



THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

MEETING OF MUNICIPAL COUNCIL

**MONDAY, AUGUST 29, 2011
COMMENCING AT 7:00 P.M.
IN LEAMINGTON COUNCIL CHAMBERS**

(A) **CALL TO ORDER:**

(B) **PRAYER:**

(C) **DISCLOSURES OF PECUNIARY INTEREST:**

(D) **ADOPTION OF COUNCIL MINUTES:**

1. Minutes of the Council Meeting held August 15, 2011 (including Public Meeting for the Zoning By-law Amendment 43 - 844B Essex Road 31)
Pages 4-11

(E) **BUSINESS ARISING OUT OF THE MINUTES:**

(F) **PUBLIC MEETINGS/COURT OF REVISION:**

(G) **REPORTS OF STAFF & DELEGATIONS:**

1. Report PLA 45/11 dated August 5, 2011 re: Application for Site Plan Control Approval - Proposed Greenhouse Development - Phase 8 - L241 Mersea Holdings Inc. (Great Lakes Greenhouses - Paul Dyck), 822 Mersea Road 4, Leamington
Pages 12-19
 - Frank Ricci, Solicitor for the Applicant
2. Correspondence from Ricci, Enns & Rollier LLP, dated August 5, 2011 re: Complaint pursuant to s. 20(1) of Development Charges Act re: Development at 1102 Mersea Road 5 (Via Verde Hydroponics Ltd.)
Pages 20-22
 - Frank Ricci, Solicitor for the Applicant
3. Report PW 10/11 dated August 15, 2011 re: Celebration of Two Cultures; September 11, 2011
Pages 23-24
4. Report PLA 46/11 dated August 25, 2011 re: Leamington Uptown Commercial District - Community Improvement Plan - Discussion Paper No. 2
(*Discussion Paper No. 2 available under separate cover*)
Pages 25-27

5. Report CAO 16/11 dated August 11, 2011 re: Travel Policy - Amendment
Pages 28-37
6. Report CL 25/11 dated August 19, 2011 re: Noise By-law Exemption Request - 614 Mersea Road 6
Pages 38-40

(H) **MATTERS FOR APPROVAL:**

1. Minutes of the Economic Development Committee Meeting held August 16, 2011
Pages 41-42

(I) **OTHER MATTERS FOR CONSIDERATION:**

1. Minutes of the Police Services Board Meeting held July 27, 2011
Pages 43-45
2. Correspondence from Union Water Supply System dated August 12, 2011 re: Union Water Supply System - Drinking Water System Inspection Report for the Inspection of June 6, 2011
(*Drinking Water System Inspection Report available under separate cover*)
Pages 46-48
3. Correspondence from the Corporation of the Town of Amherstburg dated August 24, 2011 re: Request from Samsung to Support the Renewable Energy Production Agreement between Samsung, together with its Ontario Manufacturing Partners, and the Province of Ontario
Pages 49-50

(J) **CONSIDERATION OF BY-LAWS:**

By-law 157-11, being a by-law to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation ("OILC") for financing certain ongoing capital works of The Corporation of the Municipality of Leamington; to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing for such works through the issue of debentures to OILC

By-law 158-11, being a by-law to confirm the proceedings of the Council of the Municipality of Leamington at its meeting held August 29, 2011.

(K) **NOTICES OF MOTION:**

(L) **OPEN SESSION - Council - Administration**

(M) **NEW BUSINESS:**

(N) **ANNOUNCEMENT OF UPCOMING MEETINGS/EVENTS:**

TUESDAY, AUGUST 30, 2011

Committee of Adjustment Meeting - 5:00 p.m. - Council Chambers

WEDNESDAY, SEPTEMBER 7, 2011

Leamington Accessibility Advisory Committee Meeting - 3:00 p.m. - Room 112

WEDNESDAY, SEPTEMBER 7, 2011

Open House - ZBA 44 Housekeeping Matters (Parking & Storage) - 2:00 p.m. to 8:00 p.m.
- Gallery of Municipal Building
Essex County Council - 7:00 p.m. - Essex County Council Chambers

MONDAY, SEPTEMBER 12, 2011

Community Improvement Plan Project Team Meeting - 10:00 a.m. to 1:00 p.m. - Council Chambers
Open House - Community Improvement Plan - 2:00 p.m. to 6:00 p.m. - Gallery of Municipal Building
Leamington Council - 7:00 p.m. - Council Chambers

(O) **STATEMENT OF MEMBERS:** non-debatable

(P) **ADJOURNMENT:**

/ka

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THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

MINUTES - COUNCIL MEETING

HELD MONDAY, AUGUST 15, 2011 - COMMENCING AT 7:00 P.M.
IN LEAMINGTON COUNCIL CHAMBERS

MEMBERS PRESENT: Mayor Paterson
Deputy Mayor Wright
Councillors: Atkin, Chopchik, Jacobs, MacDonald, Verbeke

STAFF PRESENT: Bill Marck, Chief Administrative Officer
Brian Sweet, Director of Corporate Services
Robert Sharon, Director of Community Services
Tracey Pillon-Abbs, Director of Development Services
Allan Botham, Manager of Engineering Services
Bechara Daher, Manager of Building Services
Cameron McKay, Manager of Operations
Amanda Smith, Manager of Culture and Recreation
Kit Woods, Manager of Environmental Services
Lu-Ann Barreto, Drainage Superintendent
Denise McGregor, Planning Technician
Carol Derksen, Corporate Assistant

DISCLOSURES OF PECUNIARY INTEREST: None

ADOPTION OF COUNCIL MINUTES:

No. C-319-11

Moved by: Councillor Verbeke **Seconded by:** Councillor MacDonald

That the Minutes of the Council Meeting held August 8, 2011 (including Public Meeting for the Robert Anderson Drain - Highway 77 Branches and a Court of Revision for the 4th Concession Road Drain - Highway 77 Branch) be approved.

“CARRIED”

No. C-320-11

Moved by: Deputy Mayor Wright **Seconded by:** Councillor Chopchik

That the Minutes of the Special Confidential Meeting held August 8, 2011 be approved.

“CARRIED”

BUSINESS ARISING OUT OF THE MINUTES: None

PUBLIC MEETINGS/COURT OF REVISION:

Public Meeting - Zoning By-law Amendment 43 - 844B Essex Road 31 (Unger)

A Public Meeting regarding Zoning By-law Amendment 43 for lands at 844B Essex Road 31 (Unger) was held. A copy of the minutes is attached.

REPORTS OF STAFF & DELEGATIONS:

DEVELOPMENT SERVICES - Report DEV 03/11 dated August 8, 2011 re: Permission to Permit 2nd Dwelling - 336 Mersea Road 3

Bechara Daher, Manager of Building Services reviewed his report to advise Council of a request that the municipality enter into an agreement with the Cacilhas's to permit the use of a second dwelling on their property located at 336 Mersea Road 3 for a period of nine (9) years. The Manager recommended the request be denied and explained why.

Mr. Richard McGrath, solicitor for the Cacilhas's, clarified that his clients were requesting Council to pass a temporary use by-law which would allow his client to have a second dwelling for up to three (3) years. Council would also have the authority to extend the by-law for two (2) further three (3) year terms if requested by his client.

No. C-321 -11

Moved by: Councillor MacDonald **Seconded by:** Councillor Chopchik

That the request by Jose Dacosta Cacilhas and Jorgina Dacosta Cacilhas to allow for two single family homes on one parcel of land be denied. (Dev 03/11)

"CARRIED"

PLANNING SERVICES - Report PLA 43/11 dated August 4, 2011 re: Application for Site Plan Control Approval - Proposed Commercial Parking Area - Tony & Vicki Tawil - 206 Talbot Street East, Leamington

Denise McGregor, Planning Technician, reviewed her report regarding the proposed commercial parking area at 206 Talbot Street East.

Council had concerns regarding the notification of the proposed parking area at 206 Talbot Street East for the sale of automobiles. Mrs. McGregor stated that this property is zoned commercial; therefore there is no need of notification to neighbouring residents of the proposed parking area.

Mr. and Mrs. Tawil explained their plans for the property. In response to a question, they advised that the driveways had always been gravel and dust was never a problem. Administration advised Council that a dust control provision would be included in the agreement.

No. C-322-11

Moved by: Councillor Atkin **Seconded by:** Deputy Mayor Wright

That the site plan be approved for the commercial parking area located at 206 Talbot Street East (Tony and Vicki Tawil) as outlined in Report PLA 43/11;

That the new parking area, existing driveway and driveway approaches be hard surface;

That the owner has one year from the date of the site plan agreement to pave the parking area, existing driveway and driveway approaches and the municipality hold sufficient securities until such time the paving is complete.

And further, that the Mayor and Clerk be authorized to execute the site plan agreement.

“CARRIED”

PLANNING SERVICES - Report PLA 44/11 dated August 4, 2011 re: Application for Site Plan Control Approval - Proposed Greenhouse Expansion - Phase 3 - 435 Mersea Road 3 - 435 Mersea Road 3 - (1560987 Ontario Ltd. - Fausto Amicone)

Denise McGregor, Planning Technician provided a summary of her report regarding a site plan control application for the proposed greenhouse expansion at 435 Mersea Road 3. Ms. McGregor provided Council a letter from Mr. Amicone dated August 15, 2011 for consideration.

No. C-323-11

Moved by: Councillor Verbeke **Seconded by:** Councillor Jacobs

That the site plan be approved for the proposed Phase 3 of the greenhouse development located at 435 Mersea Road 3 (1560987 Ontario Ltd. - Fausto Amicone) as outlined in Report PLA 44/11;

And further that the Mayor and Clerk be authorized to execute the site plan agreement pending no appeals have been received for the zoning by-law amendment.

“CARRIED”

PLANNING SERVICES - Report PLA 41/11 dated August 4, 2011 re: Application for Site Plan Control Approval - Proposed Greenhouse Expansion - Phase 4 - Orangeline Farms, 627 Essex Road 14, Leamington Report

Denise McGregor, Planning Technician provided council with a brief summary of the report regarding a site plan application for a proposed greenhouse expansion located at 627 Essex Road 14.

No. C-324-11

Moved by: Councillor Atkin

Seconded by: Councillor Jacobs

That the site plan be approved for the proposed Phase 4 of the greenhouse development located at 627 Essex Road 14 (Orangeline Farms Limited) as outlined in Report PLA 41/11;

And further, that the Mayor and Clerk be authorized to execute the site plan agreement.

“CARRIED”

PUBLIC WORKS - Report PW 09/11 dated July 15, 2011 re: Capital Acquisition; Public Works Department - Salter/Plow/Wing Attachment

Cameron McKay, Manager of Operations presented his report to seek Council approval to purchase a Salter/Plow/Wing attachment for the new Tandem Cab and Chassis for the Public Works Department as approved in the 2011 capital budget.

