



THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

MEETING OF MUNICIPAL COUNCIL MONDAY, OCTOBER 24, 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 October 17, 2011
Pages 3-14

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

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

1. Public Meeting - Kent Road 1 Petition for New Drain

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

1. Report EDO 04/11 dated October 18, 2011 re: To Request Hydro One Complete the Leamington Secondary Transmission Line and the Leamington Transformer Station
Pages 15-18
2. Report PLA 54/11 dated October 12, 2011 re: Removal of Holding Zone Category - 433 Highway 77 and W/S Highway 77, Pencor Developments Inc.
Pages 19-20
3. Report PLA 55/11 dated October 12, 2011 re: Removal of Holding Zone Category, N/S Robson Road, Larry Santos Construction Ltd.
Pages 21-22
4. Report PLA 56/11 dated October 13, 2011 re: Zoning By-law Amendment Request - Proposed Agriculture Zoning, 525 Mersea Road 7 (Flaming)
Pages 23-26
5. Report FIN-11-10-02 dated October 7, 2011 re: 2012 Tariff of Fees
Pages 27-43

- 6. Report FIN-11-10-03 dated October 17, 2011 re: Policy Amendment - Technology and Telephony
Pages 44-48
- 7. Report CL 26/11 dated October 17, 2011 re: Salvation Army "Boot Drive" Request
Pages 49-53

(H) **MATTERS FOR APPROVAL:**

- 1. Minutes of the Leamington Municipal Heritage Advisory Committee held September 28, 2011
Pages 54-55

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

- 1. Correspondence from County of Brant dated September 26, 2011 regarding support for their resolution requesting the Province of Ontario to amend Ontario Regulation 282/98 to remove commercial grain elevators from the industrial property class and include them in the commercial property class
Page 56

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

By-law 165-11, being a by-law to provide for Kent Road 1, New Petition Drain in the Municipality of Leamington and for borrowing the sum for completing the drainage works (1st and 2nd reading).

By-law 170-11, being a by-law to confirm the proceedings of the Council of the Municipality of Leamington at its meeting held October 24, 2011.

(K) **NOTICES OF MOTION:**

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

(M) **NEW BUSINESS:**

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

TUESDAY, OCTOBER 25, 2011

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

WEDNESDAY, OCTOBER 26, 2011

Leamington Police Services Board - 8:30 a.m. - Room # 112

Leamington Municipal Heritage Advisory Committee - 3:00 p.m. - Ante Room

MONDAY, NOVEMBER 7, 2011

Leamington Council - 7:00 p.m. - Council Chambers

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

(P) **ADJOURNMENT:**

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

MINUTES - COUNCIL MEETING

**HELD MONDAY, OCTOBER 17, 2011 - COMMENCING AT 7:00 P.M.
IN LEAMINGTON COUNCIL CHAMBERS**

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

MEMBERS ABSENT: Councillors: MacDonald, Verbeke

STAFF PRESENT: Bill Marck, Chief Administrative Officer
Brian Sweet, Director of Corporate Services
Cheryl Horrobin, Director of Finance & Business Services
Tracey Pillon-Abbs, Director of Development Services
Robert Sharon, Director of Community Services
Allan Botham, Manager of Engineering Services
Cameron McKay, Operations Manager
Kit Woods, Manager of Environmental Services
Denise McGregor, Planning Technician
Carol Derksen, Corporate Assistant

DISCLOSURES OF PECUNIARY INTEREST: None

ADOPTION OF COUNCIL MINUTES:

No. C-406-11

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

That the Minutes of the Council Meeting (including Public Meeting for the Almanson Hillman Drain) held October 3, 2011 be adopted.

“CARRIED”

BUSINESS ARISING OUT OF THE MINUTES: None

REPORTS OF STAFF & DELEGATIONS:Essex Power Presentation - Highlights of 2010/2011

Mr. Ray Tracey, President and CEO of Essex Power Corporation, used a power point presentation to review with Council the highlights of Essex Power activities for 2010/2011. Mr. Tracey introduced David Dunn who was also in attendance from Essex Power.

Mr. Tracey talked about Essex Power's activities following the 2010 tornado event and he reviewed conservation efforts and programs that were being undertaken. He advised that over 98% of the Smart Metres had been installed within Essex Power's area. He reviewed, among other things, the corporate ownership structure, the distribution of revenue streams, the return on equity, dividends and the hydro bill components. Mr. Tracey also discussed steps Essex Power was taking to ensure that their customers had a reliable source of power.

Finally Mr. Tracey reminded Council of the shareholders' meeting to be held on November 9th, 2011 to discuss the business plan for 2012 and invited all Council members and senior administration to attend.

Council thanked Mr. Tracey for his presentation.

Leamington High School - Local Government Week

Kathleen Sharman, teacher at Leamington District Secondary School, her civics class and other high school students were in attendance as part of Local Government Week.

The students took the opportunity to ask Council to investigate the feasibility of constructing a skate board park and the following students collaborated upon a presentation: Mason Fritsch, Derrick McLean, Rodney Hurst-Janisse, Andrew Wiebe, Brandan Stahl, Gavin Pauls, Andrew Levesque, Jake Wiebe, Jaclyn Woelk, Carlie Miner, Jamie DiMenna, Ashley Crawford, Martha Goertzen, Rebecca Stantin, Sharon Friesen.

The presentation suggested that a municipally owned and operated skate board park would provide a safe place for young people to skate. It was suggested that it is dangerous to use skate boards on roads and numerous examples were provided of young people who were injured in traffic. It was suggested that if the Municipality provided a skate board park that it would probably prevent some traffic accidents from happening.

Council asked the students some questions and a discussion among Council members followed. As a result of the discussion, Council decided to proceed with a preliminary report that would prescribe an appropriate method to determine the feasibility of creating a skate board park, including the creation of a feasibility committee which might include students as members, to identify issues that need to be addressed such as location, liability, supervision, etc.

No. C-407-11**Moved by:** Councillor Atkin**Seconded by:** Deputy Mayor Wright

That administration be directed to forward a report to council which recommends a process to proceed with determining the feasibility of a municipally owned and maintained skate board park and identifies relevant issues including, but not limited to, location, liability and supervision.

“CARRIED”PLANNING SERVICES - Report PLA 49/11 dated October 5, 2011 re: Application for Site Plan Control Approval Proposed Greenhouse Expansion - Phase 2 - 1266093 Ontario Limited (Steve Enns) 409 Essex Road 14

Denise McGregor, Planning Technician, reviewed her report on an application for site plan control for a proposed greenhouse expansion located at 409 Essex Road 14. Steve Enns, owner of the greenhouse expansion, was in attendance to answer any questions from Council.

A discussion occurred about whether greenhouse growers were, or could be, required to provide worker housing on the greenhouse site. Council was advised there were presently no zoning by-law provisions that obligated greenhouse growers to provide housing on site but if the grower did provide such housing then there were zoning by-law requirements restricting the maximum size for such housing.

No. C-408-11**Moved by:** Councillor Atkin**Seconded by:** Councillor Jacobs

That the site plan be approved for the proposed greenhouse expansion - Phase 2, located at 409 Essex Road 14 (Enns Plant Farm) as outlined in Report PLA 49/11;

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

“CARRIED”PLANNING SERVICES - Report PLA 51/11 dated October 5, 2011 re: Application for Site Plan Control Approval - Proposed Greenhouse Expansion - Abram Fehr and Susan Fehr (Sandhill Farms) 318 Essex Rd. 18.

Denise McGregor, Planning Technician, reviewed her report on an application for site plan control for a proposed greenhouse expansion located at 318 Essex Rd. 18.

No. C-409-11**Moved by:** Councillor Atkin**Seconded by:** Deputy Mayor Wright

That the site plan be approved for the proposed greenhouse expansion located at 318 Essex Road 18 (Abram Fehr and Susan Fehr) as outlined in Report PLA 51/11;

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

“CARRIED”

PLANNING SERVICES - Report PLA 52/11 dated October 6, 2011 re: Application for Site Plan Control Approval - Proposed Parking Lot Expansion, Faith Mennonite Church - 269 Sherk Street.

Denise McGregor, reviewed her report on an application for site plan control for a proposed parking lot expansion for the Faith Mennonite Church located at 269 Sherk Street. Vic Thiessen, representative for Faith Mennonite Church, was in attendance to answer any questions from Council.

Council inquired if the parking lot has been constructed. Mr. Thiessen advised Council that gravel was laid over the grassed area for the winter months but the parking lot had not been constructed.

Council asked if there will be lighting installed in the parking lot. Mrs. McGregor advised that presently lighting is not proposed for the site.

No. C-410-11**Moved by:** Councillor Atkin**Seconded by:** Deputy Mayor Wright

That the site plan be approved for the proposed commercial parking lot located at 269 Sherk Street (Faith Mennonite Church) as outlined in Report PLA 52/11;

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

And further, that a building permit not be issued until the proposed development receives ERCA approval/permit.

“CARRIED”

PLANNING SERVICES - Report PLA 53/11 dated October 6, 2011 re: Application for Site Plan Control Approval - Proposed Building Addition - Moracci Holdings Ltd. (Pure Hothouse Foods Inc.) 459 Highway 77

Denise McGregor, Planning Technician, reviewed her report on an application for site plan control for a proposed building addition at 459 Highway 77.

No. C-411-11**Moved by:** Councillor Jacobs**Seconded by:** Councillor Atkin

That the site plan be approved for the building addition located at 459 Highway 77 (Moracci Holdings Ltd. - Pure Hothouse) as outlined in Report PLA 53/11;

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

“CARRIED”**COMMUNITY SERVICES - PW 14/11 dated September 28, 2011 re: Kinsmen Ball Diamond Dugout Repairs**

Cameron McKay, Operations Manager, reviewed his report on the tender for the Kinsmen Ball Diamond Dugout Repairs. At present, it is expected that all of the cost for the repairs will be paid for from insurance funds because the damage was caused by the 2010 tornado.

No. C-412-11**Moved by:** Deputy Mayor Wright**Seconded by:** Councillor Chopchik

That Council accept the low Tender for the Kinsmen Ball Diamond Dugout Repairs from Piroli Construction 3850 Dougall Ave., Windsor, ON in the amount of Forty Four Thousand Five Hundred and Thirty Eight Dollars and Thirty Cents (\$44,538.30) including net H.S.T., charged to the Parks Capital Budget account number 2-810-8815-7630. (PW 14/11)

“CARRIED”**COMMUNITY SERVICES - PW 13/11 dated October 4, 2011 re: 2011 Tree Planting Program (Tree Planting Plan - Tornado Affected)**

Cameron McKay, Operations Manager, reviewed his report to award the tender for the 2011 Tree Planting Program.

No. C-413-11**Moved by:** Deputy Mayor Wright**Councillor Atkin**

That Council accept the low tender for the 2011 Tree Planting Program from Ruthven Nursery & Garden Centre in the amount of Forty Nine Thousand Four Hundred and Twenty Dollars and Fifty Five Cents(\$49,420.55) including H.S.T., charged to the Special Assistance Grant account 1-310-7000-7066 as per (PW 13-11)

“CARRIED”

ENVIRONMENTAL SERVICES - Report ES 04/11 dated September 30, 2011 re: 2012-2016 Sanitation Contract

Kit Woods, Manager of Environmental Services, reviewed his report to recommend the award of a contract for garbage and yard waste collection and for front end load container collection for municipal facilities and residential Marentette Beach.

No. C-414-11

Moved by: Councillor Atkin

Seconded by: Councillor Jacobs

That Council award the 2012 - 2016 contract for Waste Collection to Windsor Disposal Services, 2700 Deziel Drive, Windsor Ont. N8W 5H8, all in accordance with contract documents and specifications dated August 2011, for a total tender price of \$568,437.36, including HST, to be charged to the following accounts (2012 costs, including net HST);

Activity	2012 cost incl. net HST	Account number
Garbage Collection	\$386,616.73	1-640-8640-7630
Organics/Yard Waste Collection	\$81,844.13	1-640-8644-7630
Leamington/Kinsmen Recreation Complex	\$4,021.55	1-830-7400-7480
Kinsmen Ball Diamonds	\$705.56	1-810-8815-7630
Seacliff Park	\$705.56	1-810-8811-7630
Mersea Park	\$352.76	1-810-8820-7630
Erie Street South Promenade	\$211.68	1-810-8821-7630
Leamington Marina	\$1,693.30	1-580-7400-7480
Marentette Beach	\$3,069.08	1-640-8640-7630
Fire Dept.	\$634.95	1-420-7400-7480
Water Division	\$952.47	6-690-7400-7630
Pollution Control Centre	\$31,087.68	1-660-7700-7720
Total:	\$511,895.45	

All in accordance with ES 04/11

“CARRIED”

ENGINEERING SERVICES - Report 17/11 dated October 11, 2011 re: Tender for Foster Avenue Road Reconstruction

Allan Botham, Manager of Engineering Services, reviewed his report for the tender for Foster Avenue Road Reconstruction.

Mr. Botham advised Council that the residents of Foster Avenue will be updated on the road construction at all times. The contractor will start construction in a couple of weeks and the work will be completed in four (4) to five (5) weeks.

No. C-415-11**Moved by:** Councillor Atkin**Seconded by:** Deputy Mayor Wright

That Council award the Foster Avenue Reconstruction contract to Piroli Construction 3850 Dougall Ave., Unit 10 Windsor, ON N9G 1X2, in the amount of \$292,620 (including net HST);

And that the contract is to be charged to accounts: 2-320-8862-7630 Roads (\$162,052), 2-610-8862-7630 Sewers (\$117,136), and 2-610-8234-7630 Erie South Pump Station (\$13,432), all amounts including net HST (ENG 17-11);

And that Council approve an over expenditure to the sewer portion of the works in the amount of \$43,427 (including net HST) due to lower projected local improvement recoveries.

“CARRIED”**ENGINEERING SERVICES - Report ENG 18/11 dated October 7, 2011 re: Consulting Services - Sanitary Sewage Collection for the Pelee Drive (County Road 33) Area**

Allan Botham, Manager of Engineering Services, reviewed his report to obtain Council authorization to retain services of a Consulting Engineer for the provision of consulting and engineering services for the purpose of providing appropriate sanitary sewage collection to built-up, and proposed development areas of south east Leamington.

Council inquired whether Point Pelee National Park had been asked if they were interested in participating in this project. Mr. Botham stated Point Pelee National Park had been invited to participate in the proposed sewer project on Bevel Line but they had declined. The Park had not been asked to participate in this project but before proceeding further they would be contacted.

