



Council Meeting - Agenda

Tuesday, May 12, 2026 at 6:00 PM

Council Chambers, Room 103

111 Erie Street North, Leamington

The Municipality of Leamington has transitioned its Council meetings to a hybrid mix of in-person attendees and remote meeting participants. Members of the public have the option to participate in Council meetings in-person at the Leamington Municipal Building or electronically via Zoom.

If you wish to attend the meeting as a delegation to speak to a matter on the Council agenda, you must register to appear as a delegate by completing a form on the municipal website at leamington.ca/delegationform by:

- a) 12:00 p.m., the day of the Meeting for a matter which is listed on the Agenda for that Meeting; or
- b) 12:00 p.m. the Thursday before the Meeting for a matter which is listed on the Agenda for a future Meeting.

Individuals who submit correspondence and any other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available through the agenda process which includes publication on the Municipality's website.

To watch the meeting live, please visit: leamington.ca/live

1. Call to Order

2. Closed Meeting of Council

Recommendation

That Council move into a Closed Meeting of Council at 5:00 PM pursuant to Section 239(2) of the Municipal Act, 2001, as amended, for the following reason:

Matter for Consideration

- i. Confidential Report CAO-01-26 dated May 5, 2026 regarding Update on Lease, Federal Building, 72 Talbot Street West to be considered pursuant to 239(2)(f) of the Municipal Act, 2001, being solicitor-client privilege, including communications necessary for that purpose.

3. Disclosures of Pecuniary Interest and General Nature Thereof
(Closed Meeting)

4. Adjournment of Closed Meeting/Resumption of Council Meeting

Note: if the closed session is complete before 6:00 PM, a recess will be called until 6:00 PM and the open session will resume at that time.

Should the closed session still be in session at 6:00 PM, the open session will resume once the closed session is complete.

5. Land Acknowledgement Statement

6. Playing of the National Anthem

7. Disclosures of Pecuniary Interest and General Nature Thereof

8. Approval of Council Minutes

- 8.1. Minutes of the Closed Council Meeting held April 28, 2026.
- 8.2. Minutes of the Council Meeting held April 28, 2026.

9. Public Meeting, Drainage

- 9.1. Report DR-06-26 dated April 29, 2026 regarding Robert Anderson Drain, Culvert Extension

- Presentation by Administration
- Presentation or written submissions by the applicant or agent
- Presentations or written submissions by the public
- Action by Council

*(Robert Anderson Drain Culvert Extension dated April 29, 2026 listed as **Attachment #1** on the "Agendas, Meetings and Minutes" page of the Municipal Website)*

10. Presentations

- 10.1. Redesigned Website Demonstration
 - Kelly Sfetkidis, Manager of Communications and Corporate Identity
 - Lisa Berthiaume, Communication and Engagement Specialist

11. Reports of Staff

- 11.1. Report PW-04-26 dated May 1, 2026 regarding Growing Canada's Tree Canopy Grant Approval
- 11.2. Report CS-05-26 dated April 22, 2026 regarding Waterfront Market Plaza, Amendments to Business Licensing By-law, Parks By-law and Noise Exemption By-law
- 11.3. Report FIN-10-26 dated April 7, 2026 regarding 2026 Municipal Community Partners and Grants

12. Consent Reports

- 12.1. Consent Report LS-09-26 dated April 9, 2026 regarding Annual MFIPPA Statistical Report
- 12.2. Consent Report LWS-02-26 dated April 24, 2026 regarding Leamington (Union) Water Distribution System and Leamington (Wheatley) Water Distribution System Inspection Reports

*(Leamington Distribution System, Union Inspection Report dated April 15, 2026 listed as **Attachment #2** on the "Agendas, Meetings and Minutes" page of the Municipal Website)*

*(Leamington Distribution System, Wheatley Inspection Report dated March 27, 2026 listed as **Attachment #3** on the "Agendas, Meetings and Minutes" page of the Municipal Website)*
- 12.3. Consent Report PLA-18-26 dated May 5, 2026 regarding Repeal Site Plan Control By-law, By-law 96-25

13. Other Matters for Consideration

- 13.1. Receipt of the May 12, 2026 Council Information Package

14. Reporting Out - Closed Meeting of Council

- 14.1. Closed Meeting held May 12, 2026

15. Reading of By-laws

- 15.1. By-law 49-26 being a by-law to amend By-law 50-24 being a By-law to provide for licensing and regulating business in the Municipality of Leamington for the purpose of exempting the Waterfront Market Plaza (CS-05-26)
- 15.2. By-law 50-26 being a by-law to amend By-law 98-95 being a By-law for the Regulation, Protection and Governance of Parks for the purpose of exempting the Waterfront Market Plaza from certain provisions (CS-05-26)
- 15.3. By-law 51-26 being a by-law to amend By-law 51-18 being a By-law to regulate noise for the purpose of exempting the Waterfront Market Plaza (CS-05-26)
- 15.4. By-law 53-26 being a by-law to provide for the Robert Anderson Drain, Culvert Extension, in the Municipality of Leamington (DR-06-26) **1st and 2nd Reading**
- 15.5. By-law 54-26 being a by-law to Designate a Site Plan Control Area and Exempt Certain Development from the Requirement for Site Plan Approval (PLA-18-26)
- 15.6. By-law 55-26 being a by-law to confirm the proceedings of the Council of the Municipality of Leamington at its meeting held May 12, 2026.

16. Notices of Motion

- 16.1. Presentation of new Notices of Motion

17. Non-Debatable Comments or Questions by Members

18. Resolution Council in Closed Session and Adjournment

That Municipality of Leamington Council adjourn to its next Meeting to be held on Tuesday, May 26, 2026 and that Council authorize itself to meet in closed session on that day to discuss any matters permitted by the Municipal Act, 2001.



