1" Resources Plan, as attached hereto and forming part of this amendment, is hereby amended by expanding the Mineral Aggregate area to include the lands shown on Map 1 in the Municipality of Leamington.

# Amendment to Schedule: "Schedule E1" Resources Plan - County of Essex Official Plan

The subject lands are to be included in the Mineral Aggregate Resources Area of the Official Plan.



# Part "C" - Appendices

The following appendices do not constitute part of Amendment No. 2 but are included for information supporting the amendment.

Appendix 1 - September 7, 2022 Planning Report (attached).

Appendix 2 - Minutes from the public meeting held to consider this amendment (attached).



# The Corporation of the County of Essex By-Law Number 2022-28

# A By-law to Confirm the Proceedings of the Council of the Corporation of the County of Essex for September 7, 2022.

Whereas under the Section 5(1) of the Municipal Act, 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council; and

Whereas under 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 the proceedings of the Council of The Corporation of the County of Essex, at this meeting be confirmed and adopted by by-law;

Now therefore the Council of the Corporation of the County of Essex hereby enacts as follows:

- 1) That the actions of the Council of The Corporation of the County of Essex in respect of all recommendations in reports of committees, all motions and resolutions and all other action passed and taken by the Council of The Corporation of the County of Essex, documents and transactions entered into during the September 7, 2022, Special Public, Regular and Closed Meetings of Council, is hereby adopted and confirmed as if the same were expressly embodied in this By-law.
- That the Warden and proper officials of The Corporation of the County of Essex are hereby authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the County of Essex during the said September 7, 2022, Special Public, Regular and Closed Meetings referred to in Section 1 of this Bylaw.

3) That the Warden and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of The Corporation of the County of Essex to all documents referred to in said Section 1.

This By-law shall come into force and take effect after the final passing

Read a first, second and third time and Finally Passed this 7<sup>th</sup> day of September, 2022.

Gary McNamara, Warden
 Mary S. Birch, Clerk

#### **Clerk's Certificate**

I, Mary S. Birch, Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy, of **By-law Number 2022-28** passed by the Council of the said Corporation on **September 7, 2022**.

Mary S. Birch, Clerk Corporation of the County of Essex