No. C-416-11**Moved by:** Deputy Mayor Wright**Seconded by:** Councillor Atkin

That Council enter into an agreement with Dillon Consulting for the provision of consulting and engineering services, for the purpose of providing appropriate sanitary sewage collection to built-up, and proposed development areas, of southeast Leamington, in an amount not to exceed \$131,942 (including net HST). (ENG 18-11).

“CARRIED”

FINANCE - Report FIN-11-10-01 dated October 17, 2011 re: Tomato Festival - Funding Application- Grant Request

Cheryl Horrobin, Director of Finance and Business Services, presented her report.

No. C-417-11

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

That the request for pre-approval of 2012 grant funding of \$13,000 (account 1-310-7900-7922) and in-kind services valued up to \$17,450 to the Leamington Tomato Festival, subject to approval of their application for grant funding under the Building Communities through Arts and Heritage Program - Local Arts and Heritage Festivals” through the Federal Department of Canadian Heritage be approved;

And that the Director of Finance and Business Services be authorized to complete and sign forms required under by the Federal Department of Canadian Heritage to evidence approved funding support by the Municipality of Leamington. (Report FIN-11-10-01)

“CARRIED”

CHIEF ADMINISTRATION OFFICER - Report CAO 19/11 dated September 21, 2011 re: Strategic Planning Priority Actions and Implementation of Work Plans

Bill Marck, Chief Administration Officer, presented his report regarding strategic planning priority actions and implementation of works plans.

No. C-418-11

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

That Council receive and confirm the strategic priority action plans and supported activities;

And further that the Chief Administrative Officer be directed to submit an updated report on the strategies achieved and to be achieved in the spring of 2012 (CAO 19/11).

“CARRIED”

PLANNING SERVICES - Report PLA 47/11 dated October 5, 2011 re: Zoning By-law and Official Plan Amendment - Proposed Surplus Dwelling Lot and Accessory Structure ZBA #42 and OPA #3 - 1637 Mersea Road 5 (Driedger & Collard)

Tracey Pillon-Abbs, Director of Development Services, reviewed her report regarding a Zoning By-law and Official Plan Amendment for a proposed surplus dwelling lot and access structure at 1637 Mersea Road 5.

No. C-419-11

Moved by: Deputy Mayor Wright

Seconded by: Councillor Chopchik

That Council receive the information regarding the application to consider zoning by-law and official plan amendments for property located at Concession 5, East Part Lot 16, Part of Part 1 on 12R-9900 and locally known as 1637 Mersea Road 5 as part of a consent condition for B/08/11 to change the zone from Agricultural General Zone (A1) to Agricultural Hobby Farm Zone (A3) in addition to permitting a large surplus dwelling lot with a barn as an accessory structure (PLA 47/11);

And that the Clerk be directed to forward the amending by-law to Council for its consideration for its third and final reading.

“CARRIED”

MATTERS FOR APPROVAL: None

OTHER MATTERS FOR CONSIDERATION:

Councillor Atkin introduced the Notice of Motion that was listed on the agenda and explained that he hoped the motion would encourage ERCA to discuss their obligations at Hillman Marsh and in the Southeast Beach area.

Mr. Raymond Marentette, East Mersea Rate Payers Association representative, thanked Council for the motion and said that he supported it. Mr. Marentette suggested some amendments to the resolution and distributed a revised resolution for Council to consider.

After discussion of the proposed amendments, Councillor Atkin and Councillor Jacobs accepted the proposed changes to the motion they had moved and seconded.

Mr. Mike Walsh, 220 East Beach Road, advised Council that he also supported the motion and further stated that Hillman Marsh ego system is worthy of maintenance and protection and should not be allowed to deteriorate any further.

No. C-404-11, October 3, 2011

Moved by: Councillor Atkin **Seconded by:** Councillor Jacobs

That The Corporation of the Municipality of Leamington forward correspondence to the Essex Region Conservation Authority requesting that the appropriate funding be included in their 2012-2013 draft budget to initiate shoreline protection initiatives to stabilize the shoreline of Hillman Marsh Conservation area including but not limited to placement of armour stone/cobbles in the lake bottom to protect against further down cutting; and secondly, including but not limited to funding to develop low crested islands which would diversify marsh habitat and shelter Hillman Dyke from lake waves;

And further that the Essex Region Conservation Authority budget to develop a formalized method for breaching the beach when elevated water levels develop in the marsh in concert with the drainage authorities of the Municipality of Leamington with the preferred methodology to be at least semi automated, so access is not required for mechanical equipment to breach the beach;

And further that the Essex Region Conservation Authority review the feasibility of purchasing the vacant land north of 442 East Beach Road.

“CARRIED”

No. C-420-11

Moved by: Councillor Jacobs **Seconded by:** Councillor Chopchik

That the Minutes of the Police Services Board Meeting held August 25th, 2011, be received.

“CARRIED”

CONSIDERATION OF BY-LAWS:No. C-421-11

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

That the following by-law be read a third time and finally enacted:

By-law 144-11, being a by-law to provide for Zoning By-law Amendment 42 - 1637 Mersea Road 5 Drain (3rd and final reading).

“CARRIED”

No. C-422-11

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

That the following by-laws be read a first, second and third time and finally enacted:

By-law 168-11, being a by-law to appoint Director of Development Services and Chief Building Inspector.

By-law 169-11, being a by-law to confirm the proceedings of the Council of the Municipality of Leamington at its meeting held October 17, 2011.

“CARRIED”

NOTICES OF MOTION: None

OPEN SESSION - COUNCIL - ADMINISTRATION:

Councillor Jacobs thanked Rob Sharon, Director of Community Services, for the Mersea 8 report.

Councillor Jacobs asked Mr. Sweet if he could clarify the legal non-conforming or “grandfathering”, provisions of the sign by-law. Mr. Sweet provided some examples of signs that are and are not legal non-conforming. He also reported that the sign by-law and its enforcement has been very effective since its implementation.

Mayor Paterson reported that Leamington may become a destination port for one of the Great Lake cruise ship lines. He credited Ronan Oliver, Marina Manager, for bringing Leamington to the attention of the cruise lines. The Mayor reported that this could be a significant boost to local tourism. Deputy Mayor Wright informed Council that the web site for this cruise line is www.traveldynamicsinternational.com.

Mayor Paterson reported that he attended the 27th Anniversary of the Portuguese Club on the previous weekend and congratulated the organization on their promotion of Portuguese culture and their contribution to the community.

NEW BUSINESS: None

STATEMENT OF MEMBERS: None

ADJOURNMENT:

No. C-423-11

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

That the meeting adjourn at 10:15 p.m.

“CARRIED”

John Paterson, Mayor

Brian Sweet, Clerk

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TO: MAYOR AND MEMBERS OF COUNCIL

FROM: ANNE MISKOVSKY, ECONOMIC DEVELOPMENT OFFICER

DATE: OCTOBER 18, 2011

RE: TO REQUEST HYDRO ONE COMPLETE THE LEAMINGTON SECONDARY TRANSMISSION LINE AND THE LEAMINGTON TRANSFORMER STATION

AIM:

Council requests Hydro One complete the planned Leamington Hydro Secondary Transmission Line and Transformer Station to help address the immediate and long term energy needs of the region.

BACKGROUND:

On May 18, 2010, the Minister of the Environment informed Hydro One that it may proceed with the Supply to Essex County Transmission Reinforcement Project, subject to any other permits or approvals required. The Minister also communicated his decision that a higher level of assessment (an individual environmental assessment) for the project is not required.

Hydro One was proposing the staged construction of the following new facilities to reinforce the electricity transmission system in Essex County to ensure an adequate and reliable supply of power for the future:

- Stage 1: a new transformer station (TS) on Concession Road 6 in the Municipality of Leamington and a new double circuit 230 kilovolt (kV) transmission line on a new corridor to connect the station to the existing 230 kV lines south of Highway 401 in The Town of Lakeshore; and
- Stage 2: an additional double circuit 230 kV transmission line on the existing transmission corridor between Sandwich Junction and Lauzon TS in the City of Windsor.

Stage 1 of the project had a projected in-service date of 2013.

Since the time of the above approval, the construction of the Leamington TS has been indefinitely shelved due to what Hydro One deems as a lack of demand in the region due to a decline in the economy. However, current and future needs of local and regional industries refute this statement. Regional growth in the greenhouse industry, local manufacturing and the new “green” industries that have been attracted to the region is being seriously impacted by lack of access to service.

The Ontario Greenhouse Vegetable Growers have stated that Ontario currently represents the largest cluster of greenhouse vegetable production in North America with over 1919 acres. The Leamington/Essex area is currently the centre of that production with over 1600 of those acres. Total production in the province represents approximately \$641 million in farm gate sales, with over 10,000 full time equivalent jobs affiliated with this sector. Much of this is affiliated to the Leamington and Kingsville (population 50,000+/-) area.

There is a great desire to expand in the Leamington/Essex region due to weather conditions and the

EDO0411 REQUEST TO HYDRO ONE TO COMPLETE THE LEAMINGTON SECONDARY TRANSMISSION LINE AND THE LEAMINGTON HYDRO TRANSFORMER STATION

desire to be geographically close to the marketing companies who handle the distribution all across North America. Currently, it is estimated that 450 acres of expansion is imminent in the Essex county area. This proposed expansion would add approximately \$158 million per year in sales for this cluster.

However, a situation currently exists in the Leamington area, and perhaps elsewhere in Ontario, where large acreages of greenhouse construction cannot proceed without immediate infrastructure investment for electricity and natural gas distribution. Specifically in the Essex area, the current infrastructure that is available cannot support the proposed expansion and the lack of favourable pricing under the Green Energy Act for co-generation/ combined heat and power (CHP) in the greenhouse sector makes it impossible to supply this new proposed acreage with the energy and electricity that they need.

The failure to remedy this situation may have deep and harmful implications for Ontario greenhouse vegetable production. According to the Ontario Greenhouse Vegetable Growers Association, the risk to Ontario is that the failure to ensure adequate energy and electricity could drive at least \$300 million of investment to the USA. There are municipalities in the USA that seek to lure this investment away from Ontario by offering cheaper energy and electricity. The retention of expansion in Ontario is critical, and therefore this issue needs to be resolved immediately.

Similarly, local food processors have stated that unreliability has been very costly in terms of lost production, lost productivity, and lost product. Companies that have established in Windsor-Essex to service the wind and solar industry also state that access to the grid is preventing them from fulfilling production requests and buyers, hoping to sell energy back to the grid cannot tie into the transmission lines due to lack of capacity.

The Municipality, along with various participants including the greenhouse sector, industry and service providers have met to help find a solution to this issue. Discussions have been promising and participants are hoping to have enough information available to support a viable business to proceed with the construction of the Leamington TS. There are also discussions focusing on private sector partnership solutions.

The Economic Development Committee suggests that a council resolution will provide a strong message to Hydro One that a commitment needs to be made to remedy the current inadequate capacity. Failure to do so presents serious economic ramifications including stifling growth in the greenhouse industry and preventing successful business attraction and growth in other sectors. It may also present servicing issues for future business park development.

COMMENTS:

In Council Report EDO3/11 which outlined the impacts of the greenhouse industry to the regional economy it was shown that:

- In 2006 there were 787 acres of greenhouses in Leamington, 528 in Kingsville and 89 in Ruthven out of a total of 1454 acres in Essex County (50 acres outside Leamington/Kingsville). This figure has since been updated to more than 1600 acres with many expansions currently underway or in the planning stages with current expansions representing 72% of Leamington's building permits issued to date this year.
- OMAFRA experts expect the greenhouse industry locally to grow at a rate of 2%-5% annually.
- Above area represents 47% of the provincial total

EDO0411 REQUEST TO HYDRO ONE TO COMPLETE THE LEAMINGTON SECONDARY TRANSMISSION LINE AND THE LEAMINGTON HYDRO TRANSFORMER STATION

- There are approximately 235 greenhouse farms in Essex County (included nursery and floriculture)
- Exports of Ontario greenhouse produce totalled \$442 million in 2007 accounting for 76% of Canadian export sales in tomatoes, cucumbers and pepper.
- Total Ontario greenhouse sales exceed \$1.1 billion in 2007 with an annual economic impact of \$3.9 billion or more on the provincial economy.
- In 2007 Ontario greenhouse growers invested \$1.8 billion in land, buildings, equipment and machinery
- The industry employs over 17,000 full time and part time provincially with a gross yearly payroll of \$270 million, with much of this employment concentrated in the Essex County region.
- Locally 3400 people are employed in agriculture in Leamington (an increase of 24% since 2001). An additional 4000 guest workers service the agricultural industry (this includes field workers in all of Essex County and Chatham-Kent)
- Greenhouse production creates 4.62 direct jobs per hectare (2.1/acre). Approximately 83% of this employment is unskilled labour primarily supplied by offshore workers. Average wage for these workers is \$15.14 per hour. Skilled labour represents 17% of employment with average wages approximately \$28/hour and up to \$50/hour for managers and sales positions.
- The immediate requirement is for electricity and gas distribution capacity to service at least 450 acres of new development in Leamington
- Electricity demand per acre of modern greenhouse facility has been reported by existing growers to be at least 57,500 kWh per acre.
- Natural gas demand is reported to be around 7,000 gigajoules per acre.
- These projects would contribute to municipal property tax and provide income for the provincial treasury.