The Corporation of the Municipality of Leamington

Minutes of the Closed Council Meeting

Tuesday, April 28, 2026 at 5:30 PM
Council Chambers, Room 103
111 Erie Street North, Leamington

- Members Present:** Mayor Hilda MacDonald
Deputy Mayor Larry Verbeke
Councillors: Anthony Abraham, Bill Dunn, Heather Latam,
Paul Tiessen and Tim Wilkinson
- Staff Present:** Deputy Clerk/Records and Information Manager, Roberta Baines
Acting Chief Administrative Officer/Director of Finance Services,
Technology & Funding Strategies, Laura Rauch
Director of Legal and Legislative Services, Matthew Todd
Council and Committee Coordinator, Abbie Marchildon
- Staff Absent:** Chief Administrative Officer, Peter Neufeld
Clerk/Manager of Legislative Services, Brenda Percy
Director of Community Services, Kari Myers
Director of Development and Strategic Initiatives, Tammie Ryall
Director of Infrastructure Services, Robert Sharon

Call to Order

No. C-101-26

Moved by: Councillor Abraham

Seconded by: Councillor Dunn

That Council move into a Closed Meeting of Council at 5:33 PM pursuant to Section 239(2) of the Municipal Act, 2001, as amended for the following reason:

Matter for Consideration

- i. **Confidential Report LS-07-26 dated April 16, 2026 regarding Business Improvement Area Board of Directors, Update to be considered pursuant to 239(2)(b) of the Municipal Act, 2001, being that the subject matter to be considered is personal matters about an identifiable individual, including municipal or local board employees.**

Carried

Disclosures of Pecuniary Interest and General Nature Thereof

None.

Matter for Consideration

- i. Confidential Report LS-07-26 dated April 16, 2026 regarding Business Improvement Area Board of Directors, Update.

Ms. Marchildon presented the report.

No. S-09-26

Moved by: Councillor Wilkinson

Seconded by: Councillor Latam

1. **Council consider this report in closed session pursuant to section 239(2)(b) of the Municipal Act, 2001 being that the subject matter to be considered is personal matters about an identifiable individual, including municipal or local board employees; and**
2. **Council choose Option A contained in Confidential Report LS-07-26. (LS-07-26)**

Carried

Adjournment

No. S-10-26

Moved by: Deputy Mayor Verbeke

Seconded by: Councillor Wilkinson

That the meeting adjourn at 5:38 PM.

Carried

Hilda MacDonald, Mayor

Roberta Baines, Deputy Clerk

Minutes approved at Council Meeting held
MONTH XX, 20XX Resolution C-XX-XX,
Confirmation By-law XX-XX



The Corporation of the Municipality of Leamington

Minutes of the Council Meeting

Tuesday, April 28, 2026 at 6:00 PM
Council Chambers, Room 103
111 Erie Street North, Leamington

Members Present: Mayor Hilda MacDonald
Deputy Mayor Larry Verbeke
Councillors: Anthony Abraham, Bill Dunn, Heather Latam,
Paul Tiessen and Tim Wilkinson

Staff Present: Deputy Clerk/Records and Information Manager, Roberta Baines
Acting Chief Administrative Officer/Director of Finance Services,
Technology & Funding Strategies, Laura Rauch
Director of Legal and Legislative Services, Matthew Todd
Director of Infrastructure Services, Robert Sharon
Council and Committee Coordinator, Abbie Marchildon

Staff Absent: Chief Administrative Officer, Peter Neufeld
Clerk/Manager of Legislative Services, Brenda Percy
Director of Community Services, Kari Myers
Director of Development and Strategic Initiatives, Tammie Ryall

Call to Order

Mayor MacDonald called the meeting to order at 5:33 PM.

No. C-101-26

Moved by: Councillor Abraham

Seconded by: Councillor Dunn

That Council move into a Closed Meeting of Council at 5:33 PM pursuant to Section 239(2) of the Municipal Act, 2001, as amended for the following reason

Matter for Consideration

- i. **Confidential Report LS-07-26 dated April 16, 2026 regarding Business Improvement Area Board of Directors, Update to be considered pursuant to 239(2)(b) of the Municipal Act, 2001, being that the subject matter to be considered is personal matters about an identifiable individual, including municipal or local board employees.**

Carried

Resumption of Open Council Meeting

Mayor MacDonald resumed the Meeting at 6:01 PM.

Land Acknowledgement Statement

The Municipality of Leamington acknowledges that this land is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, the Odawa, and the Potawatomie Peoples and specifically, the traditional territory of the Caldwell First Nation.

The Municipality of Leamington values the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island – North America who have been living and working on the land from time immemorial.

Disclosures of Pecuniary Interest and General Nature Thereof

None.

Approval of Minutes

No. C-102-26

Moved by: Councillor Dunn
Seconded by: Councillor Tiessen

**Minutes of the Closed Council Meeting held April 14, 2026; and
Minutes of the Council Meeting held April 14, 2026.**

Carried

Public Meeting, Planning

- 9.1. Report PLA-16-26 dated April 8, 2026 regarding Zoning By-law Amendment Application ZBA 367, 320 Erie Street North, 1329609 Ontario Ltd.

Mr. Phillips presented the report.

Jackie Lassaline, Agent and Domenic Mastronardi, Owner, were present to answer any questions of Council.

There were no members from the public present with an interest to speak to the matter.

No. C-103-26

Moved by: Councillor Wilkinson
Seconded by: Deputy Mayor Verbeke

1. **Council approve Zoning By-law Amendment ZBA 367 to rezone 320 Erie Street North from Commercial Shopping Centre Zone (C3(h)) to a site-specific Commercial Shopping Centre Zone (C3-10(h)); and**
2. **By-law 43-26, being a By-law to amend Zoning By-law 890-09, be brought forward for Council consideration. (PLA-16-26)**

Carried

The Mayor advised that the Public Meeting for Planning was closed at 6:14 PM.

Presentations

- 10.1. EcoTeam, Leamington District Secondary School

Ollie Wilson, Sarah Kim, Ashlyn Wiper and Cassidy Girardin, EcoTeam, provided Council with a PowerPoint Presentation regarding reducing plastic waste in Leamington.

Mayor MacDonald asked whether recycling would be simpler to manage due to the Blue Box Program. Mr. Sharon replied that garbage contamination was a challenge and Administration has some strategies to manage this challenge moving forward.

No. C-104-26

Moved by: Deputy Mayor Verbeke
Seconded by: Councillor Latam

- 1. Council direct Administration to bring a report back to Council regarding the requests outlined in the EcoTeam presentation.**

Carried

Reports of Staff

- 11.1. Report ENG-07-26 dated March 24, 2026, 2026 regarding Queens, John, Albert, Baird and Elliott Imposition of Fees.