No. C-325- 11

Moved by: Councillor Atkin

Seconded by: Councillor Chopchik

That administration be authorized to purchase a Viking Cives Ltd. dump body/spreader with front plow and side wing in the amount of Eighty-Eight Thousand, Nine Hundred and Eighty-Two Dollars (\$88,982.00) plus applicable taxes assessed to account 2-810-8546-8940, as per report PW 04-11.

“CARRIED”

CULTURE & RECREATION SERVICES - Report REC 15/11 dated July 20, 2011 re: Liquor Licence Act (Ontario) - Updates

Amanda Smith, Manager of Culture and Recreation provided a summary of her report to inform Council of the recent changes and updates to the Liquor Licence Act (Ontario) as it relates to the sale and consumption of alcohol in municipally-operated facilities.

Council questioned when a further report regarding the changes of the Liquor Licence Act (Ontario) will be brought back to Council. Mrs. Smith advised Council she will forward a report to Council within the next six (6) to eight (8) months.

No. C-326-11

Moved by: Councillor Verbeke

Seconded by: Deputy Mayor Wright

THAT Council confirms the Municipality will continue to adhere to the current Municipal Alcohol Risk Management Policy (P09-Alcohol) and support the review of the Municipal Alcohol Risk Management Policy as it relates to the revisions to the Liquor Licence Act as outlined in REC 15/11.

“CARRIED”

OPEN SESSION - COUNCIL - ADMINISTRATION:

Councillor Verbeke questioned the repairs on Elliott Street. Robert Sharon, Director of Community Services, advised Council that there was another watermain break on Elliott Street. The road will be repaved in the near future.

Councillor MacDonald complimented Amanda Smith, Manager of Culture and Recreation, and Cameron McKay, Manager of Operations on the new walking trails. Councillor MacDonald received a phone call from a resident stating that while she was working out on the equipment on the trail, a resident from Orangeville was taking pictures of the walkway and sports equipment. The resident from Orangeville commented on how she has never seen walking trails as nice as Leamington's and will be forwarding the pictures to the City of Orangeville.

Deputy Mayor Wright wanted to clarify the meaning of the heavy truck signs placed at the corner of Oak Street East and Danforth. The Deputy Mayor read from By-law 910-09 that Heavy truck is defined as any commercial motor vehicle having an unloaded vehicle weight in excess of four thousand, five hundred (4,500) kilograms (9,925 pounds) but does not include ambulances, buses, fire apparatus, or any vehicle owned or operated by the Municipality, the Ministry of Transportation (Ontario) or any utility truck.

Deputy Mayor Wright wanted to clarify the 10 km speed signs that are placed on the curves on Danforth Avenue. The Municipality used the Ball Bank indicator to determine the safe speed for making the turns and posted accordingly. This is a standard method accepted for determining curve speeds as outlined in the Ontario Traffic Manual. This takes into consideration the possibility of wet pavement and lower friction situations as well as all type of vehicles be they with high or low centers of gravity. These signs are advisory signs not regulatory signs. Curve and advisory signs are not required in the urban lit area however Leamington has a history of vehicles going too fast into the curves and ending up on front lawns. The sharp bend signs and advisory signs convey to motorists how severe a turn to expect.

Councillor Jacobs thanked administration for the demolition of the house at 332 Erie Street South.

Mayor Paterson advised Council that he purchased his first burn permit and added the residents of Leamington are very receptive to the new concept of the burning permits.

The Chief Administrative Officer advised Council that Mrs. Tracey Pillon-Abbs was selected as the new Director of Community Services. She assumed her new duties effective August 15, 2011. Mrs. Pillon-Abbs thanked Council for appointing her as Director.

NEW BUSINESS: None

STATEMENT OF MEMBERS:

Councillor Atkin invited Council and residents to the Leamington Tomato Festival pancake breakfast hosted by the Leamington Lion's Club on Sunday, August 21st commencing at 8 a.m. in Seacliff Park.

ADJOURNMENT:

No. C-330-11

Moved by: Councillor Verbeke **Seconded by:** Councillor Jacobs

That the meeting adjourn at 8:45 p.m.

“CARRIED”

John Paterson, Mayor

Brian Sweet, Clerk

/cd

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

MINUTES - PUBLIC MEETING

**ZONING BY-LAW AMENDMENT # 43
PROPOSED AGRICULTURAL ZONING
844B ESSEX ROAD 31 (UNGER)**

**MONDAY, AUGUST 15, 2011 AT 7:03 p.m.
IN THE COUNCIL CHAMBERS**

MEMBERS PRESENT: Mayor Paterson
Deputy Mayor Wright
Councillors: Atkin, Chopchik, Jacobs, MacDonald, Verbeke

STAFF PRESENT: Bill Marck, Chief Administrative Officer
Brian Sweet, Director of Corporate Services
Robert Sharon, Director of Community Services
Tracey Pillon-Abbs, Director of Development Services
Allan Botham, Manager of Engineering Services
Bechara Daher, Manager of Building Services
Cameron McKay, Manager of Operations
Amanda Smith, Manager of Culture and Recreation
Kit Woods, Manager of Environmental Services
Lu-Ann Barreto, Drainage Superintendent
Denise McGregor, Planning Technician
Carol Derksen, Corporate Assistant

Tracey Pillon-Abbs, Manager of Planning Services, reviewed the report PLA 33/11 dated July 13, 2011 re: Zoning By-law Amendment Request for a proposed agricultural zoning for 844B Essex Road 31 (Unger).

The Manager confirmed notices were circulated to affected land owners.

Mayor Paterson confirmed there were no residents in attendance regarding the proposed zoning by-law amendment request.

The meeting adjourned at 7:07 p.m.

REPORT

TO: MAYOR AND COUNCIL
FROM: DENISE MCGREGOR, PLANNING TECHNICIAN
DATE: AUGUST 24, 2011
SUBJECT: APPLICATION FOR SITE PLAN CONTROL APPROVAL
 PROPOSED GREENHOUSE DEVELOPMENT - PHASE 8
 L241 MERSEA HOLDINGS INC.
 (GREAT LAKES GREENHOUSES - PAUL DYCK)
 822 MERSEA ROAD 4, LEAMINGTON

AIM:

To report upon an application for site plan control for a proposed greenhouse development located at 822 Mersea Road 4.

BACKGROUND:

Staff received an application from the owner of the subject property to construct 21.230 acres of greenhouse which is Phase 8 of this development. Phase 8 will be connected to the properties to the north known as 834 - 906 Mersea Road 4 with existing greenhouses. These connections will be subject to a minor variance application to be heard at a later date. Any future phases will be subject to further review and approvals at the time of application.

Property Description:

The subject property is described as Part Lot 241, Concession NTR, Part of part lot 2 & 3 plan 12R-211, Parts 1 & 6 on Plan 12R-276 and Part 1 on Plan 12R-22683 formerly in the Township of Mersea and now in the Municipality of Leamington.

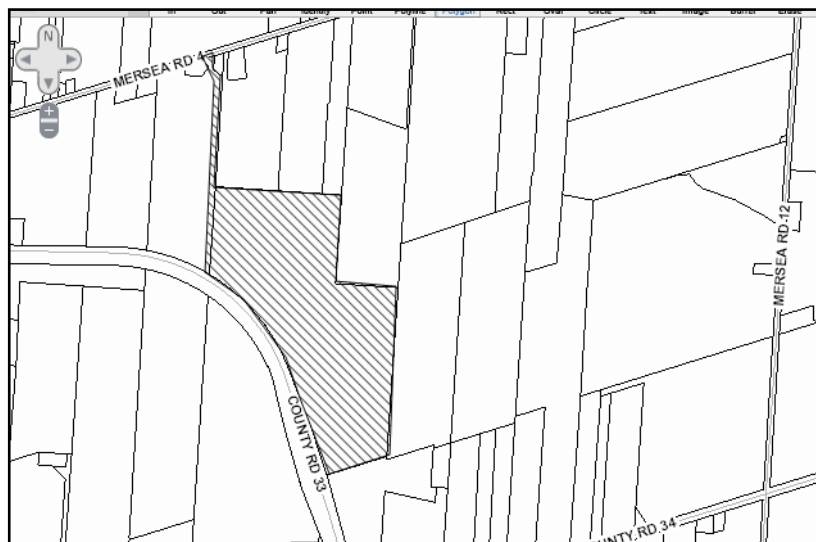
Proposal:

The owner proposes to construct Phase 8 which is 21.230 acres of greenhouse.

The property is surrounded by agricultural uses to the north, south, east and west.

Site Plan Details:

The subject property is zoned A1 (Agricultural General Zone)



and A2 (Agricultural Restricted Zone) on Map 29 of the Municipality of Leamington Zoning By-law No. 890-09. The property is designated Agricultural on Schedule A-3 in the Official Plan approved February 5, 2008.

The site plan received June 27, 2011, prepared by N. J. Peralta Engineering Ltd. meets all provisions of the Municipality of Leamington Zoning By-law No. 890-09 and the request for relief as part of the application to the Committee of Adjustment.

L241 Mersea Holdings Inc., Great Lakes Greenhouses and Paul Dyck have applied to the Committee of Adjustment to request a reduction of side yard setbacks, rear yard setbacks, etc. which applications will be heard on Tuesday, August 30, 2011.

L241 Mersea Holdings Inc. plans to service the 21.72 acre expansion with ground water wells and recently signed an agreement to be a part of the new LADII line. They have signed an indemnity agreement with the municipality of managing Great Lakes Greenhouses Inc. current water treatment allocation of 300,000 imperial gallons per day over a 20 hour period at a regulated delivery rate of 250 imperial gallons per minute for 36 acres.

Great Lakes Greenhouses Inc. maintains sufficient on-site fresh water storage to achieve a total working volume of 270,000 imperial gallons or greater for the existing 36 acres.

The water approval is for phase 8 only, therefore, future phases will require a new application to be submitted at the time of expansion with no guarantees that either water delivery and/or treatment capacity will be available.

These provisions will be set out in the site plan agreement to be registered on title.

Mr. Frank Ricci, Solicitor for L241 Mersea Holdings Inc., has submitted a letter to the municipality dated August 5, 2011 (copy attached), requesting that his client not be required to pay the development charges for water since the water used will be from wells and from the LADII line.

Development Charges are imposed on land development and redevelopment projects to help pay for the capital costs of infrastructure needed to service growth. The revenue from these charges is an important capital funding source used by the Municipality of Leamington.