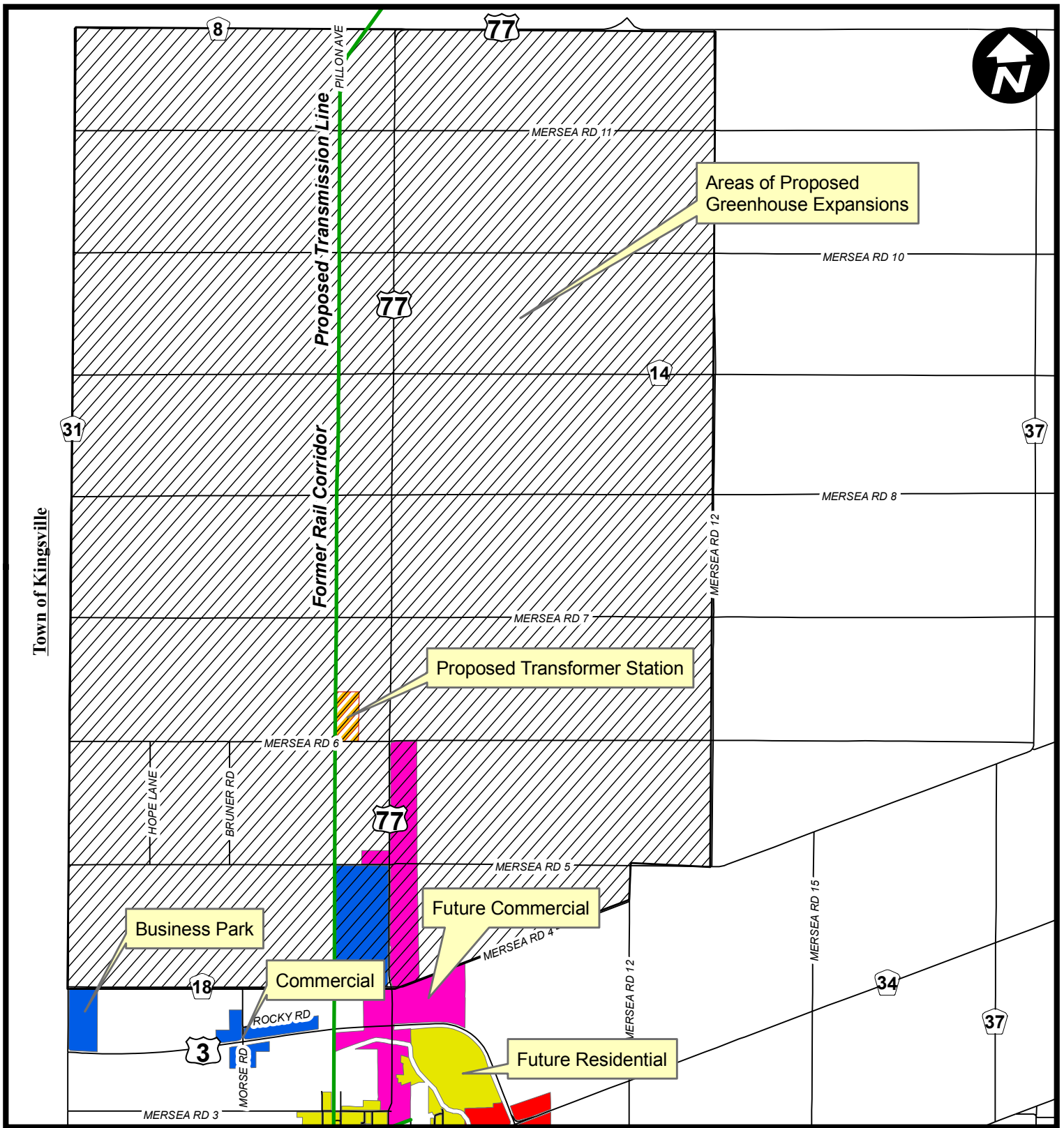
RECOMMENDATIONS:

That Hydro One be requested to complete the Leamington Secondary Hydro Transmission Line and the hydro Transformer Station to address the immediate and long term energy needs of the region;

And that a copy of this resolution be sent to MP Dave Van Kesteren, MPP Rick Nicholls and the Minister of Energy.

Respectfully submitted,

Anne M. Miskovsky
Economic Development Officer



Legend

- Former Rail Corridor
- Areas of Proposed Greenhouse Expansions
- Proposed Transformer Station
- Official Plan 2008 Schedule A**
- Business Park
- Eastern Commercial District
- Highway 77 Corridor Commercial District
- Residential

Title:

Figure 1



Scale: 1:60,000 0 450 900 1,800 Meters

Prepared For: Economic Development Date: October 20, 2011

Prepared By: GIS Services File No: EDO-04-11

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REPORT

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: TRACEY PILLON-ABBS, DIRECTOR OF DEVELOPMENT SERVICES

DATE: OCTOBER 18, 2011

SUBJECT: REMOVAL OF HOLDING ZONE CATEGORY
433 HIGHWAY 77 AND W/S HIGHWAY 77
PENCOR DEVELOPMENTS INC

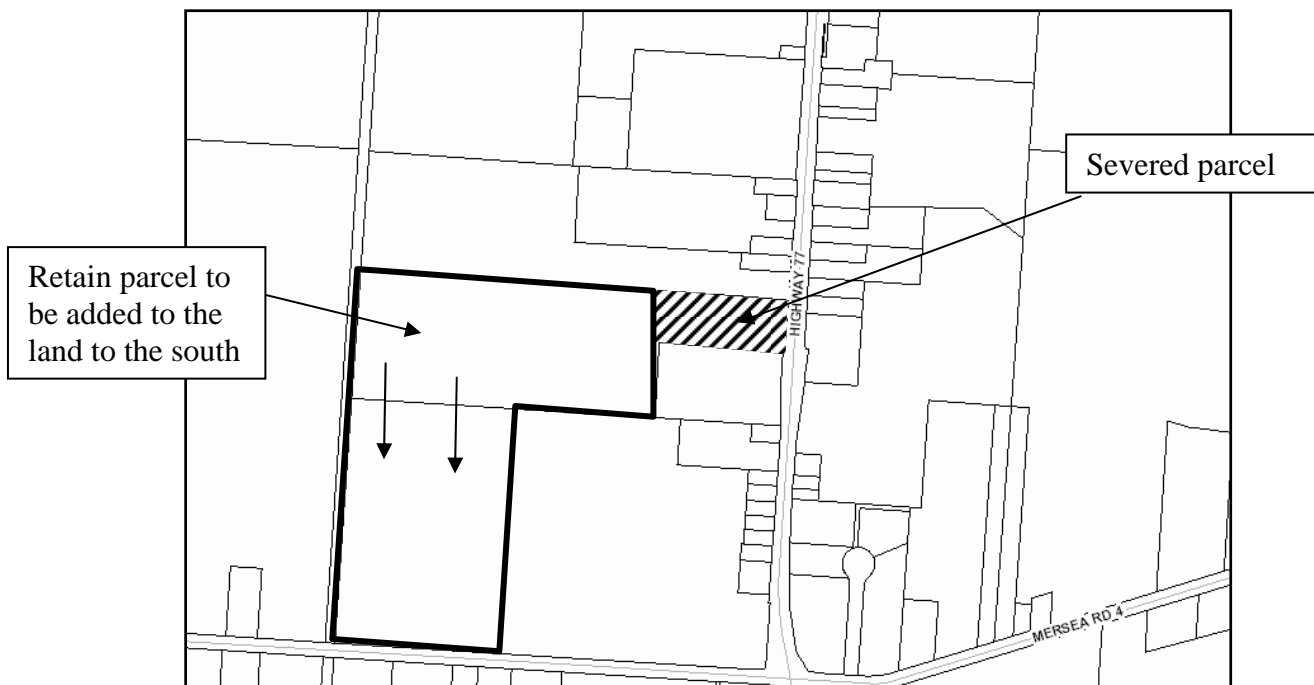
AIM:

To request that Council remove the holding zone category for commercial development located at 433 Highway 77 and the W/S Highway 77.

BACKGROUND:

The owner of the property has requested that the holding zone category be removed.

The property is located on South Part of Lot 6, Concession 4 in the former Township of Mersea, now the Municipality of Leamington (see key map).



The owner has received conditional approval as part of consent application B/15/10 to create a commercial parcel and retain a 7.45 ha commercial parcel to be added to the parcel to the south (N/S Essex Road #18).

The subject property is designated Business Park on Schedule "A-3" of the Official Plan and is currently zoned Commercial Industrial (Holding) (C4-h) on Map 27 of the Zoning By-law.

COMMENTS:

Section 6.3 of the Official Plan establishes that the zoning by-law will incorporate the holding zone approach in accordance with Section 36 of the *Planning Act*.

The Zoning By-law identifies that the use is intended to be commercial, but has added the holding (h) symbol to defer development of the subject property until specific conditions have been met.

In this particular case, the holding can be removed as the lot has received conditional approval by the Committee of Adjustment and has access to municipal infrastructure (road, sanitary, water and sewers). Therefore, the criteria for (h) holding removal have been satisfied.

CONCLUSION:

Administration suggests that Council pass a by-law to consider the removal of the (h) category at their regular meeting of Monday, December 5, 2011.

Notice of intent will appear in the Leamington Post on November 2, 2011.

RECOMMENDATION:

THAT information be received related to the removal of the holding zone category for property located at 433 Highway 77 and the W/S Highway 77 (PLA 54/11);

AND THAT administration be directed to prepare the required public notice for the removal of the holding zone category;

AND FURTHER THAT the Clerk forward the by-law to Council for its consideration at its regular meeting to be held on Monday, December 5, 2011.

Respectfully submitted,

Tracey Pillon-Abbs,
Director of Development Services

/tpa

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL
FROM: TRACEY PILLON-ABBS, DIRECTOR OF DEVELOPMENT SERVICES
DATE: OCTOBER 18, 2011
SUBJECT: REMOVAL OF HOLDING ZONE CATEGORY
N/S ROBSON ROAD
LARRY SANTOS CONSTRUCTION LTD

AIM:

To request that Council remove the holding zone category for residential development located at N/S Robson Road.

BACKGROUND:

The owner of the property has requested that the holding zone category be removed.

The property is located on West Part of Lot 9, Broken Front Concession in the former Township of Mersea, now the Municipality of Leamington (see key map).



The owner has received conditional approval as part of consent application B/03/11, B/04/11 and B/05/11. The purpose of the severance was to create a total of three new residential lots.

The subject property is designated Residential on Schedule "A-6E" of the Official Plan and is currently zoned Residential Holding (R3-h) on Map 61 of the Zoning By-law.

COMMENTS:

Section 6.3 of the Official Plan establishes that the zoning by-law will incorporate the holding zone approach in accordance with Section 36 of the *Planning Act*.

The Zoning By-law identifies that the use is intended to be Residential, but has added the holding (h) symbol to defer development of the subject property until specific conditions have been met.

In this particular case, the holding can be removed as the lot has received conditional approval by the Committee of Adjustment and has access to municipal infrastructure (road, sanitary, water and sewers). Therefore, the criteria for (h) holding removal have been satisfied.

CONCLUSION:

Administration suggests that Council pass a by-law to consider the removal of the (h) category at their regular meeting of Monday, December 5, 2011.

Notice of intent will appear in the Leamington Post on November 2, 2011.

RECOMMENDATION:

THAT information be received related to the removal of the holding zone category for property located at N/S Robson Road (PLA 55/11);

AND THAT administration be directed to prepare the required public notice for the removal of the holding zone category;

AND FURTHER THAT the Clerk forward the by-law to Council for its consideration at its regular meeting to be held on Monday, December 5, 2011.

Respectfully submitted,

Tracey Pillon-Abbs,
Director of Development Services

/tpa

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: TRACEY PILLON-ABBS, DIRECTOR OF DEVELOPMENT SERVICES

DATE: OCTOBER 18, 2011

SUBJECT: ZONING BY-LAW AMENDMENT REQUEST
 PROPOSED AGRICULTURAL ZONING
 523 MERSEA ROAD 7 (FLAMING)

AIM:

To report upon a request to schedule the required public meeting to consider a proposed zoning by-law amendment for property located on 523 Mersea Road 7.

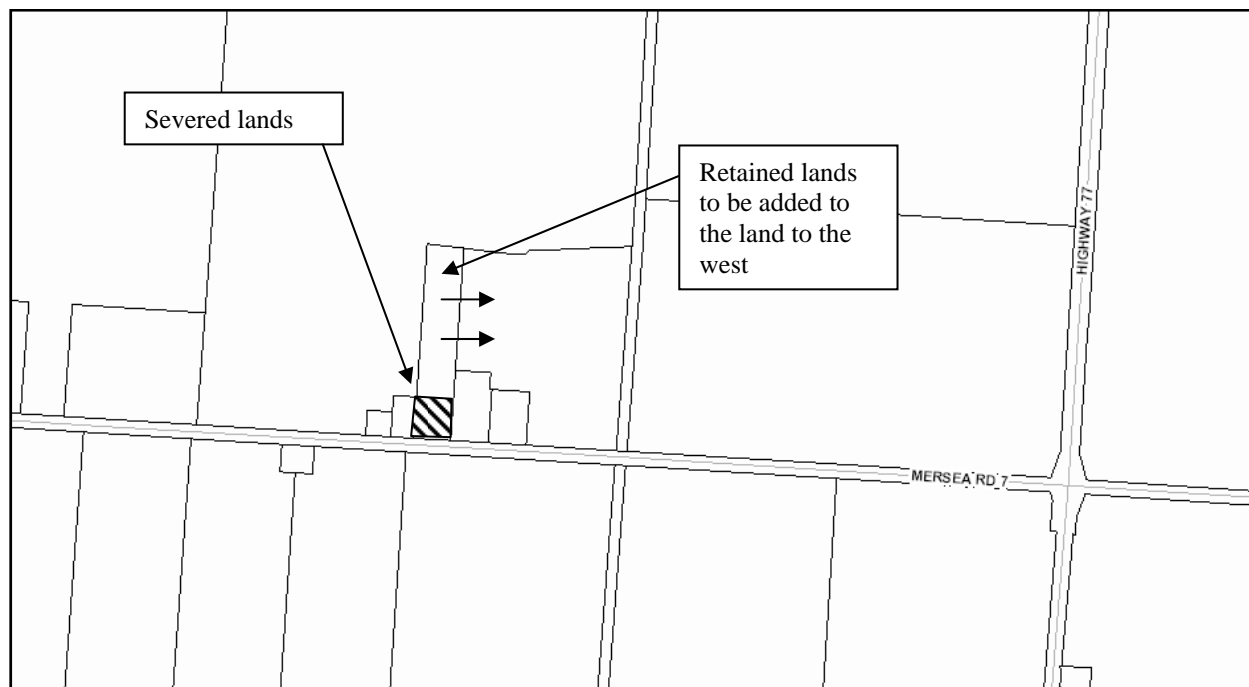
BACKGROUND:

Purpose of Application:

Staff has received an application for re-zoning by the owners of the property, to amend the agricultural zoning for the subject lands as part of a condition of approval for consent application (B/17/11) on the subject lands.

Property Description:

The subject property is described as Concession 7, South Part Lot 5 and locally known as 523 Mersea Road 7 in the former Township of Mersea, now a portion of the Municipality of Leamington (see key map).



Currently, the subject property has a residential dwelling. The lot will maintain frontage on Mersea Road 7. There are agricultural uses, including greenhouses abutting the subject lands.

COMMENTS AND ANALYSIS:

Provincial Policy Statement (PPS):

According to section 2.3.3.1 of the PPS, in prime agricultural areas, permitted uses and activities include agricultural uses, secondary uses and agriculture-related uses.

County of Essex Official Plan 2005 (OP):

The subject land is designated within the Agricultural Area on Schedule "A" of the County OP. The goal is to protect prime agricultural areas for agricultural purposes to ensure the continued long term availability of this resource.

Leamington Official Plan, 2008 (OP):

The subject property is designated Agricultural on Schedule "A-1" of the Leamington OP. The goal is to preserve prime agricultural land for agricultural purposes and to restrict the type and amount of non-farm development.