Mr. Graziano presented the report.

Councillor Tiessen asked how Administration decides which area will be designated for the next sewer separation project and how many more sewers are left in the Municipality to undergo a separation project. Mr. Graziano replied that an internal study was completed approximately twenty years ago that determined which areas would require sewer separation throughout the Municipality. He noted that due to impacts to downstream sewers, Administration determines step-by-step which sewers to reconstruct or separate at certain times. Mr. Sharon added that it will take more than fifty years to separate all the sewers throughout the Municipality and that the next four sewer separations will be in the northwest quadrant. He noted that more work is required south of Talbot Street and the northeast area of the Municipality. Mr. Sharon also stated that the Municipality commits to a community revitalization when these projects are done, which includes updating the water mains, roads, streetlights and active transportation.

Izabela Snider, Resident, 43 John Street, asked whether the residents in the area were notified of the project. Mr. Graziano replied that letters were provided to affected property owners and a Public Information Centre was held to discuss proposed fee assessments related to the project and for Administration to answer questions from the affected property owners. He further noted that a copy of the letter can be sent to Ms. Snider for reference. Ms. Snider asked whether the trees will be replaced where they were cut down. Mr. Graziano stated that the trees will be replaced this year. Ms. Snider

asked whether she could plant Milkweed in the municipal right-of-way whereby Mr. Todd replied in the negative.

In response to Councillor Abraham's question regarding the fee schedule used, Mr. Graziano replied that the fee assessments are based on the fees set in the year the initial assessment letter is sent to affected property owners.

Councillor Wilkinson asked whether the replacement trees could be planted on a residents' property if there is no longer space on the municipal right-of-way. Mr. Graziano replied that trees can be planted on a resident's property if that space is volunteered.

No. C-105-26

Moved by: Councillor Tiessen
Seconded by: Councillor Abraham

1. **By-law 46-26, being a by-law to impose fees for benefitting properties affected by the Queens, John, Albert, Baird and Elliott Sewer Separation project as defined in Schedule A provided herein, be brought before Council for consideration; and**
2. **Council authorize Administration to notify benefitting owners of their assessment fees and payment options. (ENG-07-26)**

Carried

- 11.2. Report ENG-08-26 dated April 10, 2026 regarding Traffic Signal Maintenance Contract Extension.

Mr. Dowling presented the report.

In response to Councillor Dunn's question regarding changes in the annual costs, Mr. Dowling replied that due to increasing prices of materials and potential supply chain issues, Administration created an inventory of products in the event of emergency or required maintenance. He noted that the fluctuating annual costs were also due to certain projects needing to be completed or upgraded prior to new projects being introduced.

Councillor Abraham asked whether the Municipality has the infrastructure to coordinate with emergency services in relation to traffic signal technology. Mr. Dowling replied that every traffic signal in the Municipality, including the traffic signal at Highway 77 and Highway 3, have the Opticom technology which allows emergency services to get through these areas.

No. C-106-26

Moved by: Deputy Mayor Verbeke

Seconded by: Councillor Wilkinson

1. **The contract for traffic signal maintenance be extended for one year to Field Electric Contractors Inc., 90 Borrowman St., Chatham, Ontario, N7M 5K8; and**
2. **The Manager of Engineering be authorized to enter into the necessary agreements. (ENG-08-26)**

Carried

11.3. Report LS-20-25 dated March 3, 2026 regarding Customer Service Policy.

Ms. Baines presented the report.

No. C-107-26

Moved by: Councillor Dunn

Seconded by: Councillor Abraham

1. **Council approve the Customer Service Policy attached as Appendix “A” to the Council Report. (LS-20-25)**

Carried

Consent Reports

No. C-108-26

Moved by: Councillor Wilkinson
Seconded by: Deputy Mayor Verbeke

That the Recommended Actions contained in the Report listed under Consent Reports be approved.

(FIN-11-26)

- 1. The Municipality of Leamington accepts the designation of host municipality by collecting the Dedicated Gas Tax Funds for Public Transportation Program funds on behalf of the Municipality of Leamington and the Town of Kingsville; and**
- 2. The Mayor and Clerk for the Municipality of Leamington be authorized to execute the Letter of Agreement between His Majesty the King in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario under the Dedicated Gas Tax Funds for Public Transportation Program and the Municipality be bound to the terms of the said agreement. (FIN-11-26)**

Carried

Other Matters for Consideration

No. C-109-26

Moved by: Councillor Tiessen
Seconded by: Councillor Dunn

That Council receive the April 28, 2026 Council Information Package except for item 048 which will be considered separately.

Carried

No. C-110-26

Moved by: Councillor Latam
Seconded by: Councillor Wilkinson

1. **That the Council of the Municipality of Leamington support the resolution from the Town of LaSalle regarding Finlay's Law; and**
2. **That a copy of this resolution be sent to the Premier of Ontario, the Ontario Minister of Health, the Chair of the Board of Directors of Windsor Regional Hospital and Hotel-Dieu Grace Healthcare, Trevor Jones, MPP and the Association of Municipalities of Ontario.**

Carried

Reporting Out – Closed Session

A Closed Meeting of Council was held on April 28, 2026 at 5:30 PM to discuss the following matters:

- i. Confidential Report LS-07-26 dated April 16, 2026 regarding Business Improvement Area Board of Directors, Update which was considered pursuant to 239(2)(b) of the Municipal Act, 2001, being that the subject matter which was considered was personal matters about an identifiable individual, including municipal or local board employees.

Council provided direction to Administration.

Proper notice of the meeting was given and the meeting was adjourned at 5:38 PM.

Reading of By-laws

The Deputy Clerk noted that By-law 47-26 does not have a corresponding report and is a by-law brought forward to Council annually.