In the case of Great Lakes Greenhouses, the applicant through his solicitor is requesting, pursuant to Section 20 of the *Development Charges Act*, that his client should not be charged for Development Charges for greenhouse as he will not be using water from the municipal system, rather will be using lake water provided by LADII.

Section 20 states "A person required to pay a development charge, or the person's agent, may complain to the council of the municipality imposing the development charge that,

- (a) the amount of the development charge was incorrectly determined;
- (b) whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined; or
- (c) there was an error in the application of the development charge by-law. 1997, c. 27, s. 20 (1)."

It is administration's position that the amount of Development Charges is correct, there is no credit used toward the development charge and there has been no error in the application of the development charges by-law.

The development charge, as it relates to greenhouses, is to accommodate growth for the entire water distribution system. In Leamington, improvements to the system ensure proper pressure for fire suppression and quality of drinking water.

The development charge for water is for the expansion of the system to accommodated growth for all sectors and those building greenhouses should not be permitted to choose the fees based on water usage or availability.

Based on this information, administration does not support the waiving or reduction of the water portion of the development charges.

Other Provisions:

The proposed site plan agreement contains standard provisions that provide for matters such as securities, cash-in-lieu of parkland, payment of development charges, and issuance of building permits all in accordance with the development policies approved by the Municipal Council.

FINANCIAL IMPACT:

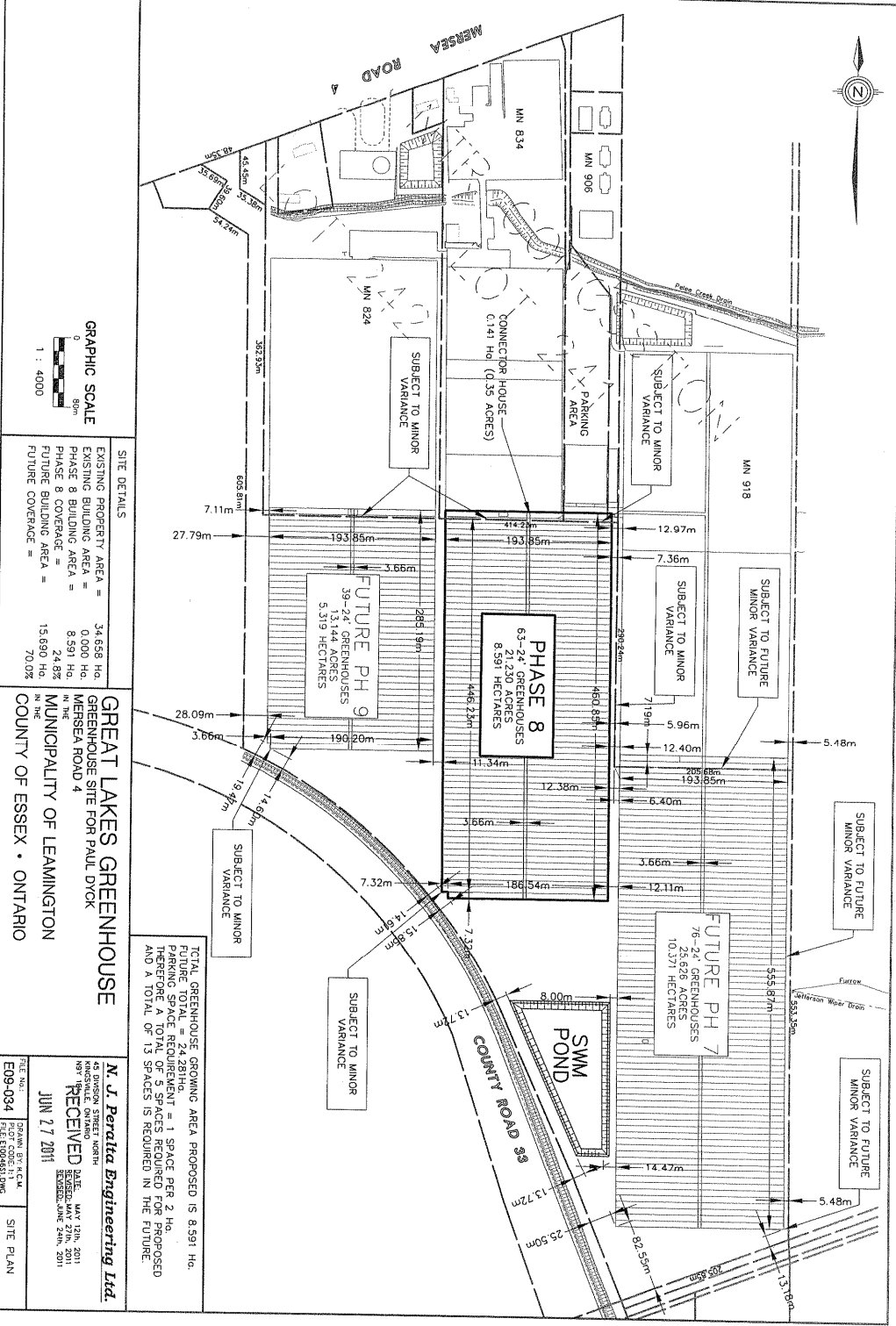
In May 2002, Council approved the Watermain Distribution System Master Plan which identified required improvements to the distribution system to ensure an adequate supply of water for both existing and future customers. The works were to be phased in over a number of years. To date phase 1a, 1b, 1c, and 2 have been complete. Therefore, debt has been incurred and is to be paid by new growth.

During the review of the Development Charges By-law in 2009, there was a discussion with respect to development charges as it related to greenhouse construction. The development charges only pertain to water and allocations have been made based on the percentage of projected flows. It was decided by Council at that time there be a continuation of the previous reduction of development charges of 79%.

Based on the 2011 fee schedule, the greenhouse industry currently pays the discounted amount of \$3,874.00 per acre.

The total development charges to be paid for this project is \$82,242.02 which is based on 21% (21.230 acres x \$3,874.00). The balance of \$309,398.38 which is based on 79% is currently being paid by the tax payers (21.230 acres x \$14,573.62).

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GRAPHIC SCALE
0 30m
1 : 4000

SITE DETAILS
EXISTING PROPERTY AREA = 34,658 Hq.
EXISTING BUILDING AREA = 0,000 Hq.
PHASE 8 BUILDING AREA = 8,591 Hq.
PHASE 8 COVERGAE = 24,835 Hq.
FUTURE BUILDING AREA = 15,690 Hq.
FUTURE COVERGAE = 70.0%

GREAT LAKES GREENHOUSE
GREENHOUSE SITE FOR PAUL DYCK
MERSEA ROAD 4
IN THE MUNICIPALITY OF LEAMINGTON
IN THE COUNTY OF ESSEX • ONTARIO

M. J. Perata Engineering Ltd.
45 DIVISION STREET NORTH
NEW WINDSOR, ONTARIO
N9Y 1K6
RECEIVED
JUN 27 2011
DATE: MAY 12th, 2011
REVISION: MAY 27th, 2011
DESIGNED: JUNE 24th, 2011

TOTAL GREENHOUSE GROWING AREA PROPOSED IS 8,591 Hq.
FUTURE TOTAL = 24,281 Hq.
TOTAL GREENHOUSE GROWING AREA PROPOSED IS 32,872 Hq.
THEREFORE A TOTAL OF 13 SPACES IS REQUIRED IN THE FUTURE.
AND A TOTAL OF 13 SPACES IS REQUIRED IN THE FUTURE.

FILE NO.: E09-034
CLIENT: MERSEA ROAD 4
PROJECT: GREENHOUSE SITE
DATE: JUN 27 2011
SITE PLAN

CONSULTATION AND CONCLUSION:

Administration has completed their review of the proposed site plan as part of the pre-consultation process.

The Municipality of Leamington may exercise the site plan powers assigned to it under Section 41 of the *Planning Act*, 1990. Its objectives in using these powers are:

- (a) To ensure property standards of site design for new development;
- (b) To ensure safety and efficiency of vehicular and pedestrian access;
- (c) To minimize incompatibilities between new and existing development;
- (d) To control the location of driveways, parking, loading and garbage collection facilities;
- (e) To ensure easements or grading and alteration necessary to provide for public utilities and site drainage;
- (f) To ensure that the development proposed is built and maintained as approved by Council.

It is administration's opinion that the proposed development is in compliance with the objectives of the *Planning Act* and the Municipality's policies.

RECOMMENDATION:

THAT the site plan be approved for the proposed greenhouse development of Phase 8 located at 822 Mersea Road 4 (L241 Mersea Holdings Inc.);

THAT pursuant to Section 20 of the *Development Charges Act*, Council dismiss the complaint and that the owner be required to pay all applicable water development charges prior to the issuance of a building permit.

THAT the building permit be issued after the last day of appeal for the Committee of Adjustment decision, pending no appeals received and all applicable law approvals have been received (Report PLA 45/11).

Respectfully submitted,

Denise McGregor,
Planning Technician

Tracey Pillon-Abbs,
Director of Development Services

/dm

**RICCI · ENNS
& ROLLIER LLP**

BARRISTERS AND SOLICITORS
60 Talbot Street West
Leamington, Ontario
N8H 1M4

FRANK C. RICCI, LL.B.
PAUL J. ENNS, LL.B.
DEBORAH L. ROLLIER, B.A., LL.B., LL.M.
PAUL ROWLEY, B.A., LL.B.
MARNIE K. SETTERINGTON GOENS, B.SC., M.SC., LL.B.
TIMOTHY D. MELOCHE, B.A., LL.B.

ALEXANDER G. REID, M.A., LL.B (RETIRED)

August 5, 2011

Delivered by courier and e-mail

The Corporation of the Municipality of Leamington
111 Erie Street North
Leamington, Ontario
N8H 2Z9

Attention: Council

and

Attention: Brian Sweet

Dear Sirs:

RE: My Client: L241 Mersea Holdings Inc.
Complaint: Re: Development Charges
Application for Building Permit and Development Charges re: Development at Pt. Lt. 241 and 242, Concession NTR designated as Pts. 5 – 11, Plan 12R-24668, Leamington

We are the solicitors for L241 Mersea Holdings Inc.

Please treat this letter as a formal complaint under Section 20(1) of the Development Charges Act of Ontario regarding the amount of the development charge payable under By-Law No. 925-09 of the Corporation of the Municipality of Leamington or any other applicable By-Law.

It is my client's position that:

1. The amount of the development charge was incorrectly determined;
2. A credit is available against the development charge;

RECEIVED

AUG 08 2011

MUNICIPALITY OF LEAMINGTON
CORPORATE SERVICES

Receptionist – (519) 326-3237
Frank C. Ricci - (519) 326-5718 x225

E-mail: frankricci@ricciensrollier.ca
www.ricciensrollier.ca

3. There was an error in the application of the development charge.

The complainant's name is:

L241 Mersea Holdings Inc.