Leamington Zoning:

The subject property is currently zoned Agricultural Hobby Farm Zone (A3) on Map 17 of Zoning By-law #890-09.

The property owner requested that the Committee of Adjustment, at their meeting of July 26, 2011, consider severing a surplus dwelling lot and retain a 2.75 ha parcel to be added to the land to the east (533 Mersea Road 7).

Lot adjustments may be permitted for legal or technical reasons on condition that a successful application for zoning by-law amendment is obtained to change the zone of the retained lands from Agricultural Hobby Farm (A3) Zone to Agricultural Residential (A5) Zone.

CONSULTATION:

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

As set out in the Planning Act, a complete application includes any 'prescribed information' identified in the regulations of the Planning Act and any 'additional information' required by the municipality, as identified in its official plan.

Due to the nature of the proposed zoning change it is Administration's position that additional information is not required.

CONCLUSION:

As part of the new Bill 51 regulations of the Planning Act, pre-consultation was used to review all the 'prescribed information' and any 'additional information' required in order to consider the application complete. Prior to deeming the application complete, Section 34 (10.3) of the Act sets out that Council must receive all the information or material it needs to make a decision.

Administration suggests that this matter should now proceed to a public meeting. The date for the required public meeting is requested to be scheduled for **Monday, November 21, 2011 at 7:00 pm.**

Notice of public meeting will be circulated to all commenting agencies, municipal departments and abutting landowners within 120 m (400 ft) of the subject property. Notice will also be posted on site. As part of the new Bill 51, all information will be made available to the public and commenting agencies.

A report by Administration will not be presented to Council after the public meeting, unless there are concerns raised at the public meeting. If no concerns are raised, it is requested that Council consider the amending by-law for the zoning by-law amendment approval the same night as the public meeting.

Therefore, it is administration's opinion that;

- i) The application is consistent with the policy statements issued under subsection 3 (1) of the Planning Act.
- ii) The application conforms to or does not conflict with any applicable provincial plan or plans.
- iii) The development proposed is in keeping with the overall goals and policies of the Official Plan.
- iv) The proposed amendment does meet the criteria used when considering applications to amend the zoning by-law.

Once a decision for Zoning By-Law amendment has been made and notices sent out, there would be an appeal period in the case that there are any objections to the Ontario Municipal Board (OMB).

As set out under Bill 51 of the Planning Act, the OMB is required not only to have regard to Council's decision, but the basis on which the decision is made. In order to ensure that the OMB has regard to Council's decision, Council should be able to demonstrate that its decision was fully supported by relevant information and that the information was considered by Council.

RECOMMENDATION:

THAT Council declare that the application was reviewed and deemed to be complete pursuant to the requirements of the *Planning Act* to consider a zoning by-law amendment for property located at Concession 7, Part Lot 5 and locally known as 525 Mersea Road 7as part of a condition for B/17/11 to change the zone from Agricultural Hobby Farm (A3) Zone to Agricultural Residential Zone (A5) Zone (PLA 56/11);

AND THAT Administration be directed to schedule the required public meeting for Monday, November 21, 2011 at 7:00 pm;

AND THAT if no concerns are raised at the public meeting the Clerk be directed to forward the amending by-law to Council for its consideration.

Respectfully submitted,

Tracey Pillon-Abbs,
Director of Development Services

/tpa

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REPORT

TO: MAYOR AND MEMBERS OF COUNCIL
FROM: MANAGER OF ACCOUNTING SERVICES
DATE: OCTOBER 7, 2011
RE: 2012 TARIFF OF FEES

AIM:

To provide Council with the Municipality of Leamington proposed 2012 Fee Schedule for approval.

BACKGROUND:

Municipal fees are reviewed annually and adopted under municipal bylaw for implementation on January 1 of the following fiscal year. The 2012 Proposed Fees per municipal service with comparative data for the 2011 Actual Fees and the last year in which the fee was amended, are attached as Schedules A through L.

COMMENTS:

The proposed 2012 municipal fee schedules have been compiled by the various operating departments, who have recommended the 2012 rates based on market rate comparisons, service delivery costs increases and/or commodity cost increases.

It is notable that consideration has been given to the need to recover the cost of services in relation to market tolerance and affordability in establishing the recommended rates for 2012 based on the best information available at this time. Recommended 2012 rate adjustments are shown in relation to 2011 fees, and include increases, decreases or 'no change' as noted in the attached schedules.

As noted above, annual fees bylaws are adopted with an effective date of January 1 each year except for ice rentals which are implemented July 1 of each year which follows the ice season. Therefore, the effective period for ice fees is noted in the fee schedule as July 1, 2012 through June 30, 2013, to highlight the anomaly from the effective period (January 1, 2012 through December 31, 2012) for all other fees in the schedules. The 2012 fees bylaw will also note the particular effective dates for ice rentals.

Highlights of new fees or significant adjustment in 2012 are as follows:

Schedule A - Complex

Single Visit Passes - fee increase - this is the first fee adjustment in 10 years and it considers increased labour and other operating costs of the facility.

Personal Trainer fee - new fees - various new sessions have been implemented based on requests of the customers. The municipality purchases services to staff this

program and generates a \$10 admin recovery for each individual session and \$15 for each couples session.

Aquatic/Fitness - Standard First Aid - HCP(Health Care Practitioners) - new fee -this course is a higher level course and is available to HCP or students entering health sciences only.

Gymnasium/Fitness Studio Room Rentals- fee increase - the increase is on the basis of cost of services recovery. The Fitness Studio has only seen 1 rental over the last 3 years; the recommendation is to make the fees the same as the gymnasium with the intent of increasing daily and walk-in traffic/hourly rentals.

Community, Commercial & Education Room Rental - is increased on the basis of cost recovery (such as wear/tear on table and chairs).

Reprinting Receipts - is a new fee as a result of the high request for copies for income tax purposes. Official receipts for tax purposes are issued at the time of registration/payment, this new fee relates only to replacement/duplicate receipt requests.

Schedule B - Arena

Ice Rental Rates - administration is recommending the fee not be adjusted as the rates are in-line with neighbouring Essex County municipalities. Chatham-Kent is significantly lower than Leamington which puts us at a cost disadvantage for minor hockey leagues which has affected our overall revenue even with the additional 4 hours/week from Southpoint Minor Hockey.

Ice Rental Capital Surcharge - administration is recommending the fee increase be aligned with the other facility rental surcharges at the complex.

Schedule D - Marina

Seasonal Mooring - the \$2.00 per foot increase is reflective of the new facility upgrades and increase in utility/material/labour cost. This rate increase is still below the average of comparable facilities by \$2.30. Note the last fee adjustment for the docks was 9 years ago.

Boat Launching Ramp - Weekend Stay and Long Stay - new fees - these fees include the in/out rate per day plus a nominal charge to park the trailer in the parking lot for extended periods of time. The trailers occupy parking spaces and increase security monitoring requirements.

Sanitary Pump Out - this fee has only been applicable to transient boaters; however we are recommending this fee be charged to all boaters to offset cost of providing the service.

Schedule I - Building, Planning and Engineering Fees

Building Department Fees - Certain fees charged under the Building Code Act require consideration through a public meeting process prior to adoption of fee changes. These fees will be addressed in further reports to council for the public meeting and final adoption at a future date; note that the 2012 Tariff of Fees Bylaw will then require

amendment to reflect any changes to those fees. At this time, 2012 fees subject to a public meeting are shown at the 2011 rates.

Schedule K - Finance

Record of Payment or Tax Notice Reprint - the demand for this service has increased over the years which is currently provided free of charge. All property owners receive a final tax notice which outlines the total taxes for the property as required for income tax purposes. Other municipalities have implemented this fee and the demand has dropped dramatically when a fee is charged.

Refund/Misposting of Payments - new fee - this fee is intended to cover the cost of providing account correction/adjustments and/or refunds where customers have misposted electronic payments or have made duplicate payments. Customers with a number of properties often post tax payments to a single property rather than against individual properties based on the tax notices issued, which effectively leaves all accounts that did not receive payment in arrears. As a result, arrears notices are issued and customers then request that municipal staff correct the posting of the payments and make adjustments to remove penalties. Also, there are a number of instances where mortgage companies and customers are both making the same payment against an account resulting in a later request for a refund cheque to be issued. The new fee considers the cost of staff time and other resources required to process refund cheques to correct the overpayments.

Approval of the 2012 fee schedule at this time will facilitate meeting publication deadlines and allow implementation of the new rates effective January 1, 2012 and processing of related charges in a timely manner. Should circumstances change throughout the year or budget implications dictate; further reports recommending 'in year' fee adjustments may be brought forward at a later date.

FINANCIAL IMPACT:

When considering the fees recommended for 2012 it is important to note that the cost of delivering services to users increases annually based on internal (staffing, equipment, etc.) and external cost factors (utilities, insurance, purchase of service contracts). The decision to forego fee increases may be justified where market sensitivity would result in a net drop in revenue based on a reduction in users resulting from a fee increase. However, all else equal, holding 2012 fees at the 2011 level may result in a net increase in demand from taxation revenue to cover increased operating costs not passed along to service users through fee increases.

RECOMMENDATION:

That the proposed 2012 fees schedules as described in Report FIN 11-10-02 BE APPROVED and that Administration BE AUTHORIZED to prepare a Bylaw for the 2012 Tariff of Fees.

Respectfully submitted,

Peter Mullins
Manager of Accounting Services

Cheryl L. Horrobin, CA
Director of Finance & Business Services

SCHEDULE "A"
KINSMEN RECREATION COMPLEX FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Memberships					
I) Individual					
12 Month fee	\$420.00	\$420.00	\$0.00		2011
6 Month fee	\$260.00	\$260.00	\$0.00		2011
3 Month fee	\$175.00	\$175.00	\$0.00		2007
1 Month fee	\$58.00	\$58.00	\$0.00		2011
12 Month day use fee (6am-4pm)	\$370.00	\$370.00	\$0.00		2011
6 Month day use fee (6am-4pm)	\$220.00	\$220.00	\$0.00		2011
3 Month day use fee (6am-4pm)	\$135.00	\$135.00	\$0.00		2007
12 Month student fee	\$230.00	\$230.00	\$0.00		2011
12 Month senior fee	\$330.00	\$330.00	\$0.00		2011
6 Month senior fee	\$210.00	\$210.00	\$0.00		2011
3 Month senior fee	\$135.00	\$135.00	\$0.00		2011
3 Month New Year Shape-Up	\$115.00	\$115.00	\$0.00		2011
3 Month Spring Shape-Up	\$115.00	\$115.00	\$0.00		2011
4 Month Student Summer Special	\$115.00	\$115.00	\$0.00		2011
II) Couples					
12 Month fee	\$790.00	\$790.00	\$0.00		2011
6 Month fee	\$490.00	\$490.00	\$0.00		2011
3 Month fee	\$330.00	\$330.00	\$0.00		2011
1 Month fee	\$106.00	\$106.00	\$0.00		2011
12 Month day use fee (6am-4pm)	\$690.00	\$690.00	\$0.00		2011
6 Month day use fee (6am-4pm)	\$410.00	\$410.00	\$0.00		2011
3 Month day use fee (6am-4pm)	\$250.00	\$250.00	\$0.00		2007
12 Month senior fee	\$610.00	\$610.00	\$0.00		2011
6 Month senior fee	\$400.00	\$400.00	\$0.00		2011
3 Month senior fee	\$250.00	\$250.00	\$0.00		2011
Corporate Discount	\$45.00	\$45.00	\$0.00		2006
Single Visit Passes					
Adult (14+) (10 visits)	\$56.64	\$56.00	\$0.64	Economic Adjustment	2011
Youth (-13) (10 Visits)	\$30.00	\$25.00	\$5.00	Fee has not been changed in 10 years	2001
Youth (-13) (20 Visits)	\$60.00	\$50.00	\$10.00	Fee is double the cost of the 10 visit pass	2001
Single Visit Fees					
Adult (14+)	\$7.08	\$6.64	\$0.44	Comparative increase	2011
Youth (-13)	\$3.54	\$3.54	\$0.00		2011
Family (Immediate 6 or less)	\$13.27	\$13.27	\$0.00		2011
Personal Trainer					
1 Session - 60 minutes	\$45.00	\$45.00	\$0.00		2011
5 Sessions - 60 minutes	\$200.00	\$200.00	\$0.00		2011
10 Sessions - 60 minutes	\$350.00	\$350.00	\$0.00		2011
1 Session - 30 minutes	\$30.00	\$0.00	\$30.00	New fee in 2012	
5 Sessions - 30 minutes	\$125.00	\$0.00	\$125.00	New fee in 2012	
Couples: 1 Session - 60 minutes	\$70.00	\$0.00	\$70.00	New fee in 2012	
Couples: 5 Sessions - 60 minutes	\$325.00	\$0.00	\$325.00	New fee in 2012	
Couples: 10 Sessions - 60 minutes	\$600.00	\$0.00	\$600.00	New fee in 2012	
Youth Day Camps & Specialized Programs					
Youth Day Camp Program Daily	\$26.00	\$25.00	\$1.00	Comparative increase	2007
Youth Day Camp Program Weekly	\$109.00	\$105.00	\$4.00	Comparative increase	2011
Youth Instructional Fitness Program (10 classes)	\$44.00	\$42.00	\$2.00	Comparative increase	2010
Late Program Registration Fee (per program)	\$5.00	\$5.00	\$0.00		2001
Aquatic/Fitness Instructional Standard Programs					
Standard Instructional Swim Program (10 classes)	\$60.00	\$59.00	\$1.00	Comparative increase	2011
Specialty Instructional Swim Program	All costs	All costs			
Private Swim Lessons (10 classes)	\$150.00	\$150.00	\$0.00		2009
Family Swim Lessons (limit 3 person 10 classes each)	\$200.00	\$200.00	\$0.00		2009
Family Swim Lessons (4 persons 10 classes each)	\$266.00	\$266.00	\$0.00		2010
Aquafitness Instructional Program (10 classes)	\$44.00	\$42.00	\$2.00	Comparative increase	2010
Standard Instructional Fitness Program (10 classes)	\$44.00	\$42.00	\$2.00	Comparative increase	2010
Specialty Instructional Fitness Program	All costs	All costs			
Standard First Aid - CPR B (full recovery)	\$110.00	\$108.00	\$2.00	Comparative increase	2010
Standard First Aid - CPR Recert (full recovery)	\$78.00	\$75.00	\$3.00	Comparative increase	2011
Standard First Aid - HCP (full recovery)	\$120.00	\$0.00	\$120.00	New fee in 2012	
Babysitting Course (full recovery)	\$47.00	\$47.00	\$0.00		2010
Pool Parties - 7 or less (includes pizza, staff & room)	\$156.25	\$156.25	\$0.00		2010
Pool Parties - 8-12 children (includes pizza, staff & room)	\$179.75	\$179.75	\$0.00		2010
Pool Parties - 13-18 children (includes pizza, staff & room)	\$211.50	\$211.50	\$0.00		2010
Pool Parties - 19-24 children (includes pizza, staff & room)	\$229.00	\$229.00	\$0.00		2010