No. C-111-26

Moved by: Councillor Abraham
Seconded by: Councillor Tiessen

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

By-law 43-26 being a by-law to amend the Comprehensive Zoning By-law No. 890-09, as amended for the Municipality of Leamington, which pertains to the subject lands, ZBA 367, 320 Erie Street North (PLA-16-26)

By-law 46-26 being a by-law to impose fees in connection with the Queens, John, Albert, Baird and Elliott Sewer Separation Project (ENG-07-26)

By-law 47-26 being a by-law to appoint Chief Building Official, Building Inspectors and Municipal Law Enforcement Officers for the Municipality of Leamington

By-law 48-26 being a by-law to confirm the proceedings of the Council of the Municipality of Leamington at its meeting held April 28, 2026.

Carried

Notice of Motion

None.

Non-Debatable Comments or Questions by Members

None.

Resolution Council in Closed Session and Adjournment

No. C-112-26

Moved by: Councillor Latam
Seconded by: Deputy Mayor Verbeke

That Municipality of Leamington Council adjourn at 7:12 PM to the Meeting of Council to be held on Tuesday, May 12, 2026, and that Council authorize itself to meet in closed session on that day to discuss any matters permitted by The Municipal Act, 2001.

Carried

Hilda MacDonald, Mayor

Roberta Baines, Deputy Clerk

Minutes approved at Council Meeting held
MONTH XX, 20XX Resolution C-XX-XX,
Confirmation By-law XX-XX



DR-06-26

Report

To: Mayor and Members of Council

From: Janice Dougherty, Drainage Superintendent

Date: April 29, 2026

Re: Robert Anderson Drain- Culvert Extension

Recommendation:

It is recommended that:

1. The report provided by Baird AE, dated April 29, 2026, for a culvert extension over the Robert Anderson Drain for parcel identified by Roll Number 680-02700, pursuant to the provisions of Section 78(5) of the Drainage Act be adopted;
2. Council authorize the project be tendered and should the said tenders be within the engineer's construction estimate of \$39,875, or otherwise consented by the owner, that the Manager of Engineering be authorized to award the tender and enter into necessary agreements;
3. By-law 53-26 authorizing the work be presented to Council for 1st and 2nd reading and that the Drainage Administration send by mail a copy of the By-law and Notice of process to appeal to each of the affected parties;
4. That Halliday Pearson of Baird AE, Drainage Superintendent Janice Dougherty, and Drainage Superintendent Shawn Stasko, be appointed as Commissioners to let and superintend the drainage works; and
5. That Essex Region Conservation Authority (ERCA) be advised of the proposed improvements. (DR-06-26)

Background:

The Municipality received a request from the owner of the parcel identified by Roll Number 680-02700, to extend the access culvert over the Robert Anderson Drain to allow for the passage of larger farm vehicles.

Figure 1: Parcel 680-02700



Comments:

The Municipality received a request under Sec 78(5) of the Drainage Act, to extend the access culvert over the Robert Anderson Drain. Following a review of the application, and the current conditions of the drain, Administration determined this request satisfied all the criteria under the minor improvements process of the Drainage Act.

Financial Impact:

This project was not listed within the 2026 Drainage Capital Budget; however, all costs associated with engineering and construction will be charged 100% to the owner.


Estimated cost of this project is \$46,525, including incidentals. This project will not be eligible under the Agricultural Drainage Infrastructure Program as only the original portion of the access culvert is grantable.

Respectfully submitted,



Janice Dougherty
Drainage Superintendent

Allan Botham, P.Eng.
Manager of Engineering



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer

Robert Sharon, CMO, MPA
Director of Infrastructure Services

Attachments: Report prepared by Baird AE April 29, 2026

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No



PW-04-26

Report

To: Mayor and Members of Council

From: Ken Brown, P.Eng, Manager of Public Works

Date: May 1, 2026

Re: Growing Canada's Tree Canopy Grant Approval

Recommendation:

It is recommended that:

1. Council approve \$160,000 from the Tree Planting Reserve and \$87,500 from the Parks Reserve to fund the Green Municipal Fund's Growing Canada's Community Canopies project. (PW-04-26)

Background:

The Green Municipal Fund's (GMF) Growing Canada's Community Canopies (GCCC) grant is a federal initiative that supports planting trees across the country.

Through Council resolution C-178-25, Administration applied to the funding opportunity under the Growing Canada's Tree Canopy program. The application included a plan to plant approximately 600 Carolinian trees, with a minimum diameter of 65mm (2.5 inches) throughout 17 different municipally owned parks.

The total estimated cost for the initiative was \$475,000, with a 50% grant request for funding of \$237,500.

Comments:

Administration is pleased to inform Council that the Municipality of Leamington was successful in securing funding through the GCCC grant.

Pending Council's approval, in 2026 Administration proposes to plant 240 trees at the new Bayview Regional Park site, as well as 80 trees at the Pure Flavour® Soccer Complex. In 2027, the remaining approximately 280 trees would be planted in 15 other municipally owned parks.

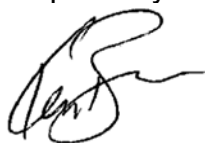
To ensure the survival of these trees, a portion of the funds being requested are to allow for ongoing watering and monitoring of the trees planted. Each tree will come with a one-year warranty. Inspections of the trees will occur by qualified people to ensure their ongoing health in the first year.

Financial Impact:


Although Administration requested 50% funding or \$237,500 from the GCCC grant, there were some ineligible project costs pertaining to the preparation of the tree planting plan. As a result, the actual approved funding from the GCCC grant to the Municipality will be \$227,500 or 48%. In an effort to still plant the proposed 600 trees through this initiative, Administration proposes to increase the Municipal portion by \$10,000 to maintain the initial project estimate of \$475,000.

To fund the Municipality's portion, Administration is recommending that \$160,000 comes from the Tree Planting Reserve, which has an unencumbered balance of approximately \$160,000, and \$87,500 from the Parks Reserve, which has a budgeted year end balance of \$1,053,383.