The address where service can be given to the complainant is the address of our law firm namely; Ricci, Enns & Rollier LLP, 60 Talbot Street West, Leamington, Ontario – N8H 1M4.

The reason for the complaint is as follows:

- i. The complainant has applied for a building permit for a greenhouse expansion;
- ii. The Municipality has indicated that it would issue a building permit only on the basis that the complainant was made aware that there was no water service or water supply available for the development.
- iii. The complainant was required, as part of the application for the building permit to execute an agreement confirming that the complainant would not be using the municipal water system, and indemnifying the Municipality in this respect.
- iv. In addition, the complainant will be required, as part of the development process, to arrange for its own water supply and storage facility, with respect to the development, at substantial cost to the complainant.
- v. The complainant has entered into an agreement with Leamington Area Drip Irrigation Inc. concerning the supply of water for the development, at significant cost to the complainant.
- vi. By-Law No. 925-09 imposes as development charge for greenhouse development, in accordance with Schedule B of the By-Law.
- vii. Schedule A to By-Law No. 925-09 indicates that a component of the municipal services designated includes the water distribution system.
- viii. Schedule B to By-Law No. 925-09 assesses as a component of the development charge, the costs of supply of water to the development.
- ix. As of January 1, 2011, the development charge for greenhouse construction (water service) for the Municipality of Leamington was \$3,874.00 per acre.
- x. The complainant should not be required to pay the development charge for water service as the complainant is not utilizing the municipal water distribution system in respect of the development.
- xi. The development charge imposed by the Municipality for the development was for the purposes of reimbursing the Municipality for the water distribution system. The complainant's development is not part of the water distribution system of the Municipality, and accordingly, the development charge is not applicable.

The complainant waives the 14 days Notice of Hearing required under Section 20(5) of the Development Charges Act, and consents to a hearing before that date.

Please advise of the hearing before Council at your earliest convenience.

Yours truly,

RICCI, ENNS & ROLLIER LLP

Per: 

Frank C. Ricci

FCR:kdw

**RICCI · ENNS
& ROLLIER LLP**

BARRISTERS AND SOLICITORS
60 Talbot Street West
Leamington, Ontario
N8H 1M4

FRANK C. RICCI, LL.B.
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MARNIE K. SETTERINGTON GOENS, B.SC., M.SC., LL.B.
TIMOTHY D. MELOCHE, B.A., LL.B.

ALEXANDER G. REID, M.A., LL.B (RETIRED)

August 5, 2011

RECEIVED
AUG 08 2011
MUNICIPALITY OF LEAMINGTON
CORPORATE SERVICES

Receptionist – (519) 326-3237
Frank C. Ricci - (519) 326-5718 x225

E-mail: frankricci@ricciennsrollier.ca
www.ricciennsrollier.ca

Delivered by courier and e-mail

The Corporation of the Municipality of Leamington
111 Erie Street North
Leamington, Ontario
N8H 2Z9

Attention: Council

and

Attention: Brian Sweet

Dear Sirs:

**RE: My Client: Via Verde Hydroponics Ltd.
Complaint: Re: Development Charges
Application for Building Permit and Development Charges re: Development at 1102
Mersea Road 5, Leamington, Ontario Part Lot 10, Concession 4, Leamington**

We are the solicitors for Via Verde Hydroponics Ltd.

Please treat this letter as a formal complaint under Section 20(1) of the Development Charges Act of Ontario regarding the amount of the development charge payable under By-Law No. 925-09 of the Corporation of the Municipality of Leamington or any other applicable By-Law.

It is my client's position that:

1. The amount of the development charge was incorrectly determined;
2. A credit is available against the development charge;

3. There was an error in the application of the development charge.

The complainant's name is:

Via Verde Hydroponics Ltd.

The address where service can be given to the complainant is the address of our law firm namely; Ricci, Enns & Rollier LLP, 60 Talbot Street West, Leamington, Ontario – N8H 1M4.

The reason for the complaint is as follows:

- i. The complainant has applied for a building permit for a greenhouse expansion;
- ii. The Municipality has indicated that it would issue a building permit only on the basis that the complainant was made aware that there was no water service or water supply available for the development.
- iii. The complainant was required, as part of the application for the building permit to execute an agreement confirming that the complainant would not be using the municipal water system, and indemnifying the Municipality in this respect.
- iv. In addition, the complainant will be required, as part of the development process, to arrange for its own water supply and storage facility, with respect to the development, at substantial cost to the complainant.
- v. The complainant has entered into an agreement with Leamington Area Drip Irrigation Inc. concerning the supply of water for the development, at significant cost to the complainant.
- vi. By-Law No. 925-09 imposes a development charge for greenhouse development, in accordance with Schedule B of the By-Law.
- vii. Schedule A to By-Law No. 925-09 indicates that a component of the municipal services designated includes the water distribution system.
- viii. Schedule B to By-Law No. 925-09 assesses as a component of the development charge, the costs of supply of water to the development.
- ix. As of January 1, 2011, the development charge for greenhouse construction (water service) for the Municipality of Leamington was \$3,874.00 per acre.
- x. The complainant should not be required to pay the development charge for water service as the complainant is not utilizing the municipal water distribution system in respect of the development.
- xi. The development charge imposed by the Municipality for the development was for the purposes of reimbursing the Municipality for the water distribution system. The complainant's development is not part of the water distribution system of the Municipality, and accordingly, the development charge is not applicable.

The complainant waives the 14 days Notice of Hearing required under Section 20(5) of the Development Charges Act, and consents to a hearing before that date.

Please advise of the hearing before Council at your earliest convenience.

Yours truly,

RICCI, ENNS & ROLLIER LLP

Per: 

Frank C. Ricci

FCR:kdw

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL
 FROM: CAMERON MCKAY CET., MANAGER OF OPERATIONS
 DATE: August 15, 2011
 RE: CELEBRATION OF TWO CULTURES; SEPTEMBER 11, 2011

AIM:

To report to council on correspondence which has been received from the Migrant Worker Community Program and relevant to approval of September 11, 2011 - Celebration of Two Cultures. The rain date is scheduled to be on September 18, 2011, if required.

BACKGROUND:

Administration has received correspondence from the Migrant Worker Community Program which reads as follows:

"Dear Mayor Paterson:

***Re: Celebration of Two Cultures Festival/FIESTAS PATRIAS:
 Sunday September 11, 2011 or on the rain date September 18th***

The Migrant Worker Community Program is proud to host this celebration of the cultures of Canada and Mexico. The opening ceremonies include the "Cry of Independence" led by the consul of the Mexican Consulate in Leamington and the festivities include a Mariachi band, singers, and other forms of entertainment, as well as food and dance!

This year's celebration is scheduled for Sunday September 11, 2011 or on rain date September 18th. We respectfully request that Queens Avenue, between John Street and Talbot Street West be closed for the staging of this festival. To permit sufficient time to set-up the stage, sound system, food tents, and chairs the following street closures times are requested:

<i>Noon</i>	<i>Stage/sound System set-up</i>
<i>3:00 to 7:00 p.m.</i>	<i>Festival Entertainment</i>
<i>7:00 to 8:00 p.m.</i>	<i>Stage/sound system takedown</i>

As well as, in-kind support of the Public Works department in providing the road closures barriers and related festival event necessities and the removal of same; and recognition of emergency services that a portion of Queens Avenue will be utilized for the festival.

Respectfully requested by,

*Lorraine Gibson
 Volunteer Chair and Program Supervisor
 Migrant Worker Community Program"*

COMMENTS:

1. Firstly, administration would advise they have no objections to the Migrant Worker Community Program utilizing the requested municipal streets, Queens Avenue between John Street and Talbot Street West on Sunday, September 11, 2011 or September 18, 2011, if necessary, between 12 noon and 8:00 p.m. for the staging of the Celebration of Two Cultures subject to conformity of the Leamington Fire Department and the Leamington OPP.
2. Relative to the set-up, dismantling, road closure, collection of debris and litter, administration have no objections to assisting in this event. Administration is suggesting that the Municipality provide the necessary barricades, signage and garbage bags. The set-up and dismantling of the road closure and the collection of litter/debris be the responsibility of the Migrant Worker Community Group.
3. The applicant must provide the necessary liability insurance, naming the Municipality of Leamington additionally insured.
4. The event organizers will be responsible to carry out periodic Health and Safety Inspections throughout the duration of the event. The inspections are to be carried out by an individual certified in Health and Safety. Organizers are to show proof of certification of said inspector.

FINANCIAL IMPACT:

The Public Works Department will assist in the closure of Queens Street on Sunday morning; this cost will be assessed to the Public Work's Special Events account # 1-510-8554-5010.

RECOMMENDATION:

That council approves the request of the Migrant Worker Community Program to utilize portions of the designated Uptown Streets being Queens Avenue between John Street and Talbot Street West, relative to the staging of the Celebration of Two Cultures on September 11, 2011 or September 18, 2011, if necessary.

AND FURTHER, that the Migrant Worker Community Program provide proof of a certified Health and Safety Inspector to perform periodic inspections throughout the duration of the event.

AND FURTHER, that the Migrant Worker Community Program abides by the conditions as outlined with report PW 10/11.

Signed: _____
Cameron McKay, C.E.T.
Manager of Operations

Signed: _____
Robert Sharon
Director of Community Services

As set out in the *2008 and 2011 Leamington Strategic Plans*, the review of the Uptown Core was high on the list of Strategic Importance.

A CIP is an important planning and financial tool that allows the Municipality to effectively use, reuse and restore lands, buildings and infrastructure. The objective is to continually improve communities through the realization of environmental, social, cultural and economic benefits achieved from more sustainable growth management and development practices. It allows municipalities to decide how they wish to position themselves within a competitive global marketplace.

A project team, which is made up of key community stakeholders and two Council representatives, has been set up and first met on April 8th, 2011.

Discussion Paper No 1 dated June 24, 2011 was presented to Council on July 18th, 2011 which provided an assessment and overview of existing conditions, background information, SWOT analysis and stakeholder consultation.

COMMENTS:

The Consultant has now prepared Discussion Paper No 2 (available under separate cover) which summarizes the outcome of the public consultation initiative (i.e. online surveys, interviews with stakeholders, etc) and analyzes and identifies options for consideration and discussion.

The analysis and options relate to such areas as land use, financial incentives, open spaces and development/redevelopment of sites in the uptown. There is also some additional information related to cultural diversity.

The Paper has been posted on the Leamington website www.learmington.ca for public consultation and comments can be submitted to Administration.