SCHEDULE "A"
KINSMEN RECREATION COMPLEX FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees		2011 Fees		Change	Comment	Last Year Changed
Rentals							
I) Squash/Racquet Courts (per hour)							
Adult	\$8.85		\$8.85		\$0.00		2011
Youth	\$7.53		\$7.53		\$0.00		2011
II) Racquet Rental	\$2.00		\$2.00		\$0.00		2001
III) Gymnasium (one-half)*							
Non-Profit: Schools, Minor Sports	\$45.00	\$225.00	\$40.00	\$200.00	\$5.00		
Profit: Concert & Trade Shows	\$65.00	\$325.00	\$60.00	\$300.00	\$5.00	Increase due to staff costs, utilities	2010 2008
IV) Gymnasium (whole)*							
Non-Profit: Schools, Minor Sports	\$90.00	\$600.00	\$80.00	\$500.00	\$10.00	Economic Adjustment	2008
Profit: Concert & Trade Shows	\$210.00	\$750.00	\$200.00	\$750.00	\$10.00	Economic Adjustment	2008
V) Fitness Studio							
Non-Profit: Schools, Minor Sports	\$45.00	\$225.00	\$80.00	\$400.00	-\$35.00	Align rates to be same as gymnasium	2008
Profit: Concert & Trade Shows	\$65.00	\$325.00	\$200.00	\$500.00	-\$135.00		2008
VI) Capital Facility Surcharge	\$6.00	\$0.00	\$6.00	\$0.00	\$0.00		2010
VII) Swimming Pool *							
School Board/Community	\$70.00	\$0.00	\$70.00	\$0.00	\$0.00		2010
Tot & Leisure Pool	\$47.00	\$0.00	\$47.00	\$0.00	\$0.00		2010
Swim Team (Sept-April)**	\$44.00	\$0.00	\$42.00	\$0.00	\$2.00		2010
VIII) Capital Pool Surcharge	\$6.00	\$0.00	\$6.00	\$0.00	\$0.00		2010
*Plus cost of guards							
** 24 hours per month							
IX) Meeting Rooms (Auditorium A or B, Leamington Arena Meeting Room)							
a) Minor Sport Flat Rate (per event)	\$35.00		\$35.00		\$0.00		2010
b) Minor Sport Daily Rate (4+ hours per event)	\$60.00		\$60.00		\$0.00		2010
c) Community, Commercial & Education Rate (per hour)							
i) Without liquor* (max. \$300)	\$45.00		\$35.00		\$10.00	Increased cost for repair and damage & align rates to be same as gym	2010
ii) With liquor* (max. \$450)	\$65.00		\$45.00		\$20.00		2010
* Plus clean-up and set-up charge							
*Add \$25/hr or per event for full auditorium (A & B)							
d) Community Events (Full Recovery)	\$25.00		\$25.00		\$0.00		2011
X) 2nd Floor former Physio Room						Year 2 - Council Res C-268-10	
(2nd Floor Rental annual rate (Craft Room))	\$18,852.00		\$11,946.00		\$6,906.00		2010
XI) Main Lobby	\$100.00		\$100.00		\$0.00		2006
XII) Volleyball League (half gym/half season)	\$975.00		\$975.00		\$0.00		2009
XIII) Trade Show Booth (per running foot)	\$36.00		\$36.00		\$0.00		2011
Activity Guide Advertising							
Half page	\$185.00		\$185.00		\$0.00		2005
Full Page	\$260.00		\$260.00		\$0.00		2005
Pool Advertising (Per Sign/Year)							
Pool	\$500.00		\$500.00		\$0.00		2011
Lane	\$350.00		\$350.00		\$0.00		2011
Corner	\$650.00		\$650.00		\$0.00		2011
Administration Charges							
Reprinting Receipts	\$10.00		\$0.00		\$10.00	New fee 2012 Established per Schedule K	
Membership cancellation	\$25.00		\$25.00		\$0.00		pre 2005
Program cancellation	\$15.00		\$15.00		\$0.00		pre 2005
Returned Cheques from Bank	\$25.00		\$25.00		\$0.00	Established per Schedule K	2002

SCHEDULE "B"
HEINZ AND UNICO ARENAS FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Ice Rates (NOTE: Ice Rates Effective July 1, 2012 - June 30 2013)					
Ice Rates					
Prime Time (per hour)					
Monday-Friday 3:00 pm to 11:00 pm	\$150.00	\$150.00	\$0.00		2010
Sat/Sun 6:30 am to 11:00 pm					
Non-Prime time (per hour)					
Monday-Friday 6:00 am to 3:00 pm	\$137.00	\$137.00	\$0.00		2010
Sat/Sun 11:00 pm to 6:00 am					
Minor Hockey Association (per hour)					
Ice Time (Game & Practice)	\$132.00	\$132.00	\$0.00		2011
Figure Skating Club (per hour)	\$132.00	\$132.00	\$0.00		2011
Junior "B" Hockey Club					
Regular Season (per game)	\$480.00	\$480.00	\$0.00		2008
Play-off (per game)	\$480.00	\$480.00	\$0.00		2008
Practice time (per hour)	\$150.00	\$150.00	\$0.00		2010
Shinny Hockey (Mon. to Fri 12 -1:00 p.m.)					
Person	\$6.64	\$6.64	\$0.00		2011
Season	\$150.00	\$150.00	\$0.00		2011
High School Hockey (per hour)					
(Non-Prime Ice Time)	\$135.00	\$135.00	\$0.00		2010
Birthday Party (one hour)	\$135.00	\$135.00	\$0.00		2010
Public Skating Rates					
Child/Student	\$3.10	\$3.10	\$0.00		2011
Adult	\$3.54	\$3.54	\$0.00		2011
Parent & Tots (Parent)	\$3.10	\$3.10	\$0.00		2011
Parent & Tots (Tots)	\$1.77	\$1.77	\$0.00		2011
Family (immediate, max. 6)	\$9.51	\$9.51	\$0.00		2011
Seniors (65+)	\$3.54	\$3.54	\$0.00		2011
Ice Rental Capital Surcharge	\$6.00	\$5.00	\$1.00	Comparative Increase	2001
Arena Floor Rental					
Special Events (Not for Profit per hour)	\$90.00	\$90.00	\$0.00		2010
Minor Lacrosse (per hour)	\$60.00	\$60.00	\$0.00		2010
Commercial Rental (per day)	\$2,000.00	\$2,000.00	\$0.00		2010
Multiple Day Rental (to be negotiated)					
Skate Shop Rental					
April - August (per month)	\$175.00	\$175.00	\$0.00		2005
September - March (per month)	\$300.00	\$300.00	\$0.00		2005
Flyers Office Space					
September - March (per month)	\$166.00	\$166.00	\$0.00		2001
Kinsmen Club House					
Jan-Feb	\$100.00	\$100.00	\$0.00		2007
Arena Instructional Programs					
All costs recoverable					
Canteen Lease (Kinsmen Club)					
% of net income	40%	40%	0%		2007
Advertising Space (per sign/year)					
Arena Rink Boards - Heinz & Unico	\$500.00	\$500.00	\$0.00		2005
2 nd Rink Ad	\$400.00	\$400.00	\$0.00		2005
Press Box	\$1,000.00	\$1,000.00	\$0.00		2005
Ice Logos	\$1,000.00	\$1,000.00	\$0.00		2005
Floor Logos	\$1,000.00	\$1,000.00	\$0.00		2005

SCHEDULE "C"
SEASONAL FACILITIES FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Baseball Diamonds					
Minor Ball Association (per diamond/time slot*)	\$14.00	\$14.00	\$0.00		pre 2005
Adult (per diamond/time slot*)	\$34.00	\$34.00	\$0.00		pre 2005
Tournaments**	\$850.00	\$750.00	\$100.00	Based on 25 slot usage	pre 2005
Baseball Light Charges (per diamond/time slot*)	\$40.00	\$40.00	\$0.00		pre 2005
Key for Lights-Refundable Deposit (per season)	\$250.00	\$250.00	\$0.00		pre 2005
(less deduction for call in, etc per occassion)	\$50.00	\$50.00	\$0.00		pre 2005
Capital surcharge for improvements (per diamond/league)	\$250.00	\$250.00	\$0.00		pre 2005
Soccer Pitches					
Youth/time slot*	\$14.00	\$14.00	\$0.00		pre 2005
Adult/time slot*	\$34.00	\$34.00	\$0.00		pre 2005
Seacliff Park-Picnic Facility					
Picnic Shelter with hydro and water per day	\$60.00	\$60.00	\$0.00		pre 2005
Mersea Park-Picnic Facility					
Picnic Shelter only per day	\$45.00	\$35.00	\$10.00	Comparative Increase	pre 2005
Miscellaneous					
Snowfence-fencing, posts etc. (per foot)	\$1.00	\$0.50	\$0.50	Increased costs in materials	pre 2005
per foot with \$250 refundable deposit. Municipal staff will remove fence. Less deduction for damages					
Definitions:					
*Time slot allocations for baseball/soccer: 8:30-12:30 pm, 12:30-4:30 pm 4:30-8:30 pm, 8:30-11:30 pm					
**Tournament costs refers to a max. of 3 days, (Friday, Saturday, Sunday)and includes one float of assigned diamonds					

**SCHEDULE "D"
MARINA FEES**

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Seasonal Mooring					
a) Serviced Docks (per foot for boats 26ft-<)	\$46.00	\$44.00	\$2.00		2004
26' Dock	\$1,196.00	\$1,144.00	\$52.00		2004
30' Dock	\$1,380.00	\$1,320.00	\$60.00	Fees adjusted to reflect the per foot rate increase	2004
32' Dock	\$1,472.00	\$1,408.00	\$64.00		2004
36' Dock	\$1,656.00	\$1,584.00	\$72.00		2004
40' Dock	\$1,840.00	\$1,760.00	\$80.00		2004
50' Dock	\$2,300.00	\$2,200.00	\$100.00		2011
b) Boats Exceeding Slip Size (minimum plus)	\$46.00	\$44.00	\$2.00		2004
c) Air Conditioner Fee (All Seasonal Wells)	\$135.00	\$125.00	\$10.00		2011
d) Jet Ski / Dinghy (Seasonal Well)	\$125.00	\$100.00	\$25.00		2003
e) 1 month dockage 30 Ft or less	\$375.00	\$375.00	\$0.00		2011
f) 1 month dockage 31-50 FT	\$475.00	\$475.00	\$0.00		2011
g) Serviced Dock (per foot) under 25' @ \$37/ft	\$37.00	\$35.00	\$2.00		2010
Transient Mooring					
a) overnight rate (per foot/day)	\$1.75	\$1.50	\$0.25	Comparitive Increase	2008
b) daily day dock rate (3 hr max.stay)	\$20.00	\$15.00	\$5.00	Comparitive Increase	2009
c) Mid Week 3 Day Special	\$120.00	\$120.00	\$0.00		2011
d) Captains Club Rate (per foot/day)	\$1.50	\$1.40	\$0.10	Comparitive Increase	2008
Boat Launching Ramp					
a) In and out rate (per day)	\$11.50	\$11.50	\$0.00		2011
b) Seasonal rate	\$150.00	\$150.00	\$0.00		2010
c) Senior seasonal rate (65+)	\$100.00	\$100.00	\$0.00		2008
d) Weekend stay with truck & trailer (up tp 2 days)	\$22.12	\$0.00	\$22.12	New Fee	
e) Long stay with truck & trailer (between 3-30 days)	\$44.25	\$0.00	\$44.25	New Fee	
Sanitary Pump-out	\$8.85	\$11.50	-\$2.65	Seasonal/Transient	2008
Marina Picnic Shelter					
a) Seasonal Boaters (no charge)	\$0.00	\$0.00	\$0.00		
b) Transient Boaters					
Half-shelter per event	\$50.00	\$50.00	\$0.00		2005
Full-shelter per event	\$100.00	\$100.00	\$0.00		2005
c) Hospital, School, Church, Not for Profit					
Half-shelter per event	\$100.00	\$100.00	\$0.00		2009
Full-shelter per event	\$200.00	\$200.00	\$0.00		2009
d) Leamington Residents					
Half-shelter per event	\$300.00	\$300.00	\$0.00		2009
Full-shelter per event	\$400.00	\$400.00	\$0.00		2009
e) Business/Commercial					
Half-shelter per event	\$350.00	\$350.00	\$0.00		2009
Full-shelter per event	\$500.00	\$500.00	\$0.00		2009
f) Clean up fee	\$100.00	\$100.00	\$0.00		2010
Community Barbecue					
Use of one BBQ	\$20.00	\$20.00	\$0.00		2008
Use of both BBQ's	\$40.00	\$40.00	\$0.00		2008
Use of portable BBQ	\$10.00	\$10.00	\$0.00		2008
Fuel Mark-Up					
Per litre	\$0.10	\$0.10	\$0.00		2011
Kiosk Rental Per Advertisement (June - Sept.)	\$225.00	\$225.00	\$0.00		2004
Mooring Rate/Day(Jet Express or Cruise Ship)	\$200.00	\$150.00	\$50.00	New revenue opportunity	2009
Captain's Club Membership (US Dollars)	\$50.00	\$45.00	\$5.00	Increase to offset US Dollar decrease	2008
Bike Rental					
Half-day	\$15.00	\$15.00	\$0.00		2010
Full-day	\$20.00	\$20.00	\$0.00		2010

SCHEDULE "E"
OPERATIONS DEPARTMENT FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Winter On-Street Parking Permit - Urban	\$40.00	\$35.00	\$5.00		pre 2005
Weed Cutting (per lot per hour)	\$103.00	\$100.00	\$3.00	Fees have been	pre 2005
Cold Patch Material (per lb)	\$0.20	\$0.15	\$0.05	adjusted due to	2008
Salt (per lb)	\$0.15	\$0.10	\$0.05	increase in material	2008
911 Signs	\$70.00	\$65.00	\$5.00	and/or labour costs	2008
Various Signs & Sign Posts (Cost + 15% admin)					
Sand Bags (minimum 50 bags)	\$15.00	\$10.00	\$5.00	Increased material costs	pre 2005
Cat Traps – Urban only (per day) Plus \$50 refundable deposit	\$5.00	\$2.00	\$3.00	Increased labour costs	2003
Sweeper/Operator Rental (regular hours)	\$92.70	\$90.00	\$2.70		2010
Road Grader/Operator (per hour)	\$101.30	\$98.35	\$2.95		2010
Road Grader/Operator & Snow plow/wing (per hour)	\$113.65	\$110.35	\$3.30		2010
Front End Loader/Operator (per hour)	\$94.50	\$91.75	\$2.75		2010
Tractor/Operator-10 ft. mower (per hour)	\$86.78	\$84.25	\$2.53	Economic adjustment	2010
Single Axle Dump/Operator (per hour)	\$66.95	\$65.00	\$1.95	due to increased labour	2010
Single Axle Dump/Operator Snow plow/wing (per hour)	\$96.82	\$94.00	\$2.82	and fuel costs of all	2010
1 Ton Dump/Operator (per hour)	\$56.65	\$55.00	\$1.65	vehicles	2010
Labour/hour	\$44.50	\$43.20	\$1.30		2010
Senior Citizen Driveways (per household)	\$25.00	\$20.00	\$5.00		pre 2005
Snow Fence and Posts Rental (per foot) \$250 refundable deposit Includes new portable fencing	\$1.00	\$0.50	\$0.50	Includes new portable fencing	pre 2005
<u>Garbage Collection *</u>					
Residential Until Collection	\$127.00	\$127.00	\$0.00		2010
Yard Waste Collection	\$16.50	\$16.50	\$0.00		2010

* The charge is per unit as assessed by MPAC

* The charge is levied and collected through
property tax notice

* Mixed use properties are exempted if
privately serviced-application for
exemption is required.