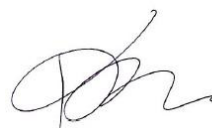
Respectfully submitted,



Ken Brown, P.Eng
Manager of Public Works



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer



Kari Myers, MBA
Director of Community Services

Attachments:

#1 – Report: IS-05-25 Growing Canada's Tree Canopy Grant Application

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No

Attachment #1

Report: IS-05-25 Growing Canada's Tree Canopy Grant Application



IS-05-25

Report

To: Mayor and Members of Council

**From: Maitlyn Manley, Infrastructure Services Assistant,
Robert Sharon, Director of Infrastructure Services**

Date: July 30, 2025

Re: Growing Canada's Tree Canopy, Grant Application

Recommendation:

It is recommended that:

- 1) Council approve an application to the Growing Canada's Tree Canopy program as described in this report; and
- 2) Council approve \$25,000 for the preparation of a tree planting plan by a qualified professional to be funded from the tree planting reserve. (IS-04-25)

Background:

The Green Municipal Fund's (GMF) Growing Canada's Community Canopies (GCCC) is a \$291 million Federal initiative that supports planting trees across the country, contributing to climate action. GCCC aims to plant at least 1.2 million new trees by March 31, 2031. The initiative is a part of GMF's broader approach to nature-based climate solutions, which will achieve significant carbon sequestration and increase forest and community resilience to climate change.

The GCCC will fund up to 50% of eligible costs, with a maximum of \$10 million in project funding and \$1 million in infrastructure activity funding. To be eligible for the funding, the project must have a minimum value of \$50,000; the project must be incremental planting with no legal obligations; trees must have suitable sites for permanent planting and must be non-invasive species.

In its application for funding, the Municipality is required to provide a tree planting plan that is either prepared or reviewed by a professional with urban tree or forest health training. This includes an arborist, forester, biologist, ecologist, landscape architect or horticulturalist.

The deadline for submitting a full application is September 18, 2025. If the Municipality is approved, there will be 2 years to plant with a year of maintenance as eligible cost.

Comment:

The application will include a plan to plant approximately 600 Carolinian trees, with a minimum diameter of 65mm (2.5 inches) throughout 17 different municipally owned parks. Of the 600, approximately 245 of those trees will be planted in the new Bayview Regional Park.

Providing diverse species of Carolinian trees within the municipal parks will improve wildlife habitat and ecosystem services, as well as improve Leamington's tree canopy to improve resilience to climate change.

The Municipality has chosen Carolinian trees as they are native to this area and capable of surviving our soil conditions. This aligns with Leamington's tree planting policy.

The plan will provide exact location and species of each tree within each park and will include a detailed planting and maintenance plan.

Administration will tender for the 600 trees to be planted over a 2-year period.

Financial Impact:

The total estimated cost of the initiative is \$475,000, with a 50% grant request for funding of \$237,500. The planting and maintenance plan is being prepared by Ron Koudys Landscape Architects, at a cost of approximately \$25,000. As the planting plan is required to form part of the application package, Council is being asked to approve those funds at this time. If the grant application is approved, Council will be asked to approve the remaining funding at a later date.

Administration recommends funding the initiative, if approved, in the amount of \$160,000 from the Tree Planting Reserve which has an unencumbered balance of approximately \$160,000, and \$77,500 from the Parks Reserve, which has a budgeted year end balance of \$1,363,000.

Preliminary meetings with representatives from Federation of Canadian Municipalities have indicated that the Municipality has a strong proposal with a high likelihood of success.

Respectfully submitted,



Maitlyn Manley,
Infrastructure Services Assistant



Robert Sharon, B. Comm., MPA, CMO
Director of Infrastructure Services

Attachments: none

Staff Use Only

Proposed Council Meeting Date: August 12, 2025

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No



CS-05-26

Report

To: Mayor and Members of Council

From: Sue Rice, Special Events Project Manager

Date: April 22, 2026

Re: Waterfront Market Plaza – Amendments to Business Licensing By-law, Parks By-law and Noise Exemption By-law

Recommendation:

It is recommended that:

1. Administration be directed to bring forward for Council consideration, By-law 49-26 being a By-law to amend By-law 50-24 being a by-law to provide for licensing and regulating businesses in the Municipality of Leamington for the purpose of exempting the Waterfront Market Plaza seasonal vendors participating in a municipally administered seasonal vendor program from requiring a business licence;
2. Administration be directed to bring forward for Council consideration, By-law 50-26 being a By-law to amend By-law 98-95 being a by-law to for the Regulation, Protection and Governance of Parks for the purpose of exempting the Waterfront Market Plaza from certain provisions as part of a municipally administered seasonal vendor program and;
3. Administration be directed to bring forward for Council consideration, By-law 51-26 to amend By-law 51-18 being a By-law to regulate noise for the purpose of exempting the Waterfront Market Plaza. (CS-05-26)

Background:

The Waterfront Market Plaza (WMP) is a Municipally owned community space intended to support seasonal waterfront activation through curated food and beverage offerings, local and regional vendor participation, and complementary entertainment programming.

The WMP is intended to operate as a recurring seasonal municipal program within a temporary, non-permanent market setting. The program is designed to support community vibrancy and public access while maintaining clear operational standards and municipal oversight.

At present, the Municipality's Food Vehicle By-law, Parks By-law and Noise Exemption By-law do not clearly permit ongoing food and beverage vending or entertainment activations within the WMP under a structured municipal program. As a result, amendments are required to align the Municipality's by-laws with the intended operating model for the site.

Under the current regulatory framework:

- the Food Vehicle By-law governs the licensing and operation of food vehicles;
- the Parks By-law does not currently permit commercial food vehicle operations within municipal parkland except where authorized through a Special Event Permit; and
- the Noise Exemption By-law does not currently identify the WMP as a noise exempt location.

Comments:

The proposed amendments to the Food Vehicle By-law and Parks By-law will establish a controlled, site-specific framework for food and beverage vending within the WMP while maintaining existing restrictions on unauthorized commercial activity in other municipal parks and public spaces.

The proposed amendments will:

- permit food and beverage vending within the WMP as part of an approved municipal program;
- clarify that vendor participation does not create a lease, tenancy or other property interest and is limited to approved dates, times and locations;

- maintain the Municipality's authority to manage operating schedules, enforce compliance, and require temporary closures where necessary for public safety, weather or infrastructure-related concerns; and
- require vendors to comply with all applicable licensing, inspection, insurance and public health requirements.

The WMP will operate under a recurring seasonal municipal vendor program administered by the Special Events Department. Vendors will be selected and scheduled within a defined Municipal framework to ensure consistent oversight, coordination and compliance.