A working session is planned with the Project Team and Council from 10 am to 1 pm on September 12, 2011 in the Ante Room at Town Hall. Lunch will be included. The purpose of the meeting is to review Discussion Paper #2 and get direction from Council on the options.

An informal Public Open Houses will be set up in the Gallery of Town Hall from 2 pm to 6pm on September 12, 2011 and a formal Public Meeting will be held with Council at their regular meeting at 7 pm on September 12, 2011 to receive input from the general public on Discussion Paper No 2.

The next step is to take the comments and directions received from Discussion Paper No 2 and development a draft Leamington Uptown Commercial District CIP. This will also include Urban Design Guidelines (UDG). This will also include a statutory public meeting and opportunities for the public to comment.

FINANCIAL IMPACTS:

The project will take approximately one year to complete and is to date on schedule and on budget. The CIP costs will come from account 1-910-7900-7981. A total of \$32,000 has been placed in the 2011 budget for this project.

RECOMMENDATION:

That Council receives information pertaining to the Leamington Uptown Commercial District Community Improvement Plan (CIP) and the findings of Discussion Paper No 2 (PLA 34/11).

Respectfully submitted,

Tracey Pillon-Abbs,
Director of Development Services

ATTACH.

/tpa

T:\Development\Reports\2011 Reports\Planning\Planning - Word document\PLA-46-11 CIP Discussion Paper No 2.docx

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL
FROM: WILLIAM J. MARCK
CHIEF ADMINISTRATIVE OFFICER
DATE: AUGUST 11, 2011
RE: TRAVEL POLICY - AMENDMENTS

AIM:

To request Council amend the Travel Policy (F09-Travel) as it relates to expenditures and approval processes for attendance by members of Council and staff at conferences, workshops and various municipal functions.

BACKGROUND:

Council, at its meeting held July 18, 2011, enacted the following resolution:

No. C-290-11

"That Administration prepare and forward a policy for Council's consideration which would require a Council member planning to attend an event as a municipal representative outside of Leamington to first obtain the approval of the Mayor."

It is the writer's understanding that the purpose of the request is to ensure:

- 1) There is not an overabundance of councillors attending a single function;
- 2) Allows the Mayor an opportunity to monitor the conference accounts;
- 3) Provides an opportunity for the Mayor to bring before Council approval for specific councillors to attend functions where it is in the best interest of the Municipality when the conference account is over expended.

Existing Policy

The existing Travel Policy was developed a number of years ago and has been amended from time to time. The policy is attached; however the following are the key areas of the policy that pertain to Council attendance and reimbursement for conferences, workshops and educational courses.

Highlights of Travel Policy - F09-Travel**Definitions:**

Conference is defined as a meeting for consultation, discussion or instruction between individuals or groups. Examples are The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), Association of Municipalities of Ontario (AMO), Municipal Engineer's Association (MEA), Ontario Small Urban Municipalities (OSUM), Ontario Arena Association and Parks and Recreation Federation of Ontario.

Training Seminars/Education Courses is the process of educating, teaching or training which is job related.

Registration:

The Municipality will pay registration fees for Councillors, employees and their spouses or companions when the travel has been authorized by the Chief Administrative Officer.

Accommodations:

The Municipality will pay the actual cost of overnight accommodations but receipts must be obtained and submitted to the Treasurer.

Daily Subsistence:

The Municipality will pay to Council members or employees a daily subsistence of \$70.00 per day for meals (\$15.00 for breakfast, \$15.00 for lunch and \$40.00 for dinner). Receipts will not be required to receive this reimbursement. Any meals provided for by a conference/course, will be deducted from the daily allowance. The meal allowance will be paid in Canadian dollars in the event travel is outside of Canada.

Incidental expenses incurred while away from the Municipality, such as room phone charges, movies and gratuities are included in this allowance and will not be reimbursed separately.

Conference Expense:

The Mayor and Councillors are authorized to spend up to a maximum of \$2,000 per year for conference expenses.

The Chief Administrative Officer is authorized to expend up to \$2,000 per year for conference expenses.

The Department Heads are restricted to \$2,000 per year for conference expenses with the approval of the Chief Administrative Officer. Other municipal employees are restricted to \$1,000 per year for conference expenses with the approval of the Department Head and Chief Administrative Officer.

Costs related to registration of conference expenses are excluded in calculating the \$2,000 expense limit.

Note:

- (a) Expenses related to conferences will be charged to the convention account.
- (b) Council and Staff can exceed the Conference Expense Limits provided that prior to exceeding the limits, Council approval has been obtained.

Travel Expenses:

No monies will be paid to a Councillor or employee until the prescribed travel form is completed, with all required receipts attached, and submitted to the Treasurer. The exception to this is the payment of conference registration or training seminar fees. Receipts will not be required for expenses less than \$5.00.

Education Courses/Training Seminars:

Council members may attend training seminars which are approved by resolution of Municipal Council.

Reporting Of Expenditures:

The Treasurer will make a report to Council listing all expenses incurred by the members of Council and Municipal employees for attendance at conferences, educational courses and training seminars. Also, a list will be made showing the expenses in the Council sundry account and the Administration sundry account. The report will be submitted in June and October of each year.

Present processing of expenses

Council members request the Corporate Services Clerk to register them for a conference or workshop. Upon completion of the conference or workshop, the Councillor submits appropriate expense claims and receipts. The expense claim is then reviewed for accuracy and is checked against the program (date of event, whether meals were included for the conference etc.). The expense claim is then signed off by the CAO and forwarded to the Finance Department for processing.

With respect to larger conferences, staff is aware beforehand who is attending the conference, approximate costs estimate, etc. For one day workshops, staff usually registers members of Council, however, in some cases the Councillor registers at the door and submits an expense claim after the event.

Issues with the Existing Policy

Council members request support staff to register them to conferences and workshops; however, there is no formal policy in regard to how many conferences or workshops a Councillor is allowed per year or which workshops and conferences Council is to attend.

There is no formal mechanism to oversee the conference/training accounts, save and except, the year to date accounts, however that does not provide a breakdown of who attended what conference.

In the past, because we had a number of seasoned councillors, rarely did Council exceed its total budget for conferences and events. However, in 2011 with 4 new first term members of Council, a number attended the Rural Ontario Municipal Association (ROMA) and Ontario Good Roads Association (OGRA) Combined Conference and the Ontario Small Urban Municipalities (OSUM) and the Association of Municipalities (AMO) Conference which offered seminars/workshops for new members of council. The Chief Administrative Officer and other members of staff encouraged Councillors to attend workshops.

The existing policy places the Chief Administrative Officer in somewhat awkward situation, whereas his superiors (members of Council) are suppose to ask him for approval to attend conferences. If the monies for the conference account are not being expended and there is remaining funds, are they allowed to be used by a councillor who has attended numerous conferences that year?

The attached list of costs associated with the larger conferences is provided for Council's information. Council may wish to give consideration to amend the policy to increase the allotment from \$2,000 per Director/CAO and members of Council to \$3,000. This would provide Council/staff with an opportunity to attend two medium sized conferences or one larger conference and some workshops. The last time the monetary value for conferences and workshops, etc., was increased was February 10, 2003.

FINANCIAL IMPACT:

The 2011 budget contains two accounts which are specific to this issue, travel and mileage which is estimated as \$6,200. The estimates are developed by providing \$2,000 to the Mayor for an allowance and \$700 for each member of Council for a total of \$4,200.

The estimate for conferences is developed by providing \$2000 for each member of Council for a total of \$14,000 plus per diems at \$4,900 for a total of say \$19,000.

Should Council agree to amending the limit for conferences and workshops to \$3,000 it would add an additional \$7,000 plus per diems to the Council budget. Further, if the CAO and Directors allocation is increased to \$3,000 it would add an additional \$5,000 to the overall municipal budget.

COMMENTS:

Council policy in surrounding municipalities for conferences differs. Some have policies that you can attend two conferences per year but must have council approval. Some allow the CAO to approve unanticipated travel requests. Some have a dollar amount of \$1,000 per Councillor, but if needed can draw from a communal fund. Some have a dollar amount of \$5,000 per Council member. Most seem to pay a per diem. One community has a policy where if the function is a meet and greet or an annual meeting, it is not eligible for per diem reimbursement. If the event is optional or less than 2 hours in duration, no per diem is paid. At the County the Warden is responsible for overseeing the travel policy.

If it is Council's direction to have the Mayor approve attendance at workshops and conferences for members of Council, then it is recommended the policy be amended as follows:

Existing Language:

Registration:

The Municipality will pay registration fees for Councillors, employees and their spouses or companions when the travel has been authorized by the Chief Administrative Officer (CAO).

Change to:

Registration:

The Municipality will pay registration fees for Councillors and their spouses or companions when the travel has been authorized by the Mayor prior to attendance at the event.

The Municipality will pay registration fees for employees and their spouses or companions when the travel has been authorized by the Chief Administrative Officer (CAO) or appropriate department head prior to attendance at the event.

Furthermore, if Council wishes to amend the policy to increase the conference account, then it is recommended the limit for conference expenses be increased from \$2,000 per year to \$3,000 per year per member of Council, Director and CAO.

Council should be reminded that there is a section in the policy that Council and staff can exceed the conference expense limits provided that prior to exceeding the limits, Council approval has been obtained.

House Keeping Amendments

It is also noted that the policy makes reference to the fact that registration of conferences expenses are excluded in calculating the expense limit and charged to the convention account. The chart of accounts does not contain a convention account and costs associated with conferences (registration/per diem) are charged to the conference account.

The present policy also contains provisions that the Treasurer report expenditures of conferences and workshops for Council and staff in June and October of each year. However, the reporting of expenses related to conferences and workshops for Council and staff is reported as part of the quarterly variance report and at year end pursuant to the Municipal Act. Reporting of expenditures does not occur in June and October as noted in the attached policy.

CONCLUSION:

Having the Mayor approve council attendance at conferences, workshops and functions, will provide him an opportunity to oversee the budget as it relates to Council expenditures and allow some discretion to ensure conferences and various workshops are not over attended by Leamington Councillors.

Furthermore, there are still provisions in the policy that if the budget amount is to be exceeded, the Mayor can bring a request to Council to approve an over expenditure. The processing of the expense sheets would still be undertaken in the same fashion, save and except, approval for the individual members of Council would have to be obtained from the Mayor prior to the Councillor attending the function or event. The Corporate Services Clerk would develop a conference spread sheet for the Mayor's reference.