SCHEDULE "F"
POLLUTION CONTROL CENTRE FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Septic Tank Rebate	(\$45.00)	(\$45.00)	\$0.00		2005
Residential/Industrial/Commercial Sewer Surcharge					
(collected as an additional charge on metered water bills)					
a) base rate 0 - 20.91 cubic metres/month	\$31.34	\$28.23	\$3.11	Council Resolution CR 382 - 11	2009
b) remainder of consumption per 1000 gallon - no cap	\$6.82	\$6.14	\$0.68		2009
remainder of consumption per cubic metre - no cap	\$1.50	\$1.35	\$0.15		2009
Leachate Disposal (per gallon)	\$0.012	\$0.012	\$0.000		2005
Septage Disposal(per gallon)	\$0.06	\$0.06	0.00		2010
Holding Tank Waste Disposal(per gallon)	\$0.06	\$0.06	0.00		2010
Grey Water Disposal (per gallon)	\$0.06	\$0.06	0.00		2010

**SCHEDULE "G"
TRANSIT FEES**

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Transit Rates:					
a) Adult	\$2.00	\$2.00	\$0.00		2009
b) Student	\$1.00	\$1.00	\$0.00		pre 2000
c) Senior	\$1.75	\$1.75	\$0.00		2009
d) Child	\$1.00	\$1.00	\$0.00		2004
Transit Advertising:					
a) Exterior – side /two weeks min. 2 weeks max. 1 month	\$60.00	\$60.00	\$0.00		2002
b) Exterior – rear/1 calendar month min. 2 weeks max. 1 month	\$110.00	\$110.00	\$0.00		2002
Transit Shelter Advertising					
a) Per poster per month	\$150.00	\$150.00	\$0.00		2010
b) Per poster per month for 3 mnth contract	\$125.00	\$125.00	\$0.00		2010
* Each shelter can display 2 posters					

SCHEDULE "H"
FIRE SERVICES FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
File Search / No Inspection Required	\$65.00	\$65.00	\$0.00		2000
Insurance Company Information Reports	\$61.95	\$61.95	\$0.00		2009
False alarms* (per response)	\$300.00	\$300.00	\$0.00		2000
Retro-Fit Inspections					
a) First Unit	\$65.00	\$65.00	\$0.00		2009
b) Additional Units/per unit up to maximum 6 units	\$30.00	\$30.00	\$0.00		2009
c) 7 or more units flat rate	\$300.00	\$300.00	\$0.00		2009
Fire Department Liquor Licence Inspection/Inspection, Occupancy Load Signage & Approval Letter	\$100.00	\$100.00	\$0.00		2010
Open Air Fire Permit	\$15.00	\$15.00	\$0.00		2010
Risk and Safety Management Plan-level 1 (Initial)	\$200.00	\$200.00	\$0.00	Council Resolution CR-	2011
Risk and Safety Management Plan-level 1 (annual review)	\$100.00	\$100.00	\$0.00	370-11	2011
Standby for events (full recovery)	Full Cost Recovery	Full Cost Recovery			2004

* When there is more than three consecutive false alarms in a one year period as a result of faulty alarm equipment

SCHEDULE "I"
BUILDING, PLANNING AND ENGINEERING FEES

(applicable taxes will be added to all fees)

Description of Fees or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
PLANNING DEPARTMENT					
Plan of Subdivision*	\$2,500.00	\$2,500.00	\$0.00		2009
Official Plan Amendment*	\$2,000.00	\$2,000.00	\$0.00		2009
Zoning By-law Amendment*	\$2,000.00	\$2,000.00	\$0.00		2009
Zoning By-law Amendment (Consents) *	\$600.00	\$600.00	\$0.00		2010
Part Lot Control	\$500.00	\$500.00	\$0.00		2009
Pre-Consultation Fee	\$50.00	\$50.00	\$0.00		2009
Site Plan Agreement	\$1,000.00	\$1,000.00	\$0.00		2009
Site Plan Amendment	\$500.00	\$500.00	\$0.00		2009
Removal of "H" holding Zoning	\$500.00	\$500.00	\$0.00		2009
Official Plan Publication (incl. Update Service)	\$100.00	\$100.00	\$0.00		2009
Zoning By-law Publication (incl. Update Service)	\$100.00	\$100.00	\$0.00		2009
Subdivision Compliance Letter	\$65.00	\$65.00	\$0.00		2009
Temporary Use By-law	\$500.00	\$500.00	\$0.00		2009
2 nd Dwelling Agreement (\$1,000 Security deposit)	\$250.00	\$250.00	\$0.00		2009
* Essex Region Conservation Authority \$100 Fee					
** Essex Region Conservation Authority \$60 Fee					
ENGINEERING DEPARTMENT					
Encroachment Permit Fees (\$1,000.00 refundable)	\$1,100.00	\$1,100.00	\$0.00		2007
Subdivision Engineering Review (per lot)	\$25.00	\$25.00	\$0.00		2007
Subdivision Tree Fee (per lot)	\$250.00	\$250.00	\$0.00		2007
Development Services Manual (per copy)	\$50.00	\$50.00	\$0.00		2007
Property Inquiry Request Letters - Engineering	\$65.00	\$65.00	\$0.00		2008
Property Inquiry Request Letters - Drainage	\$65.00	\$65.00	\$0.00		2008
Drainage Apportionment Agreements (as a request of severance)	\$65.00	\$65.00	\$0.00		2008
Mutual Drain Agreement	\$65.00	\$65.00	\$0.00	Relates to drainage condition upon severance	new
<u>Mapping Fees</u>					
Points of Interest Maps (11 X 17) max. 5	Free	Free			
Points of Interest Map (11 X 17) per map after 5	\$2.00	\$0.00	\$2.00	New Fee	
Street Map per sq ft	\$2.50	\$0.63	\$1.87	Comparative Increase	2011
Airphoto per sq ft	\$3.00	\$1.25	\$1.75		2011
Custom Mapping (size TBD)		\$35.00/hour			2011

SCHEDULE "I"
BUILDING, PLANNING AND ENGINEERING FEES

(applicable taxes will be added to all fees)

Description of Fees or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
BUILDING DEPARTMENT					
Zoning & Work Order Certificates (fees doubled if a response is required within 3 days)	\$75.00	\$65.00	\$10.00	Economic adjustment	2006
Swimming Pool Enclosure	\$75.00	\$65.00	\$10.00	Economic adjustment	2006
Demolition Permit (per \$1,000 value) * (Agricultural Buildings are Exempt)	\$10.00	\$10.00	\$0.00		2009
<u>Residential Building Permits *</u>					
New (per square foot)	\$0.75	\$0.75	\$0.00		1997
New Basement/Renovations (per square foot)	\$0.30	\$0.30	\$0.00		2009
Additions (per square foot)	\$0.75	\$0.75	\$0.00		1997
Detached Accessory Structures (per square foot)	\$0.20	\$0.20	\$0.00		2006
Renovations and Alterations (per \$1,000 value)	\$10.00	\$10.00	\$0.00		2009
Revised Plan Review (per square foot)	\$0.40	\$0.40	\$0.00		2006
<u>Farm Permits - New/Additions *</u>					
Greenhouse (per first 10 Acres) (Remainder)	\$0.10	\$0.10	\$0.00		2006
Boiler Room (per \$1,000 value)	\$0.01	\$0.01	\$0.00		2006
Packing/Warehouse (per \$1,000 value)	\$10.00	\$10.00	\$0.00		2009
Barns (per square foot)	\$10.00	\$10.00	\$0.00		2009
Farm Building Renovation (per \$1,000 value)	\$0.20	\$0.20	\$0.00		2009
Farm Building Renovation (per \$1,000 value)	\$10.00	\$10.00	\$0.00		2009
<u>Commercial/Industrial/Institutional/Assembly *</u>					
New Construction-Building Shell (per square foot)	\$0.55	\$0.55	\$0.00		2009
Interior/Renovations and Alterations (per \$1,000 value)	\$10.00	\$10.00	\$0.00		2009
<u>Plumbing *</u>					
New Residential (per unit)	\$150.00	\$150.00	\$0.00		2006
Other than Residential (per fixture)	\$10.00	\$10.00	\$0.00		2009
Renovations (per fixture)	\$10.00	\$10.00	\$0.00		2009
Sanitary Sewer Inspection	\$70.00	\$70.00	\$0.00		2000
Storm Sewer Inspection	\$70.00	\$70.00	\$0.00		2000
Septic Tank Exemption for purpose of Outlet to Backflow Preventor	\$70.00	\$70.00	\$0.00		2000
Underground for Site Servicing (per linear foot)	\$65.00	\$65.00	\$0.00		2006
Water Service Connector	\$0.50	\$0.50	\$0.00		1991
Water Service Connector	\$65.00	\$65.00	\$0.00		2006
<u>On-site Sewage Systems</u>					
New Installation *	\$500.00	\$500.00	\$0.00		2009
Septic Inspection for Severance	\$75.00	\$65.00	\$10.00	Economic adjustment	2000
Septic Inspection for Minor Variance	\$75.00	\$65.00	\$10.00	Economic adjustment	2000
Repair or Alteration to Existing System *	\$300.00	\$300.00	\$0.00		2009
<u>Miscellaneous Fees</u>					
Liquor Licence Inspection	\$75.00	\$65.00	\$10.00	Economic adjustment	2006
Change of Use Permit	\$75.00	\$65.00	\$10.00	Economic adjustment	2006
Designated Structures sign, tower, tank, retaining wall.. (per \$1000 value) *	\$10.00	\$10.00	\$0.00		2009
<u>Minimum Permit Fee *</u>	\$65.00	\$65.00	\$0.00		1997
Note: Building Permit Fees (building, plumbing & double if any work requiring a permit is commenced to receiving a permit from the Building Department.					

* Separate report to be reviewed at public meeting.

SCHEDULE "J"
CORPORATE SERVICES FEES

Licencing Fees established under specific by-laws are not included in this schedule
(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Affidavits					
Resident	\$20.00	\$19.00	\$1.00	Economic Increase	2011
Non-Resident	\$30.00	\$29.00	\$1.00		2011
Agreements					
Encroachment	\$280.00	\$270.00	\$10.00	Economic Increase	2011
Animal Control					
Dog Tags (per dog)	\$18.00	\$18.00	\$0.00		2010
Late Fee - after March 31st	\$18.00	\$18.00	\$0.00		2010
New Dog to Home after March 31st/Seasonal Resident	\$18.00	\$18.00	\$0.00		2010
Replacement Tag	\$5.00	\$5.00	\$0.00		2010
Kennel (includes 1 dog tag)	\$110.00	\$106.00	\$4.00		2010
Consent Applications					
Creation of New lot *	\$700.00	\$600.00	\$100.00		2011
Lot Addition *	\$700.00	\$600.00	\$100.00		2011
Easement right of way, etc. *	\$450.00	\$415.00	\$35.00	Increased labour & postage	2011
Consent Freeze Release	\$80.00	\$75.00	\$5.00		2010
Park Land Fees	\$660.00	\$625.00	\$35.00		2011
Recirculation Fees	\$75.00	\$70.00	\$5.00		2011
*(Includes \$60 ERCA fee)					
Death Registration					
Registration of Death	\$23.00	\$22.00	\$1.00		2011
Registration of Outside Death	\$33.00	\$32.00	\$1.00		2011
Letter of Residency	\$30.00	\$29.00	\$1.00		2011
Lottery Licences:					
Raffles, Break Open Tickets	3% of prize	3% of prize			
Bingo per session	\$90.00	\$90.00	\$0.00		
Marriages					
Licence - Resident	\$133.00	\$130.00	\$3.00		2010
Ceremony (office hrs)	\$245.00	\$240.00	\$5.00		2010
Ceremony (office hrs, other than English)	\$290.00	\$285.00	\$5.00	Increased labour and postage	
Ceremony (after hours and/or off site)	\$325.00	\$320.00	\$5.00		2010
Ceremony Mileage					2010
Per Canada Customs & Rev.(after hrs Leamington border & back)					
Ceremony Cancellation Fees (withheld from refund)					
During office hours	\$25.00	\$25.00	\$0.00		
After hours/off site - with 24 hrs notice	\$55.00	\$55.00	\$0.00		2010
After hours/off site - without 24 hrs notice	\$155.00	\$155.00	\$0.00		2010
Minor Variance					
Includes \$32 ERCA fee	\$500.00	\$420.00	\$80.00		2011
Recirculation	\$75.00	\$70.00	\$5.00	Increased labour and postage	2011
Municipal Freedom of Information & Protection of Privacy Act					
Access/Correction Application Request	\$5.00	\$5.00	\$0.00		2010
Miscellaneous charges In Accordance with Reg 823					
Municipal Parking Lots					
Parking Permit					
Annual	\$130.00	\$120.00	\$10.00		2010
6 month	\$70.00	\$67.00	\$3.00	Economic Increase	2010
Monthly	\$15.00	\$12.00	\$3.00		2010
P/T uptown annual	\$65.00	\$60.00	\$5.00		2010
11 Mill St Parking Lot (maximum 10 permits)					
Parking Permit					
Annual	\$300.00	\$300.00	\$0.00		2011
6 month	\$150.00	\$150.00	\$0.00		2011
Monthly	\$25.00	\$25.00	\$0.00		2011
Taxi By-law					
Taxi Cab Licence	\$70.00	\$65.00	\$5.00		2011
Taxi Cab Driver Licence	\$60.00	\$55.00	\$5.00	Economic Increase	2011
Taxi-Cab Driver Licence 2nd replacement within year	\$20.00	\$10.00	\$10.00		2007
Sign Permits					
Portable Sign - per month	\$50.00	\$0.00	\$50.00		2011
Facia Sign	\$75.00	\$0.00	\$75.00		2011
Ground Sign	\$75.00	\$0.00	\$75.00		2011
Billboard Sign	\$150.00	\$0.00	\$150.00	New Fee (Res C-72-11) (By-law 110-11)	2011
Removal of sign (except portable sign) actual cost minimum charge	\$50.00	\$0.00	\$50.00		2011
Removal of portable sign & storage	\$80.00	\$0.00	\$80.00		2011
Plus after 5 days of storage charged per day	\$10.00	\$0.00	\$10.00		2011
Application for Sign Variance	\$100.00	\$0.00	\$100.00		2011