This program model will support:

- centralized coordination and communication with vendors;
- consistent operational standards and enforcement;
- compliance with legal, health and safety requirements;
- vendor curation and diversity aligned with the intended waterfront experience;
- coordination with municipal programming and events; and
- integration with Public Works, By-law Enforcement, Fire Services and other internal departments, as required.

The proposed amendment to the Noise Exemption By-law will permit entertainment activations within the WMP without the need for a separate Noise Exemption Permit for each occurrence. This approach is consistent with the treatment of other Municipal properties identified in the by-law and will support efficient administration of programming at the site.

The proposed By-law amendments will enable the WMP to operate as intended while maintaining municipal control, public safety and regulatory clarity. The program will also support local business activity and provide a framework to inform future policy and program development.

Financial Impact:

There are no direct budgetary impacts to the Municipality associated with the proposed By-law amendments.

Respectfully submitted,



Sue Rice
Special Event Project Manager



Kari Myers, MBA
Director of Community Services



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer

Attachments: None

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No



FIN-10-26

Report

To: Mayor and Members of Council

From: Laura Rauch, Director of Financial Services, Technology and Funding Strategies

Date: April 7, 2026

Re: 2026 Municipal Community Partners and Grants

Recommendation:

It is recommended that:

1. Council approve the 2026 Municipal Community Partners as follows:
 - a. Leamington District Chamber of Commerce - \$15,000
 - b. Leamington-Mersea Historical Society - \$7,000
 - c. Migrant Worker Community Program - \$7,000
 - d. South Essex Arts Association - \$60,000
 - e. Sun Parlour Players Community Theatre - \$18,000
 - f. Leamington Horticultural Society - \$4,800
 - g. Hogs for Hospice - \$3,800;

2. Council approve the 2026 Municipal Grants as follows:
 - a. Erie Shores Health Foundation - \$5,000
 - b. Junior Achievement Southwestern Ontario - \$3,000
 - c. Multicultural Council of Windsor Essex - \$6,000
 - d. Salvation Army - \$5,000
 - e. South Essex Community Council - \$3,200
 - f. St. Clair College Foundation/Bank Theatre - \$2,000
 - g. United Way - \$2,431
 - h. Windsor Essex Child/Youth Advocacy Centre (WECYAC) - \$8,000
 - i. Youth Diversion - Essex County Diversion Program - \$3,300;

3. Council approve the additional funding required for the 2026 Municipal Community Partners and Grants to be funded through the General and Administration Reserve; and
4. Council approve \$10,000 in support of the Windsor Symphony Orchestra from the General and Administration Reserve. (FIN-10-26)

Background:

The 2026 adopted municipal budget included \$174,000 for Municipal Grants for distribution to community organizations. This amount includes the funding for Leamington's Municipal Community Partners in addition to the not-for-profit organizations seeking financial assistance to offer services to the Leamington community through the annual application process.

On January 26, 2021, Leamington Council approved the Municipal Grants Program Policy (Policy). This policy includes several principles that ensure that the municipal levied tax dollars are allocated in a fair, consistent and transparent manner to community organizations. The Policy includes establishing a Municipal Grants Review Committee (Committee), evaluation criteria for each application to be graded, and a maximum annual funding level for the program as well as each application. Further policy amendments were approved by Council in September 2021.

In compliance with the Policy, 2026 grant applications were accepted in September 2025. All previous year's applicants were notified of the opportunity to apply for a Municipal Grant and communication was sent to the community through various social media channels. All previous grant recipients submitted their Final Report as required by the Policy and were deemed eligible to re-apply for funding. A total of sixteen Municipal Grant Applications were received by the September deadline.

Through FIN-05-26 Municipal Grants Review Committee Report, Council appointed the 2026 Grant Committee Members to be Mayor MacDonald and Councillor Tiessen. Administration Committee Members were Andrea Palichuk, Amy Martinho and Laura Rauch.

Comments:

The sixteen Municipal Grant applications were circulated and individually evaluated by each of the Committee Members. The scores and recommended grant funding for each applicant were tallied and discussed at a Municipal Grant Committee meeting on March 26, 2026.

The Committee reviewed the policy and have some recommended changes that will be brought forward for Council's review to apply for the 2027 Municipal Grant Program. These include but are not limited to:

- General review and cleanup of the policy;
- Adjust the application period to better align with the timing of grant awards (after budget adoption);
- Align the evaluation scoring with the amount or percentage of the grant award;
- Introduce a two-year consecutive eligibility limit per organization, with a required one-year ineligible period, to expand access to municipal grant funding;
- Review and establish criteria for Municipal Community Partners which will also review and establish appropriate funding amounts.

These policy revisions will be completed and presented to Council for approval by the end of August to allow for the organizations to inform their 2027 financial plans.

Based on the evaluations, the recommendations to Council from the Committee for the 2026 Municipal Grants are presented in the table below:

Table A: Committee Recommendations

Organization	Purpose	Amount Requested	Amount Recommended
Erie Shores Family Health Team	Physician Recruitment	\$10,000	\$0
Erie Shores Health Foundation	Cancer Care Expansion at Erie Shores HealthCare	\$15,000	\$5,000
Junior Achievement Southwestern Ontario	Five high-impact programs to 125 Grade 4 – 12 students in Leamington	\$5,000	\$3,000
Leamington Mennonite Home and Apartments	Plans/architect drawings for a new Retirement/Assisted Living housing solution	\$15,000	\$0
Little Tomato Children's Theatre	Youth Theatre – production costs	\$5,000	\$0
Multicultural Council of Windsor Essex	Carousel of the Nations	\$15,000	\$6,000
Saklolaw Bridge to Community Network	Reunite and Heal; Family Wellness Program	\$15,000	\$0

Organization	Purpose	Amount Requested	Amount Recommended
Salvation Army	Gift cards	\$5,000	\$5,000
South Essex Community Council	Community Nutrition Coordinator/Grocery Cards	\$14,911	\$3,200
St. Clair College Foundation/Bank Theatre	Amphitheatre Rental – S'Aints Rock Seacliff – Saturday, Saturday, September 5, 2026 (in-kind)	\$5,000	\$2,000
Bridge Youth and Resource Centre	Take Your Shot Initiative (bursaries)	\$11,500	\$0
UMEI	Volunteer Musical Theatre	\$15,000	\$0
United Way	Recreation Facility Rental (in-kind)	\$2,431	\$2,431
Windsor Essex Child/Youth Advocacy Centre (WECYAC)	Leamington Child & Youth Support Initiative	\$15,000	\$8,000
Windsor Symphony Orchestra	Messiah Performance, December 2026	\$10,000	\$0*
Youth Diversion - Essex County Diversion Program	Youth Workshops	\$15,000	\$3,300
Total		\$173,842	\$37,931