RECOMMENDATION:

That Travel Policy F09-Travel be amended as follows:

Registration

That the Municipality will pay registration fees for Councillors and their spouses or companions when the travel has been authorized by the Mayor prior to attendance at the event;

And that the Municipality will pay registration fees for employees and their spouses or companions when the travel has been authorized by the Chief Administrative Officer or appropriate department head prior to attendance at the event;

And that the conference expense policy (commencing in 2012) be increased from the maximum of \$2,000 per year to \$3,000 per year, per member of Council, Director and the CAO;

And that reference in the said policy to reporting of expenditures in June and October and costs associated with conferences being charged to the convention account be deleted;

All as described in Report CAO 16/11 dated August 11, 2011.

Respectfully submitted,

William J. Marck
Chief Administrative Officer



POLICY NO.	F09-Travel
DATE ENACTED:	February 22 nd , 1999
AMENDED BY:	#C-361-00; #C-405-01; Memo-Finance; #C-56-03 #C-354-10
PAGE:	1 of 4

SUBJECT: TRAVEL POLICY

The following is the Corporation of the Municipality of Leamington Policy used to determine expenses paid to elected officials and employees who travel on municipal business or take approved training seminars or educational courses.

DEFINITIONS:

Conference - is defined as a meeting for consultation, discussion or instruction between individuals or groups. Examples are AMCT, AMO, MEA, OSUM, Ontario Arena Association and Parks and Recreation Federation of Ontario.

Training Seminars/Education Courses - the process of educating, teaching or training which is job related.

REGISTRATION:

The Municipality will pay registration fees for Councillors, employees and their spouses or companions when the travel has been authorized by the Chief Administrative Officer (CAO).

MILEAGE:

Effective August 1st, 2000, a mileage rate per kilometre as established by the Canada Customs and Revenue Agency as the rate allowable as a tax-exempt allowance will be paid to all elected officials and employees who use their own vehicle on approved municipal business. These expenses will be charged to the mileage and travel account.

Parking charges at a hotel or adjacent parking lot and taxi fares for required transportation to and from airport/train station/bus depot to hotel and from hotel to conference or training centre will be treated as legitimate travel expenses. Receipts must be obtained and submitted to the Treasurer. Receipts will not be required for expenses less than \$5.00.

MODE OF TRANSPORTATION:

Elected officials and employees required to travel within a 400 kilometre radius of Leamington, will be reimbursed an amount equivalent to the mileage entitlement had the elected official/employee driven regardless of the mode of transportation.

Elected officials and employees required to travel outside a 400 kilometre radius of Leamington, will be reimbursed an amount equivalent to the least expensive mode of transportation. The Municipality will not be responsible for costs incurred by companions travelling with elected officials or employees.

ACCOMMODATIONS:

The Municipality will pay the actual cost of overnight accommodations but receipts must be obtained and submitted to the Treasurer.

DAILY SUBSISTENCE:

The Municipality will pay to Council members or employees a daily subsistence of \$70.00 per day for meals (\$15.00 for breakfast, \$15.00 for lunch and \$40.00 for dinner). Receipts will not be required to receive this reimbursement. Any meals provided for by a conference/course, will be deducted from the daily allowance. The meal allowance will be paid in Canadian dollars in the event travel is outside of Canada.

Incidental expenses incurred while away from the Municipality, such as room phone charges, movies and gratuities, are included in this allowance and will not be reimbursed separately.

PER DIEM:

Elected officials required to travel on week-ends or holidays will be paid \$75.00 per diem and if required to travel on a weekday (other than a holiday) will be paid \$150.00 per diem. Partial payments will be made for partial days of travel.

Employees and non-elected committee members will be paid \$50.00 per diem when required, by Council, to travel on their days off. The Chief Administrative Officer has the option of approving or not approving per diem allowance to employees and non-elected committee members.

Expenses related to the payment of per diem will be charged to convention or training accounts, whichever is applicable. Per diems will be paid in conjunction with the payroll and will be taxable.

CONFERENCE EXPENSE:

The Mayor and Councillors are authorized to spend up to a maximum of \$2,000.00 per year for conference expenses.

The Chief Administrative Officer is authorized to expend up to \$2,000.00 per year for conference expenses.

The Department Heads are restricted to \$2,000.00 per year for conference expenses with the approval of the Chief Administrative Officer. Other municipal employees are restricted to \$1,000.00 per year for conference expenses with the approval of the Department Head and Chief Administrative Officer.

Costs related to registration of conference expenses are excluded in calculating the \$2,000.00 expense limit.

NOTE:

- (a) Expenses related to conferences will be charged to the convention account.
- (b) Council and Staff can exceed the Conference Expense Limits provided that prior to exceeding the limits, Council approval has been obtained.

MAYOR'S ALLOWANCE:

It is recognized that the Mayor, or his designate, has the authority to incur expenses when carrying out the duty of representing the Municipality in a variety of situations. The expenses will be charged to the Council sundry account.

TRAVEL EXPENSES:

No monies will be paid to a Councillor or employee until the prescribed travel form is completed, with all required receipts attached, and submitted to the Treasurer. The exception to this is the payment of conference registration or training seminar fees. Receipts will not be required for expenses less than \$5.00.

EDUCATION COURSES/TRAINING SEMINARS:

The tuition cost of an education course taken at an education institution by an employee will be paid if in the opinion of the appropriate Department Head the course is deemed to have some relevance to the employee's job. Payment shall be made when the employee provides proof that he or she passed the course.

The following scale of reimbursement to the Corporation shall apply when an employee who has received financial assistance terminates his employment with the Corporation or is required to terminate his services.

Completed Years of Service by the Employee Since Date of Payment (Per Course) (Any 12 Month Period)	Pay Back
1 year	100%
2 years	75%
3 years	50%
4 years and over	n/a

The provisions for repayment of education and financial assistance shall not apply when an employee's services are terminated on normal retirement or retirement due to health.

When the Corporation requests an employee to attend a course which is considered to be in the Corporations interest, full assistance will be given to the employee including tuition fee, travelling expense and living allowance if required to live away from home. In such cases, since the initiative is taken by the Corporation, the provisions of an employee to repay the Corporation if they leave its employment will not apply.

Council members may attend training seminars which are approved by resolution of Municipal Council.

The Chief Administrative Officer and Department Heads may attend training seminars or courses which are budgeted for.

Staff members may attend training seminars or courses which have been approved by the Department Head.

The cost of such education, courses and training seminars will not be charged to the employee's conference allotment. Each department will include a training amount or education amount which will appear in the annual department budget.

Application of this policy will apply to all courses taken after its enactment date.

ASSOCIATION MEETINGS:

A member of Council or employees may accept appointments to municipal associations upon the authorization of Council. The Council must determine, on an individual basis, what expenses will be paid to a Member of Council or an employee when attending the above association functions. The expenses incurred will be charged to the Council sundry account.

ENTERTAINING:

The Mayor is authorized to make expenditures to entertain various individuals and groups when the Mayor deems it to be an advantage to the Municipality of Leamington. The expenses will be charged to the Council sundry account.

The Chief Administrative Officer is authorized to make expenditures to entertain various individuals and groups when deemed to be advantageous to the Municipality of Leamington. The expenses will be charged to the Administration sundry account.

All other employees must obtain permission from the Chief Administrative Officer to incur expenditures related to entertaining various individuals or groups. The expenses will be charged to the Administration sundry account.

REPORTING OF EXPENDITURES:

The Treasurer will make a report to Council listing all expenses incurred by the members of Council and Municipal employees for attendance at conferences, educational courses and training seminars. Also, a list will be made showing the expenses in the Council sundry account and the Administration sundry account. The report will be submitted in June and October of each year.

ASSOCIATION DUES:

The Municipality will pay the cost of association dues for Councillors and staff members when the dues are job related or deemed to be in the interest of the Municipality. Authorization for the original association dues must be obtained by a Council resolution.

TRAVEL ADVANCE:

A Councillor or employee attending a conference or training seminar may request a travel advance in writing and submit it to the Department Head for approval. The request for travel advance must be submitted no later than noon on the Wednesday prior to a regular cheque run, in order that the request can be processed with regular cheque runs. The exact amount of the travel advance will be determined by the Department Head after examining the specific request. The maximum travel advance will be \$75.00 per day for each day a Councillor or employee is required to be in attendance at a conference or training seminar.

GENERAL STATEMENT:

The Chief Administrative Officer, may under special circumstances, decide to allow expenses for conferences, travel, training or education which do not conform to this policy.

(CAO 6/99)
(CAO 06/10)

AVERAGE YEARLY CONFERENCE COSTS FOR COUNCIL MEMBERS

CONFERENCE	LOCATION	DATE	REGISTRATION	TRAVEL	HOTEL	Per Diem (\$150 per day)	AVERAGE COST
Rural Ontario Municipal Association / Ontario Good Roads Association (ROMA/OGRA)	Toronto	February	\$495 - Registration \$150 - Companion's Program \$60 - Luncheon Ticket \$75 - Banquet Ticket	\$257.64 (Train) \$409.76 (Mileage)	\$567.00	\$600	\$2,204.64 (Cost includes travel by train)
Ontario Small Urban Municipalities (OSUM)	2011-Niagara on the Lake (Location changes yearly)	May	\$425 - Registration \$85 - Companion's Program	\$357.76 (Mileage)	\$404.54	\$450	\$1,722.30
Association of Municipalities of Ontario (AMO)	2011-London (Location changes yearly)	August	\$535 - Registration \$265 - Companion's Program \$120 - Banquet Ticket	\$532.00 (Mileage)	\$515.28	\$600	\$2,567.28

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REPORT

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: KIM SIDDALL, MANAGER OF CORPORATE SERVICES

DATE: AUGUST 19, 2011

RE: NOISE BY-LAW EXEMPTION REQUEST - 614 Mersea Road 6

AIM:

To report a request for an exemption from the Municipality of Leamington's By-Law #431-03 being a by-law to regulate noise, for Project X at the United Mennonite Educational Institute (UMEI) located at 614 Mersea Road 6. This weekend event is from Friday, September 16, until Saturday, September 17, 2011.

BACKGROUND:

Council received a request from Project X, a Christian youth outreach group for a noise by-law exemption for their event at 614 Mersea Road 6. This weekend of non-denominational worship will include: live music, food and camping and is alcohol free.

The organizers estimate 1,000 to 1,500 youth (ages 10 to 17) to attend during the day and fewer than 75 youth will camp overnight. This fully chaperoned event will have twenty-four (24) hour security provided by the Project X committee members and volunteers. All parking will be on the UMEI property and at the North Leamington United Mennonite Church, 625 Mersea Road 6.

This is Project X's second year to request for a noise by-law exemption. This year, all worship and bands will be in the outdoor tent situated on the UMEI grounds. Project X has contacted Leamington Ontario Provincial Police and Leamington Fire Services.