SCHEDULE "K"
FINANCE & BUSINESS SERVICES FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
<u>Tax / Assessment Information</u>					
Certified Statement of Account - Sec 352 MA	\$65.00	\$65.00	\$0.00		2006
Certified Statement of Account - Sec 352 MA - response is required within 3 business days	\$130.00	\$130.00	\$0.00		2010
Detailed Account History ¹					
On-line database - current year	\$25.00	\$25.00	\$0.00		2006
Off-line database - current year	\$25.00	\$25.00	\$0.00		2003
plus - per year of past history	\$10.00	\$10.00	\$0.00		2003
Statement of Account ¹	\$15.00	\$15.00	\$0.00		2010
Statement of Account - required within 3 business days ¹	\$30.00	\$30.00	\$0.00		2010
Record of Payments or Tax Bill Reprint ¹	\$10.00	\$0.00	\$10.00	High demand for this and information is on tax bill	
Refund/Misposting of Payment	\$25.00	\$0.00	\$25.00	Comparable new service fee to correct/refund where customer posts electronic payment incorrectly or in duplicate	
<u>Returned Negotiable Item</u>	\$25.00	\$25.00	\$0.00		2002
<u>Municipal Tax Sale - Part XI of the Municipal Act</u>					
Third party preparation / services					
100% recovery of actual costs					
<u>Photocopies (per page)</u>					
Letter, Legal, 11 x 17	\$0.30	\$0.30	\$0.00		2000
Oversize copier	\$7.50	\$7.50	\$0.00		2006
Digital Plotter	\$7.50	\$7.50	\$0.00		2006

¹ Available only to Owners Registered on Title or by written authorization to designate.
Account History is a detailed listing of transactions in the account database.
Statement of Account is similar to a tax certificate but is not binding.
Certified Statement is available to any person and is binding on the municipality.

SCHEDULE "L"
WATER DEPARTMENT FEES

(applicable taxes will be added to all fees)

Description of Fee or Service	2012 Fees	2011 Fees	Change	Comment	Last Year Changed
Municipal Service Connections					
Size of Line:					
¾ inch	\$2,100.00	\$1,875.00	\$225.00		2010
1 inch	\$2,750.00	\$2,300.00	\$450.00		2010
1 ½ inch	\$4,050.00	\$3,675.00	\$375.00		2010
2 inch with meter pit	\$6,000.00	\$5,075.00	\$925.00	Increase of material and labour over all connections	2010
2 inch, shut off valve only	\$2,950.00	\$2,575.00	\$375.00		2010
MTO encroachment permit for excavation on or near MTO Highways	\$450.00	\$450.00	\$0.00		2011
Disconnect / Reconnect - each	\$25.00	\$25.00	\$0.00		pre 2005
Note: Service connections do not include road curb or sidewalk restoration. Actual cost will be applied					
Supplementary watermain buy in assessment					
(i) residential/com/ind/parcel	\$5,000.00	\$5,000.00	\$0.00		pre 2005
Convert vacant to connection	\$2,500.00	\$2,500.00	\$0.00		pre 2005
(ii) additional cost per supplementary water assessment	\$5,000.00	\$5,000.00	\$0.00		pre 2005
Water Distribution Rates					
(i) To supply metered water from a fire hydrant during working hours	\$75.00	\$75.00	\$0.00		2009
(ii) To supply metered water from a fire hydrant after normal working hours	\$150.00	\$150.00	\$0.00		2009
Inside Set Up's					
5/8 inch meter & setter	\$185.00	\$175.00	\$10.00		2008
3/4 inch meter & setter	\$250.00	\$235.00	\$15.00	Increase in setter / assembly	2008
1 inch meter & setter	\$340.00	\$325.00	\$15.00	that houses the meter for all	2008
1 1/2 inch meter & flanges	\$675.00	\$650.00	\$25.00	set up's	2008
2 inch meter & flanges	\$825.00	\$800.00	\$25.00		2008
Large Water Connections					
Phase 1A & 1B North/South Trunk Watermain					
4 inch water service connection	\$4,800.00	\$4,800.00	\$0.00		2006
6 inch water service connection	\$5,600.00	\$5,600.00	\$0.00		2006
8 inch water service connection	\$6,500.00	\$0.00	\$6,500.00	First time 8" connection required based on original fee format	
Future High Prescon Pipe Connections					
4 inch water service connection	\$7,000.00	\$7,000.00	\$0.00		2006
6 inch water service connection	\$8,000.00	\$8,000.00	\$0.00		2006
Water Consumption by Residential, Commercial;					
Water Meters Less than 25mm (1 inch)					
a) Basic Water Charge (per month)	\$15.60	\$15.00	\$0.60		2010
b) Metered replacement charge (per month)	\$3.12	\$3.00	\$0.12		2010
c) Metered water (per 1000 gallons)	\$3.21	\$3.09	\$0.12	Council Resolution 382 - 11	2010
Metered water (per cubic metre)	\$0.707	\$0.680	\$0.03		2010
d) Monthly flat rate users	\$44.72	\$43.00	\$1.72		2010
Water Consumption by Commercial, Greenhouse, Field Drip Irrigation					
Water Meters Greater than 25mm (1 inch)					
Regulated Greenhouse/Commercial					
a) Basic water charge (per month)	\$15.60	\$15.00	\$0.60		2010
b) Meter replacement charge (per month)	\$3.12	\$3.00	\$0.12	Council Resolution 382 - 11	2010
c) Metered water (per 1000 gallons)	\$3.50	\$3.37	\$0.13		2010
Metered water (per cubic metre)	\$0.771	\$0.741	\$0.03		2010
Unregulated Greenhouse/Commercial					
a) Basic water charge (per month)	\$15.60	\$15.00	\$0.60		2010
b) Meter replacement charge (per month)	\$3.12	\$3.00	\$0.12		2010
c) Metered water (per 1000 gallons) under 3 acres	\$3.82	\$3.67	\$0.15	Council Resolution 382 - 11	2010
Metered water (per cubic metre) under 3 acres	\$0.840	\$0.807	\$0.03		2010
d) Metered water (per 1000 gallons) over 3 acres	\$7.63	\$7.34	\$0.29		2010
Metered water (per cubic metre) over 3 acres	\$1.679	\$1.615	\$0.06		2010

*Definitions: A regulated greenhouse must have a Municipality of Learnington approved on-site reservoir and rate of flow control system.

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: DAVID DELCIANCIO
MANAGER OF INFORMATION TECHNOLOGY

DATE: OCTOBER 17, 2011

RE: POLICY AMENDMENT - TECHNOLOGY AND TELEPHONY

AIM:

To amend Policy - A03 "Computer and Email Use", as it relates to technology and telephony infrastructure.

BACKGROUND:

In December of 2001, Council adopted Policy A03 - Computer and Email Use. The purpose of the aforementioned policy was to set guidelines for acceptable use for both municipal employees as well as Council, and to protect the Municipality and its technology and telephony infrastructure from various hazards.

COMMENTS:

Technology and telephony have seen significant advancement in devices/hardware, applications and use since the policy was implemented in 2001. The policy as written previously did not reflect the use of Mobile Devices such as Blackberries which provide both phone and data access, and Tablets. Further, it did not address any loss, damage or destruction of municipally owned equipment. Amendments to the policy address acceptable use by any user, whether an employee or a member of Council, that has access to the Municipality's technology and telephony infrastructure. Compliance with this policy will provide increased security of our data and assist in preventing the misrepresentation of the Municipality.

CONCLUSION:

It is in the best interest of the Municipality to adopt this policy as it more accurately reflects the enhancements of technology and telephony as well as addresses the acceptable use of mobile devices which wasn't reflected in the previous policy.

RECOMMENDATION:

That replacement of Policy A03-Computer and Email Use with Policy A03-Technology and Telephony Acceptable Use BE APPROVED. (FIN 11-10-03)

Respectfully submitted,

David DelCiancio
Manager of Information Technology

Cheryl L. Horrobin, CA
Director of Finance & Business Services



POLICY NO.	A03-Technology and Telephony Acceptable Use
DATE ENACTED:	October 17 th , 2011
AMENDED BY:	
PAGE:	1 of 4

SUBJECT: TECHNOLOGY AND TELEPHONY ACCEPTABLE USE POLICY

1. POLICY STATEMENT

Technology and telephony equipment that is used by Municipality of Leamington employees and Council (user) allows communication with others and information sharing for the sole benefit of the Municipality of Leamington.

The Municipality requires employees and Council to use the technology and telephony equipment in a professional and ethical manner, in accordance with the Corporation's obligations under privacy legislation and to best service the business requirements of the Corporation.

2. PURPOSE

This policy is intended to protect the Municipality, in relation to technology and telephony use, against hazards such as:

- Unauthorized access and intrusion
- Malicious manipulation and/or destruction of information/data
- Virus and/or Spyware invasion
- Inappropriate use
- Litigation due to misappropriation of software and/or data
- Inappropriate disclosure of personal information

Compliance with the policy will provide data integrity and security and assist in preventing misrepresentation of the Municipality by employees and Council through use of technology and telephony.

E-mail

The primary purpose of the Municipality's e-mail system is for business communication. An e-mail is considered an electronic business memo and should be treated in the same manner as any other business correspondence, e.g. language, pictures, links or attachments that are inappropriate under the Municipality's logo are inappropriate in an e-mail.

Internet

The internet enables employees and Council to gather information relevant to the Corporation and its business from external sources. The internet also enables the research of relevant topics and to obtain and prepare useful business information. It is the responsibility of the Director or designate to determine the need for employees' access to the Internet in relation to their employment.

Mobile Devices

Mobile devices, including but not limited to, smartphones (e.g. Blackberries) and cell phones, tablets and PDA's are issued specifically for conducting municipal business.

Personal Use

Municipal technology and telephony, including peripheral equipment/devices are provided for business use; any personal use must be within reason, not attract additional cost and take place outside of working hours except on a very limited basis or in an emergency. Any costs incurred by the municipality resulting from personal use are subject to reimbursement by the user. Personal mobile devices should not be used during working hours.

Loss, Damage, Destruction

Users are expected to exercise a reasonable standard of care in relation to municipal technology and telephony equipment in their care. Any costs incurred by the municipality related to loss, damage or destruction of municipal technology or telephony resulting from careless or inappropriate use is subject to reimbursement by the user.

3. SCOPE

This policy applies to anyone who either directly or indirectly (e.g. through remote connection) has access to the Municipality's technology and telephony through information technology infrastructure, applications, files, mobile devices, e-mail and/or any other technical services or peripherals such as printers, copiers, mobile radios, etc.

4. OWNERSHIP

All computer equipment (desktops, laptops, servers, printers, mobile devices, etc.) licensed versions of software programs and electronically created files and emails are considered property of the Municipality.

5. INAPPROPRIATE USE, MATERIAL AND CONTENT

In this policy, "Inappropriate Use" includes, but is not limited to, using the technology and telephony for:

- Any use that is illegal, or for a purpose which contravenes the Municipality's policies, misrepresents the Municipality or which is not in the best interest of the Municipality, including distribution/sharing of confidential or sensitive information.
- Malicious use or deliberate disruption of the Municipality's computers, networks, internet services, email services, mobile device services, telephones and/or breach of security features
- Creating, accessing, sending, uploading, downloading or saving inappropriate material, such as any: pornographic or violent material including text or pictures or hate propaganda.
- Creating, sending, uploading, posting or loading information to constitute threats, harassment, slander, defamation or other similar acts.
- Creating, sending, uploading, posting, or loading information that constitutes a nuisance, virus distribution, and any other use prohibited by this policy.
- Creating, sending, uploading, posting or loading information which is derogatory to any individual/group, or which is defamatory or threatening in nature.
- Installing or altering the configuration of any hardware or software without the approval of the Manager of Information Technology is prohibited.
- Unauthorized reproduction, dissemination or use of licensed/unlicensed or unapproved software.

- Use of mobile devices, such as Blackberries or cell phones, during Council meetings is prohibited; these devices are to be powered off for the duration of the meeting.
- Using mobile devices while behind the wheel of a moving vehicle is prohibited, unless the device is legally being used with hands-free technology (e.g. Bluetooth headset).

In this policy, “Inappropriate Material and Content” includes, but is not limited to:

- Information which is, or may be, offensive or disruptive (e.g. material which would constitute workplace harassment, non-business related material, etc.)
- Information which is derogatory to any individual or group, or which is defamatory or threatening in nature
- Information which misrepresents or is not in the best interest of the Municipality
- Information which is disseminated for a purpose which is illegal or for a purpose which contravenes the Municipality’s policies or which is not in the best interest of the Municipality, including confidential or sensitive business information.
- Information for the purpose of promotion or advertising an individual’s or client’s personal business.

6. PERSONAL INFORMATION

Personal information refers to recorded information about an identifiable individual and includes information recorded via electronic means. Personal information should not be collected, used or disclosed except in accordance with the Municipal Freedom of Information and Protection of Privacy Act. On that basis, the decision to send personal information through e-mail should be considered when making this information available to other employees. Except where employee personal information is required to be provided to an external agency by law (e.g. OMERS, Canada Revenue Agency, etc.), e-mail containing personal information must not be forwarded or copied to individuals outside the Municipality unless the individual to whom the information relates, consents to the disclosure and is copied on the e-mail.

7. VIRUS AND SPYWARE PROTECTION

It is the responsibility of each user to exercise extreme caution when receiving any e-mail containing attachments. E-mails from known or unknown sources may contain viruses, which can cause repercussions on the entire corporate infrastructure and system resources. Files obtained through any means must be scanned for protection. If a virus is detected, contact the Manager of Information Technology or designate immediately to ensure appropriate measures are taken to protect the municipality and its resources.