* See below

The Committee also recommends that Council consider the Windsor Symphony Orchestra (WSO) Messiah performance, scheduled for December 2026 in Leamington, to be a municipally sponsored event rather than a Municipal grant, consistent with the WSO's August performance. The WSO has performed for a loyal and supportive audience in Leamington for many years and is seeking to broaden its reach by sharing the full artistry of the orchestra with local residents. Although the December performance will be ticketed, Leamington residents will be offered tickets at a discounted rate. The regular ticket price for the Messiah performance is \$45; with municipal support, this price would be reduced to \$33, representing a 27% discount. This will enhance accessibility by allowing more residents to experience this

performance locally without the need to travel to downtown Windsor. Event details continue to be developed by the WSO.

It is also noted to Council that in Staff Report FIN-01-26, the Leamington and District Half Century Club was approved as a Municipal Community Partner and granted \$24,000 in support of their initiatives.

Given the limited funding available, the Committee supported, by consensus, the amounts as noted above.

Financial Impact:

Given the limited funding available, the Committee supported, by consensus, the amounts as noted above, totaling \$37,931 for Grant Applicants. In addition, the Committee is recommending a total of \$139,600 for Municipal Community Partners, including the previously approved Half Century Club amount. The total recommended amount for Municipal Community Partners and Grants is \$177,531. Subject to Council's approval, the \$3,531 amount in excess of the 2026 adopted budget is recommended to be funded by carryforwards from the previous years' Municipal Grant Program that are in the General and Administration Reserve. A balance of \$21 will remain as carryforward in this reserve.

The funding for the WSO December concert, in the amount of \$10,000, is recommended to be funded from the General and Administration Reserve as well. This reserve has a 2026 budgeted ending balance of \$4.5M.

Council is also reminded that the 2026 adopted budget included \$3,000 in the Office of the CAO's Corporate initiatives budget. This funding is intended to be used to waive nominal municipal fees, established by Council, that are received within the year. In 2025 the same budget was included and three fees were waived totaling \$966.

Respectfully submitted,



Laura Rauch, CPA, CMA
Director of Financial Services, Technology and Funding Strategies



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer

Attachments: none

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No



LS-09-26

Report

To: Mayor and Members of Council

From: Roberta Baines, Deputy Clerk/Records and Information Manager

Date: April 9, 2026

Re: Annual MFIPPA Statistical Report

Recommendation:

It is recommended that:

1. Council receive the Municipal Freedom of Information and Protection of Privacy Act Annual Statistical Report for information. (LS-09-26)

Background:

The Municipal Freedom of Information and Protection of Privacy Act, 1990 (MFIPPA) came into effect on January 1, 1991, and applies to all municipalities, local boards, agencies, commissions, school boards and police services boards in Ontario. MFIPPA has two main purposes. First, it establishes rules and obligations that municipal institutions must follow to protect the personal information of individuals in the custody and control of the institution. Second, MFIPPA gives the public the right to access records held by municipalities, subject to very specific exemptions. Municipal Council, through By-law 47-2023, has appointed the Deputy Clerk/Records and Information Manager as “Head” for the purposes of MFIPPA. As the “Head”, the Deputy Clerk is responsible for overseeing the administration of MFIPPA and for decisions made under the Act.

MFIPPA requires every municipality in Ontario to file an annual report to the Information and Privacy Commissioner of Ontario (IPC). The annual report provides statistical information on access requests that are received, the municipality’s response time, the decisions that were made in response to these requests and the fees charged.

Comments:

The Municipality of Leamington encourages the release of information on a routine basis where possible. For example, requests for documents such as tax certificates for a fee, as outlined in the Municipal User Fees By-law. This approach ensures records are made readily available to the public upon request. Where information cannot be provided routinely, such as where the request involves personal information or proprietary information, individuals are asked to submit a formal request for information. In 2025, the Municipality of Leamington received 31 requests under MFIPPA. This captures all requests received by the Municipality, including those requests that were transferred to other institutions or requests missing an authorization permitting a third party to access the records. To process these MFIPPA requests, the Head reviewed and disclosed 1,358 pages in full or with redactions applied. The Municipality of Leamington received 31 requests for information in 2025, 32 in 2024, 40 in 2023, 17 in 2022, and 21 in 2021. The majority of requests received by the Municipality were for access to general records and two were for access to own personal information. Requests for general records consisted of the following: building permit and property files, fire reports, by-law and planning documents.

Under MFIPPA, an individual may appeal to the Information and Privacy Commissioner (IPC) if they are not satisfied with the access decision made by the Municipality. In 2025, the IPC received one appeal regarding an access decision made by the Municipality of Leamington. This matter is still ongoing and not yet resolved.

MFIPPA permits a municipality to charge certain fees to individuals seeking access to government records. The fees permitted are set out in MFIPPA, such as fees for photocopying, shipping, preparing a record for disclosure and search time. In 2025, the Municipality of Leamington collected approximately \$155 in fees for processing MFIPPA requests.

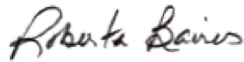
Currently, MFIPPA imposes a 30-day time limit in which an institution must provide a decision regarding a request for information. The 30-day time-limit may be extended in certain limited circumstances, as prescribed by MFIPPA. However, there is legislation proposed (Bill 97, Plan to Protect Ontario Act) that would extend the 30-day (calendar days) time limit to 45 business days. This legislation will also impose new obligations on municipalities including a more formal, proactive compliance framework, mandatory breach reporting and notification, documented privacy impact assessments, breach record keeping and enhanced IPC oversight.

The Municipality of Leamington remains committed to enhancing accountability and transparency of government by fulfilling the requirements under the legislation.

Financial Impact:

There is no financial impact associated with this report.