Leamington's Noise By-law 431-03, Section 2(1) states: "No person shall create unnecessary noise." According to Section 5 of this by-law an application to Council for an exemption from provisions of this by-law may be applied for, and if an exemption is granted, it is to specify the time period and conditions required by Council.

COMMENTS:

- 1) This event has been reviewed by Leamington Ontario Provincial Police. There were two noted noise complaints regarding this event in 2010.
- 2) The organizers stated there will be no fires at the site.
- 3) UMEI stated they forwarded letters to inform neighbours the details of Project X's event.

- 4) Administration contacted the property's immediate neighbours regarding Project X's noise by-law exemption request.
- 5) To reduce the noise levels, the festivities for Friday and Saturday will be held in the tents and the evening sessions are scheduled to end one half hour earlier than the previous year. Administration recommends an exemption from the noise by-law for this weekend event on Friday, September 16th from 3:00 p.m. until 10:30 p.m. and Saturday, September 17th from 9:30 a.m. until 10:30 p.m.

RECOMMENDATION:

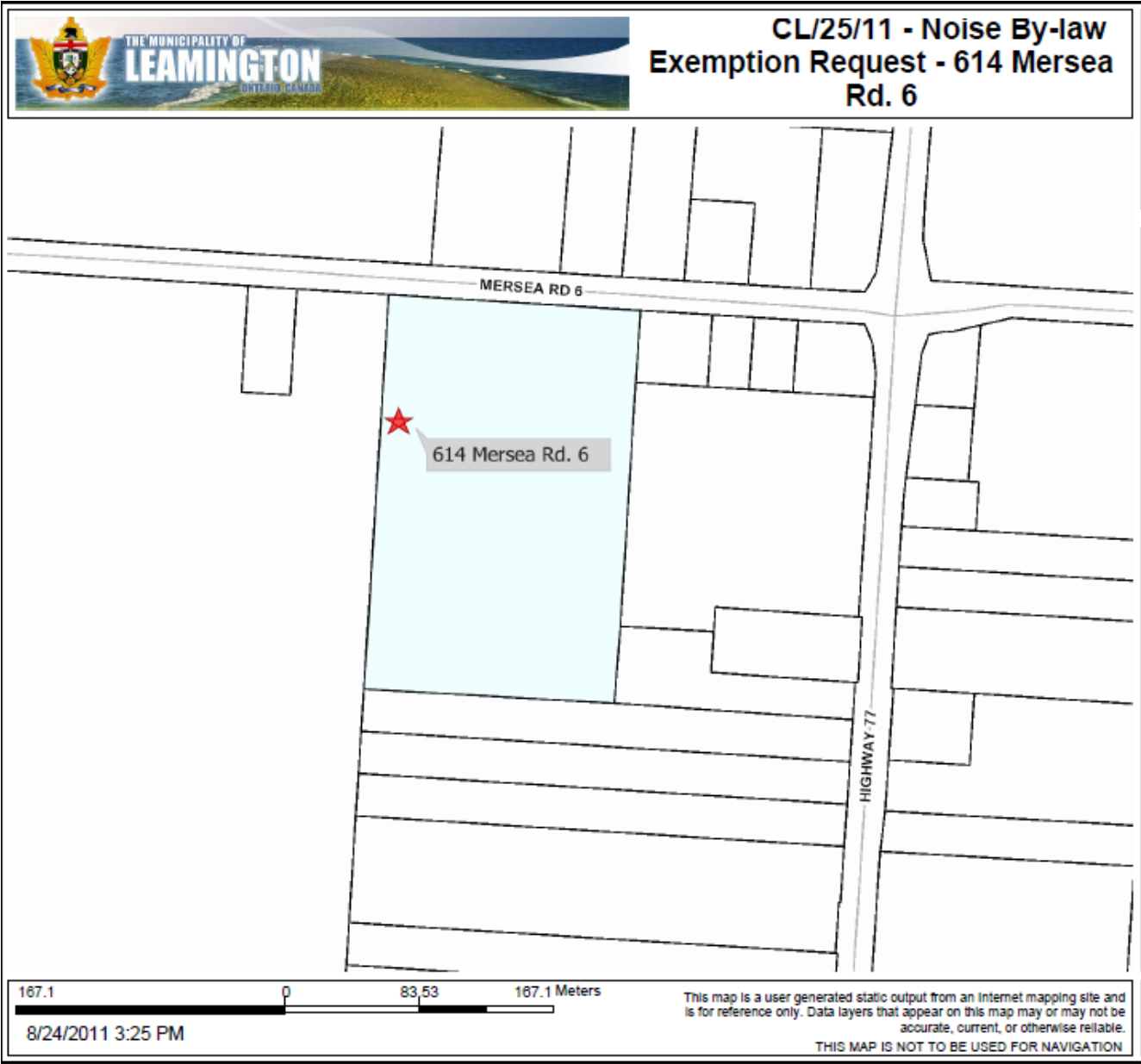
That Council grant an exemption from Leamington's Noise By-Law #431-03, Section 2(1) for Project X's youth weekend worship, music and campout event at 614 Mersea Road 6 on Friday, September 16, 2011 from 3:00 p.m. until 10:30 p.m. and Saturday, September 17, 2011 from 9:30 a.m. until 10:30 p.m. (Report CL/25/11).

Respectfully submitted,

Kim Siddall,
Manager of Corporate Services

Brian Sweet,
Director of Corporate Services

Subject property



MINUTES

LEAMINGTON ECONOMIC DEVELOPMENT COMMITTEE

HELD THURSDAY, AUGUST 16, 2011 AT 6:00 P.M.

IN THE COMMITTEE ROOM

MEMBERS PRESENT: Louie Saad Wayne Wharram
Maureen Sutherland Nick Marcovecchio
Deputy Mayor Charlie Wright Troy Gee
Mayor John Paterson

STAFF PRESENT: Anne Miskovsky, Economic Development Officer
Shelly Quick, Corporate Assistant

REGRETS: Dan Santos

CALL TO ORDER:

The meeting was called to order at 5:57 pm.

Moved by: Maureen Sutherland **Seconded by:** Troy Gee

That the Minutes of the Economic Development Committee meeting held Tuesday, July 19, 2011 be approved.

“CARRIED”

1) Terms of Reference-Circulation of Revised Terms of Reference:

Leamington Council approved the language change to the terms of reference to indicate the committee would be representative of business community rather than indicating specific numbers of representatives.

ITEMS FOR CONSIDERATION:

2) Discussion of Committee's views on Economic issues/opportunities affecting Leamington:

The committee members forwarded suggestions and feedback of their views on the economic issues/opportunities affecting Leamington and discussed how the committee's viewpoints were reflective of some of the Community Improvement Plan, Discussion Paper No. 2: Analysis and Options package regarding the uptown commercial area.

3) Discussion based on last meeting's assignment. Next steps:

The committee reviewed each other's comments regarding the topics of interest regarding opportunities/solutions for short and long term strategies in Leamington. The Economic Development Officer, will prepare a table from the committee's suggestions of the common items of concern to address for next meeting. The committee will review the table and suggest an action plan for council's review.

4) Update on CIP progress-Discussion paper number 2 from Jones Consulting (copy provided):

The EDO handed out Discussion paper No. 2, Analysis and Options document from Jones Consulting. The EDO shared that there were many similar comments that were suggested by our committee and the document. The committee will review the report and focus on what pertains to economic development and forward suggestions and/or comments to the E.D.O. for compilation.

Moved by: Wayne Wharram Seconded by: Maureen Sutherland

That the Economic Development Committee hold a meeting on Tuesday, August 30, 2011 at 6:00 p.m. to address the contents of the Community Improvement Plan Discussion Paper No. 2: Analysis and Options for the Leamington Uptown Commercial District by Jones Consulting Group Ltd. and to review the issues/opportunities table being compiled by the EDO. The committee members are to submit their comments to the EDO for circulation prior to August 25, 2011.

“CARRIED”

5) NEW BUSINESS:

- a) Tracey Pillon-Abbs has been appointed as Director of Development Services for the Municipality of Leamington.
- b) Tapping of the Keg of Tomato Juice hosted by the Leamington Chamber for the Leamington Tomato Festival will be held on Wednesday, August 17, 2011 starting at 11:00 a.m. in front of the Leamington Tomato information booth.
- c) Community Improvement Plan committee will meet at the Leamington Municipal office on Wednesday, August 17, 2011 starting at 11:00 a.m. to review the Discussion Paper No. 2: Analysis and Options for the Leamington Uptown Commercial District by Jones Consulting Group Ltd.
- d) Leamington Tomato Festival Golf Tournament will be held on Wednesday, August 17, 2011 at Erie Shores Golf Course.
- e) Elections Canada is holding a meet the candidate’s night at the municipal office in September 2011.

Moved by: Mayor John Paterson Seconded by: Wayne Wharram

That the meeting of the Economic Development Committee be adjourned at 6:55 p.m.

“CARRIED”

DATE OF NEXT MEETING:

**TUESDAY, AUGUST 30, 2011 at 6:00 p.m.
WEST COMMITTEE ROOM**

- If you cannot attend please notify Anne or Shelly at (519) 326-5761 X0

MINUTES - LEAMINGTON POLICE SERVICES BOARD MEETING

HELD WEDNESDAY, JULY 27, 2011 - COMMENCING AT 8:30 A.M.

IN THE WEST END MEETING ROOM #112

MEMBERS PRESENT: John Paterson, Chair
Judy Butler
Lorraine Hodgson
Joan McSweeney

MEMBERS ABSENT: John Jacobs

ALSO PRESENT: Inspector Rick Derus
Sergeant Darin Rickeard
Staff Sergeant Tim Nyhoff
Lucy Jackson, Administrative Assistant

DISCLOSURES OF PECUNIARY INTEREST: None.

Adoption of Minutes:

No. 40-07-11

Moved by: Judy Butler

Seconded by: Lorraine Hodgson

That the minutes of the Leamington Police Services Board Meeting held June 22, 2011, be approved.

“CARRIED “

Detachment Commander's Report for the Month of June , 2011

Tim Nyhoff provided an overview of the report, noting there were 8 new drug occurrences in the month of June. He advised that 1 impaired driver was charged and seven - 3 day suspensions were issued.

He also reported that in June there were 42 motor vehicle collisions reflecting a slight upward trend from the previous months. He noted this is not unusual as statistics show that more incidents occur during the summer months due to increased traffic.

Further, he noted that 420 foot patrol hours and 5,152 contract hours were provided by the O.P.P. during the month of June, which is slightly over the required amount.

He also reviewed the Community Policing Committee report, noting that Kevin O'Neil recently attended the Cardinal Carter's graduation ceremonies where he presented an O.P.P. Community Award to a high school student who has completed more than 1,000 volunteer hours in the community.