8. MONITORING

Utilities are in place to monitor Internet usage and traffic, inbound and outbound e-mail is scanned for content filtering as well as security measures (e.g. virus and spyware protection), file storage and computer configurations.

The Municipality of Leamington, through the Manager of Information Technology or designate, may monitor an individual’s information or electronic data to ensure appropriate use. Monitoring will assist in protecting the security of the Municipality’s technology and telephony environments.

By way of this policy, Chief Administrative Officer (CAO) or designate is authorized to instruct the Manager of Information Technology to review former or current employee information (e.g. e-mail, files, internet access logs, etc.) without notice at any time.

9. ENFORCEMENT

It will be the responsibility of the Mayor, CAO, or Director/designate to determine the appropriate response to user infractions.

Failure to comply with this policy by staff may result in loss of privileges and/or disciplinary action up to and including dismissal, depending on the severity of the infraction. All disciplinary action will be in accordance with the Municipality's discipline process.

Failure to comply with this policy by a member of Council may result in disciplinary action as determined by the Mayor and approved by Council.

10. COMPUTER ACCESS

User Accounts and Passwords

Each user's password must be kept confidential. The user should not share his/her password with anyone. The network system requires users to change their passwords on a regular basis. As a rule of thumb, passwords should be alphanumeric and should not be proper names, places or personal information.

Accessing the Network

It is essential that each user log in using their own unique Logon Account and Password.

Where more than one user shares a computer, it is essential that each user employ their unique Logon Account and Password to access the network. It is also extremely important that users terminate their logon session (Logoff Windows) when they will be away from their desk, including at the end of the workday. This is to prevent others from accessing their e-mail, files or the internet under the user's profile when the user is not present.

11. MAINTENANCE

It is the responsibility of each user to regularly delete email messages and files that are no longer required or to archive them when they are no longer required for ready access.

It is the responsibility of each user to report to the Manager of Information Technology, in a timely manner, all instances of policy violations; bugs/glitches/errors encountered in the use of software or hardware; warnings or error messages received from the network operating systems or application software.

(FIN 01-10-11)

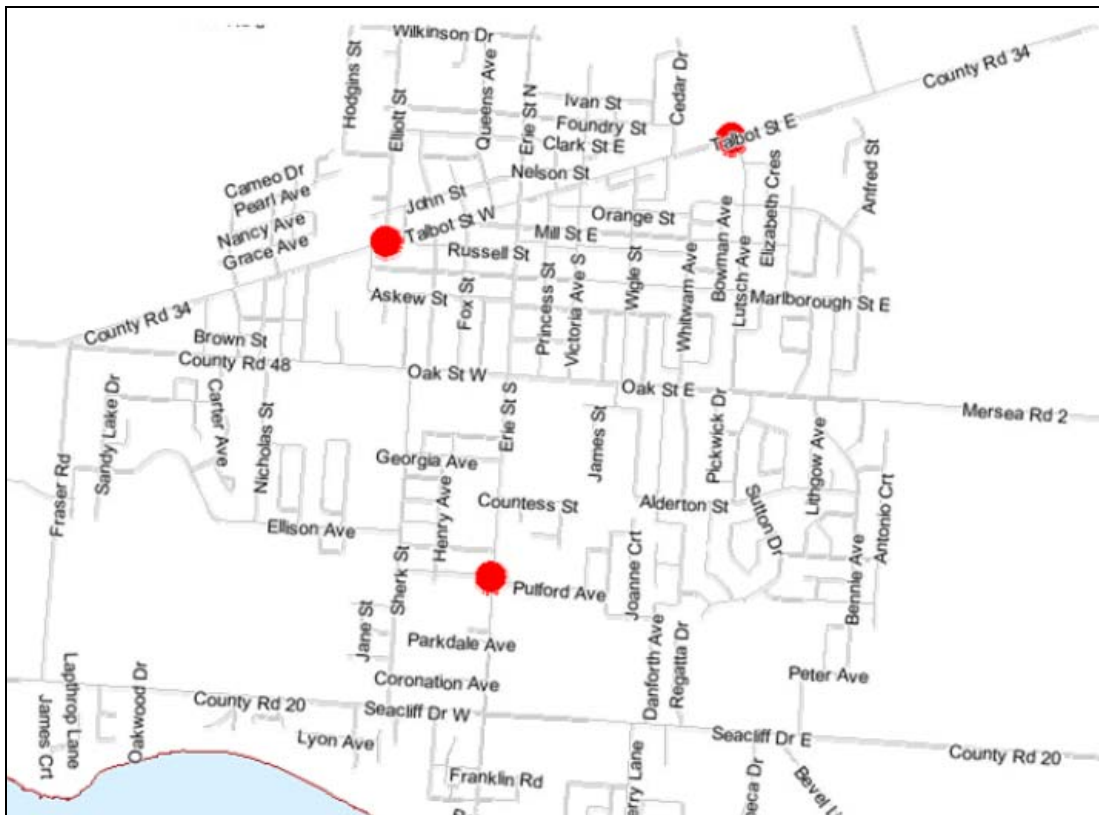
REPORT

TO: MAYOR AND MEMBERS OF COUNCIL
FROM: BRIAN SWEET, DIRECTOR OF CORPORATE SERVICES
DATE: OCTOBER 17, 2011
RE: SALVATION ARMY "BOOT DRIVE" REQUEST

AIM:

To consider a request from the Salvation Army to conduct a "boot drive" in Leamington on Saturday, November 12th, 2011 between the hours of 10:00 a.m. and 3:00 p.m. at the following intersections (as indicated on map below):

- Erie Street South and Pulford Avenue
- Talbot Street East and Lutsch Avenue
- Talbot Street West and Elliott Street



HISTORY:

For many years the Leamington Firefighters conducted "boot drives" that successfully raised substantial funds for charities. The "boot drive" involved firefighters approaching drivers stopped at red lights at designated signalized intersections. The driver was requested to make a donation. Unused firefighter boots were used to collect the donations.

In 1999, the Province of Ontario passed the Safe Streets Act, 1999 (the "Act") which prohibited, among other things, solicitation of people while they sat in their car.

Section 3(2) of the Act provides that no person shall:

- (a) solicit a person who is using, waiting to use, or departing from an automated teller machine;
- (b) solicit a person who is using or waiting to use a pay telephone or a public toilet facility;
- (c) solicit a person who is waiting at a taxi stand or a public transit stop;
- (d) solicit a person who is in or on a public transit vehicle;
- (e) solicit a person who is in the process of getting in, out of, on or off a vehicle or who is in a parking lot; or
- (f) while on a roadway, solicit a person who is in or on a stopped, standing or parked vehicle. 1999, c. 8, s. 3 (2).

The Act had the effect of prohibiting the Leamington Firefighters' Boot Drive.

In 2005, the Provincial Government enacted an amendment to the Act which provided an exemption to Section 3(2) if:

1. The solicitation is conducted by a charitable organization registered under the *Income Tax Act* (Canada) on a roadway where the maximum speed limit is 50 kilometres per hour; and
2. The solicitation is permitted by a by-law of the municipality in which the activities are conducted.

Based upon this provincial amendment, in 2006 the Leamington Firefighters requested the municipality permit them to reinstitute their boot drive to raise money to support the activities of the Salvation Army. However, The Leamington Firefighters' Association did not qualify as an organization registered as a charity under the Income Tax Act. The Salvation Army qualified as a registered charity and the permit was granted to the Salvation Army with the assistance of the Firefighters' Association. That event was a successful fundraiser and was held without incident.

The Salvation Army were also granted permission to hold this event in 2009 and 2010.

The Salvation Army have submitted the attached request for 2011 and the Leamington Firefighters' Association have volunteered their time to conduct a boot drive to assist the Salvation Army. All money raised during the fundraising event will support the activities of the Salvation Army Leamington Corps Christmas Hamper program and the Emergency Disaster Services program.

MUNICIPAL BY-LAW:

The legislation only permits the activity if the Municipality enacts a by-law to permit this type of fundraising event. The purpose of this section in the Act is an acknowledgement that each municipality has valid reasons why these types of events should be prohibited or, if allowed, regulated. These issues include safety, nuisance and liability.

SAFETY:

Approaching vehicles stopped in traffic, especially at Leamington's busiest intersections on a Saturday during the Christmas season is an inherently dangerous activity.

If the event is approved by Council, it is recommended that Council require the following for the organization conducting the event:

1. All volunteers approaching cars are properly identified and wearing hard hats, safety vests and safety footwear. Although the firefighters are not conducting this event as a part of their job duties, they have requested permission to wear their firefighter gear which will meet safety requirements. If Council approves this event the Chief has advised that he will grant permission.
2. Volunteers must only approach cars that are stopped at red lights and not enter the travelled portion of the roadway until traffic has stopped.

NUISANCE:

Many drivers do not want to be approached while in their cars. Most people do not want to feel pressured into making a donation, especially for a cause they do not support.

If Council approves the event then the following should be required:

1. Prior to the event there should be advertising to let the public know the details of the boot drive and that all donations are going to the Salvation Army.
2. Volunteers approaching drivers must be polite, well identified and not be persistent if no donation is forthcoming.
3. Volunteers should offer all drivers approached with information on the Salvation Army. The driver's can display the information on their dashboard so the driver will not be approached again by the volunteers.

LIABILITY:

The applicant will have to provide proof of insurance and indemnify the municipality against all claims that may arise as a result of the fundraising event. The firefighters will not be covered by W.S.I.B. (formerly, Worker's Compensation) because they are not at the event as a part of their job.

RECOMMENDATION:

That the application of the Salvation Army to hold a "Boot Drive" charity event be approved pursuant to Section 3 of the Safe Streets Act, 1999 subject to the following conditions:

1. All volunteers approaching cars are properly identified and wearing hard hats, safety vests and safety footwear.
2. Volunteers must only approach cars that are stopped at red lights and not enter the travelled portion of the roadway until traffic has stopped.
3. Prior to the event there should be advertising to let the public know the details of the boot drive and that all donations are going to the Salvation Army.
4. Volunteers approaching drivers must be polite, well identified and not be persistent if no donation is forthcoming.
5. Volunteers should offer all drivers approached with information on the Salvation Army. The driver's can display the information on their dashboard so the driver will not be approached again by the volunteers.
6. The applicant agrees to indemnify and safe harmless the municipality from all claims resulting from the event and provide a policy of liability insurance in the amount of \$2,000,000.00 designating the municipality as a named insured.

And that the event be approved to be held on Saturday, November 12th, 2011 between the hours of 10:00 a.m. and 3:00 p.m. at the intersections of Erie Street South and Pulford Avenue, Talbot Street East and Lutsch Avenue and Talbot Street West and Elliott Street. (Report CL/26/11)

Respectfully submitted,

BRS/lj
Enc.



Giving
Hope
Today

The Salvation Army
Canada & Bermuda Territory
Ontario Great Lakes

Leamington Corps

88 Settrington Leamington ONT N8H 1T6
Tel: (519) 326-4901
Fax: (519) 326-3294
www.SalvationArmy.ca

October 14, 2011

ATTN: Mr. B. Sweet

The Salvation Army Leamington Corps in conjunction with the Leamington Fire Fighters Association wish to hold a "Boot Drive" fundraiser on Saturday November 12, 2011, in the municipality of Leamington. The drive will take place at the intersections of Erie South & Pulford, Talbot East & Lutsch Avenue and Talbot West & Elliott Street. The proceeds will be for the Salvation Army Leamington Corps Christmas Hamper program and the Emergency Disaster Services program. All of the donated funds will be for the operation of these programs in the municipality of Leamington. We seek the council's permission and blessing to initiate this fundraiser in the coming days.

Capt. Corvin Vincent

Captain Corvin Vincent
Corps Officer/Pastor
Leamington Corps

William and Catherine Booth
Founders

General

Territorial Commander

Next Meeting Date:

The Committee's next meeting date is Wednesday, October 26, 2011.

ADJOURNMENT

Moved by: Ted Wigfield

Seconded by: Charlie Wright

That the meeting of the LMHAC adjourn at 4:20 p.m.

CARRIED

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T:\Corporate\R00-Recreation&Culture\IR-01 Heritage Preservation\IR-01 Leamington Municipal Heritage Advisory Committee\2011\Meetings\092811\092811 minutes.doc

September 26, 2011

Hon. Dwight Duncan
Minister of Finance
7th Floor, Frost Building South
7 Queen's Park Crescent
Toronto, ON M7A 1Y7

Hon. Carol Mitchell
Minister of Agriculture, Food and Rural Affairs
11th Floor
77 Grenville Street
Toronto, ON M5S 1B3

Dear Ministers Duncan and Mitchell:

Brant County Council approved the following resolution at their meeting held on September 20, 2011:

"Whereas Ontario Regulation 282/98 of the Municipal Tax Act classifies commercial grain elevators as an industrial use;

And whereas this classification has resulted in significant increases in property taxes for commercial grain elevator operators, resulting in higher costs to grain farmers and the loss of local businesses and jobs;

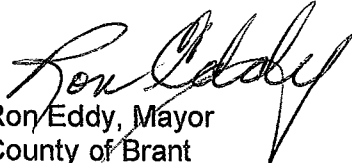
And whereas the 2002 Beaubien Report on Property Assessment and Classification Review recommended that grain elevators be removed from the industrial property class and included in the commercial class because they do not manufacture, produce or process anything;

Be it hereby resolved that the Council of the County of Brant supports the requests from the Ontario Agri Business Association and the Grain Farmers of Ontario to the Minister of Finance and the Minister of Agriculture, Food and Rural Affairs that Ontario Regulation 282/98 (Section 6(2), Paragraph 4 of The Municipal Tax Act) be amended to reflect that "elevators used to receive, store, clean, treat or transfer feed for livestock or grain" are removed from the industrial property class and included in the commercial property class;

And further that a copy of this resolution be forwarded to the Ontario Federation of Agriculture, the Rural Ontario Municipal Association and to all rural municipalities in the Province of Ontario for their support."

As the resolution states, this matter negatively affects commercial grain elevator operations and farmers through increased costs for drying their grain. We request your serious consideration of this request.

Yours truly,


Ron Eddy, Mayor
County of Brant

cc Hon. Dalton McGuinty, Premier of Ontario
Ontario Federation of Agriculture
Rural Ontario Municipal Association
Rural Municipalities in the Province of Ontario
Dave Levac, M.P.P., Brant Riding
Sandra Vos, President, Brant Federation of Agriculture
Ontario Agri Business Association
Grain Farmers of Ontario