Joan McSweeney thanked the Board for including the 2010 Leamington statistics into their report as it now provides the Board with a comparison of Leamington to other Essex County municipalities.

No. 41-07-11

Moved by: Lorraine Hodgson

Seconded by: Judy Butler

That the Detachment Commander's Report for the month of June 2011, be received.

"CARRIED "

Windsor & Essex County Crime Stoppers Statistical Report for the Month of June , 2011

No. 42-07-11

Moved by: Joan McSweeney

Seconded by: Lorraine Hodgson

That the Windsor & Essex County Crime Stoppers Statistical Report for the month of June 2011, be received.

"CARRIED "

Correspondence from Town of Lakeshore dated June 8, 2011 re: Reconciliation of Provincial Services Usage Credit

No. 43-07-11

Moved by: Judy Butler

Seconded by: Lorraine Hodgson

That the correspondence from the Town of Lakeshore dated June 8, 2011 re: Reconciliation of Provincial Services Usage Credit, be received.

"CARRIED "

No. 44-07-11

Moved by: Joan McSweeney

Seconded by: Judy Butler

That correspondence from Dave Orshinsky, Recreation Facility Co-ordinator re: O.P.P. Assistance at Triathlon, be received.

"CARRIED "

Discussion re: Policy and Governance Responsibilities of the Board

Joan McSweeney advised that she has not been successful in obtaining policy information from other municipalities to date. She spoke to staff at the Town of Lakeshore who advised they have policing conduct rules and procedures in place, but not established policies.

She noted that the binder obtained from Kingsville does have a section dealing with policies which could be used to assist the Board in developing these policies for Leamington. Joan McSweeney suggested that correspondence be forwarded to the OAPSB to obtain names of Police Service Board chairs so that correspondence could be forwarded to their attention requesting this information.

Once this information is obtained, Joan McSweeney will draft a letter to the chairs. She suggested this correspondence be forwarded by the Municipality to ensure the information being requested is provided in a more timely manner.

Joan McSweeney further recommended that a sub-committee be established to develop policies and recommendations for the Board's consideration.

She also recommended that the Committee include a member of municipal staff.

Lorraine Hodgson and Judy Butler volunteered to sit on the sub-committee with Joan McSweeney. Lucy Jackson advised she would discuss with Brian Sweet which staff member(s) he wanted to attend these meetings.

No. 45-07-11

Moved by: Joan McSweeney

Seconded by: Lorraine Hodgson

That a sub-committee of the Leamington Police Services Board be established to develop policies relating to governance responsibilities for the Board;

And that these policies be brought back to the Board for their review and consideration.

“CARRIED “

New Business:

Rick Derus apologized to the Board members for not forwarding an invitation to them to attend the recently held O.P.P. golf tournament.

Lucy Jackson, Administrative Secretary, advised that a Police Conciliation Meeting relating to the Section 40 severance has been scheduled for Wednesday, August 3, 2011 and that Councillor Jacobs will be attending on behalf of the Mayor.

ADJOURNMENT:

No. 46-07-11

Moved by: Joan McSweeney

Seconded by: Judy Butler

That the meeting be adjourned at 9:00 a.m.

“CARRIED”

NEXT MEETING: Wednesday, August 24, 2011 at 8:30 a.m.

/lj

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Union Water Supply System

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

Telephone: 519-326-1668 Fax: 519-326-3490

Email: rbouchard@unionwater.ca

SENT BY: EMAIL

August 12, 2011

Municipality of Leamington
111 Erie St. N.
Leamington, Ontario N8H 2Z3
Attention: Mr. Bill Marck, Chief Administrative Officer

Town of Kingsville
2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Attention: Mr. Dan Digiovanni, Chief Administrative Officer

Town of Essex
33 Talbot Street South
Essex, Ontario N8M 1A8
Attention: Mr. Wayne Miller, Chief Administrative Officer

Town of Lakeshore
419 Notre Dame Street
Belle River, Ontario N0R 1A0
Attention: Mr. Kirk Foran, Acting Chief Administrative Officer

Dear CAOs,

Re: Union Water Supply System - Drinking Water System Inspection Report for the inspection of June 6, 2011

Attached please find a copy of the Drinking Water System Inspection Report dated August 11, 2011 for the Union (Essex County) Area Water Treatment Plant. The onsite part of the Compliance Inspection took place on June 6, 2011, along with subsequent visits.

Pages 2 to 21 summarize the conclusions of the inspection. There are two further sections divided into **Non-Compliance with Regulatory Requirements** (Page 24) and **Summary of Best Practice Issues** (Page 25). Under both the **Non-Compliance with Regulatory Requirements Actions Required** and the **Summary of Best Practice Issues Recommended Actions** sections there are no actions suggested.

I request that the following be done:

- That you circulate a copy of the August 11, 2011 Drinking Water System Inspection Report to each member of your municipal council, and
- That your municipal council confirm by resolution that the Inspection Report has been received, and

“Serving the Communities of Leamington, Kingsville, Lakeshore and Essex”

- That you forward a copy of the resolution to the Joint Board of Management of the Union Water Supply System, and
- That you make the Drinking Water System Inspection Report available for inspection by any member of the public during business hours at your office. The report is already available at the UWSS plant at Ruthven to anyone who wishes to see it.

I am available to appear before any municipal council when the report is to be presented. If you require this please let me know the time and place.

Please call me if you would like to discuss this matter further.

Yours truly,



Rodney Bouchard, P. Geo.
Manager, Union Water Supply System
Enclosure (1)

CC: Robert Sharon, Kit Woods, Gary Foisy, Nelson Carvalho, Andrew Plancke, Corrine Gabriele, Chris Nepszy, Andy Graf, Tony Francisco, Gary Dunmore, Dale Dillen, Dave Sawchuk
File: C:\Documents and Settings\kjohnson\My Documents\1Correspondence\A letters\August 2011\08-17-11 Letter to Municipalities (MOE Inspection Report).docx

**Ministry of
the Environment**

Safe Drinking Water
Branch

Sarnia/Windsor District
Unit 620
4510 Rhodes Dr
Windsor ON N8W 5K5

**Ministère de
l'Environnement**

Direction du contrôle de la qualité de
l'eau potable

District de Sarnia et de Windsor
Bureau 620
4510, chemin Rhodes
Windsor (Ontario) N8W 5K5



August 11, 2011
SI-ES-KI-540A

Mr. Dale Dillen
Operational Compliance Manager
Ontario Clean Water Agency

Union Area Water Supply System
1615 Union Avenue
Ruthven, Ontario
N0P 2G0

RE: Ontario Regulation 170/03 Inspection at the Union Area Water Treatment Plant Facility

Enclosed is a copy of the inspection report for the Union Area Water Treatment Plant, Drinking Water System Number 210000853, under the Ministry's announced, detailed inspection protocol. The report is based on the conditions encountered at the time of the inspection on June 6, 2011, subsequent follow up meetings and review of the associated data. Thanks to you and all of the other staff for the assistance and having the information available, so promptly.

The Ministry of the Environment Inspection Program assesses compliance with the applicable legislation. Please review the attached report.

Note that there were no items of "NON-COMPLIANCE WITH REGULATORY REQUIREMENTS AND ACTIONS REQUIRED".

Note that there were no items of "SUMMARY OF BEST PRACTICE ISSUES AND RECOMMENDATIONS" as well as in the body of the report.

There is no assessment item in the current inspection protocol, but the Ministry is encouraged that members of municipal council participated in the Standard of Care – Safe Drinking Water Act course and trusts that all members of municipal council will take this course in the near future. The course was designed to inform municipal councillors and officials of their oversight responsibilities under Section 19 of the Safe Drinking Water Act, which comes into effect January 1, 2013.

In order to measure individual inspection results, the ministry has established an inspection compliance risk framework based on the principles of the Inspection, Investigation and enforcement (II&E) Secretariat and advice of internal/external risk experts. The Inspection Summary Rating Report (IRR), included as Appendix F of this inspection report, provides the Ministry, the system owner and the local Public Health Unit with a summarized quantitative measure of the drinking water system's annual inspection and regulated water quality testing performance. Please note the attached IRR methodology memo describing how the risk rating model has improved to better reflect the health related and administrative non-compliance found in an inspection report. The IRR ratings are published in the Ministry's Chief Drinking Water Inspectors' Annual Report. If you have any questions or concerns regarding the IRR rating, please contact Mr. Marc Bechard, Acting Drinking Water Program Supervisor at 519 383 3778.

Likewise, if you have any questions or concerns regarding this report please call me at 519 948 4686.

Dave Sawchuk
Drinking Water Inspector
Ministry of the Environment
Safe Drinking Water Branch
Dave.Sawchuk@ontario.ca



The Corporation of The
Town of Amherstburg

RECEIVED

AUG 25 2011

MUNICIPALITY OF LEAMINGTON
CORPORATE SERVICES

CHARLENE WATSON
cwatson@amherstburg.ca

August 24, 2011

Samsung Renewable Energy Inc.
9th Floor, Standish Court
Mississauga, ON L5R 4B2

Dear Mr. Yoo:

Re: Request from Samsung to support the renewable energy production agreement between Samsung, together with its Ontario manufacturing partners, and the Province of Ontario

Council, at its meeting held August 15, 2011, passed the following motion:

Whereas Samsung, together with its manufacturing partners in Ontario, has been working to create jobs in the Windsor-Essex County area as part of a renewable energy production agreement with the Province of Ontario;

And That the agreement commits Samsung and its partners to open four (4) manufacturing plants, create 1600 direct and indirect clean energy jobs, and to create 2500 megawatts of wind and solar power;

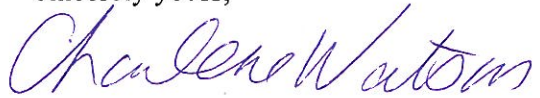
And Further That to date, Samsung has indicated that 200 jobs have been created in the production of solar inverters in the Toronto area, 700 jobs in the manufacturing of wind towers in the Windsor-Essex County area, and 900 jobs in the building of wind blades in the Tilsonburg area;

That Council support the renewable energy production agreement between the Province of Ontario and Samsung and its Ontario manufacturing partners which has created a long-term climate for investment and job creation in the Windsor-Essex County area;

And that this resolution be forwarded to the County of Essex, Essex County municipalities, City of Windsor and local MPP's.

Should you have any further questions, please do not hesitate to contact me at (519) 736-0012 x 240.

Sincerely yours,



Charlene Watson
Acting EA to CAO & Clerk

cc: County of Essex
Essex County Municipalities
City of Windsor
Hon. Dwight Duncan, M.P.P.