Respectfully submitted,



Roberta Baines
Deputy Clerk/Records and Information Manager



Brenda M. Percy, CMO
Manager of Legislative Services/Clerk



Matthew Todd,
Director of Legal and Legislative Services



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer

Attachments: None

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No



LWS-02-26

Report

To: Mayor and Members of Council

From: Shannon Belleau, P.Eng., Manager of Environmental Services

Date: April 24, 2026

Re: Leamington (Union) Water Distribution System and Leamington (Wheatley) Water Distribution System Inspection Reports

Recommendation:

It is recommended that:

1. The Ontario Ministry of the Environment, Conservation and Parks Drinking Water System Inspection Report for the Leamington (Union) Distribution System dated April 15, 2026 be received;
2. The Ontario Ministry of the Environment, Conservation and Parks Drinking Water System Inspection Report for the Leamington (Wheatley) Distribution System dated March 27, 2026 be received; and
3. The reports be placed on the Municipality's website and also be made available for public inspection at the Municipal office during normal business hours. (LWS-02-26)

Background:

The Leamington Water Distribution System is comprised of two sub-systems; the Leamington (Union) Distribution System, system number 220004992; and the Leamington (Wheatley) Distribution System, system number 260087048.

The Ministry of the Environment, Conservation and Parks (MECP) conducts comprehensive annual inspections on municipal residential drinking water systems (MRDWS) to determine compliance with the *Safe Drinking Water Act, 2002*, associated regulations and MECP Environmental Compliance Approvals. It is the responsibility of the municipal residential drinking water system owner to ensure their drinking water systems are in compliance with all applicable legal requirements.

The operator of a water system is required to provide inspection reports to the owner of the system, in this case the Municipality of Leamington, through municipal Council. The MECP requires that inspection reports be circulated to each member of Council and a Council resolution be obtained, confirming receipt of the reports. The reports are also to be made available to the public and advertised as such.

The MECP reports are provided to Council under separate cover. They are also posted on the municipal web site and available for review or download by the public. This public council report will also satisfy the MECP requirement to advertise the availability of the reports.

Comments:

The MECP Inspection reports contain two sections that should be noted:

1. *Non-compliance with regulatory requirements and actions required:*

This section provides a summary of all non-compliance with regulatory requirements identified during the inspection period, as well as actions required to address these issues.

There were no items of non-compliance noted in either of the 2025 inspection reports.

2. *Summary of recommendations and best practice issues:*

This section provides a summary of all recommendations and best practice issues identified during the inspection period. Best Management Practices are recommendations and not mandatory requirements, but may lead to safe drinking water for the consumer. In the interest of continuous improvement in the interim, it is recommended that owners and operators develop an awareness of the following practices and consider measures to implement them so that all drinking water systems continuously improve their processes.

There were no recommendations or best practices items noted in either of the 2025 inspection reports.

The Inspection Summary Rating Record (IRR) generated by the inspection indicates an Inspection Risk Rating of 0%, and a Final Inspection Compliance Rating of 100% for both Leamington Water Distribution sub-systems.

Financial Impact:

None.

Respectfully submitted,



Shannon Belleau, P.Eng.
Manager of Environmental Services



Robert Sharon, B.Comm., MPA, CMO
Director of Infrastructure Services



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer

Attachments: Leamington Distribution System (Union) Inspection Report
Leamington Distribution System (Wheatley) Inspection Report

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No



PLA-18-26

Report

To: Mayor and Members of Council

From: Tammie Ryall, Director of Strategic Initiatives and Municipal Design

Date: May 5, 2026

Re: Repeal Site Plan Control By-law, By-law 96-25

Recommendation:

It is recommended that:

1. Council direct Administration to bring forward By-law 54-26, a By-law to repeal By-law 96-25, to Designate a Site Plan Control Area and Exempt Certain Development from the Requirement for Site Plan Approval. (PLA-18-26)

Background:

A municipality can choose to use a tool under the Planning Act, known as Site Plan Control, to regulate the placement of buildings and structures on a property.

Section 7.4 of the Official Plan states that Leamington intends to use this authority, with the objectives of:

- a) to ensure proper standards of site design for new development;
- b) to ensure safety and efficiency of vehicular and pedestrian access;
- c) to minimize incompatibilities between new and existing development;
- d) to control the location of driveways, parking, loading and garbage collection facilities;
- e) to secure easements or grading and alterations necessary to provide for

public utilities and site drainage;

- f) to ensure that the development proposed is built and maintained as approved by Council.

The Official Plan provides that all the lands within the Municipality are proposed to be site plan control areas. A Site Plan Control By-law was adopted in 2005 (632-05). Leamington's current Site Plan Control By-law 96-25 was passed in 2025 and contained a variety of needed changes to the previous By-law passed in 2005.

The 2025 By-law replaced the provision related to a Director's Exemption and specifically exempted several classes of development from site plan approval. The specific exemptions provided greater transparency and ease of interpretation. The By-law also included provisions which allow for the closing of pre-consultation files which have not been materially advanced by applicants, allowing for better records management. The By-law also eliminated the need for site plan approval for signs which are considered structures.

Administration notes that further changes to the Site Plan By-law are now warranted to reflect changes to the Planning Act, and other issues that have come up through using the By-law over the past year.

Comments:

In order to address issues and changes to the Planning Act, a new Site Plan Control By-law has been drafted for Council's consideration and is attached to this report as Appendix I. The changes from the current Site Plan By-law are shown in tracked changes.

The changes are intended to provide clarity of interpretation from both staff and the applicants, which will result in increased efficiency and aid in interpretation, and are summarized below.

Site Plan Control Area

Changes to Section 7, and the addition of Sections 8 and 9 are to incorporate provisions that were not carried over from the previous site plan control By-law 632-05. These include a requirement for new development to be approved under Site Plan Control, and that conditions of approval can be imposed by Leamington.

Development which is exempt from Site Plan approval

Section 10 sets out the types of development which are excluded from site plan control. The following proposed changes are new exemptions to be added:

Section **(o)** states that site plan control does not apply to municipal facilities and operations. This is particularly important to provide for new municipal development in the Waterfront Master Plan area.

Section **(p)** is proposed to clarify that buildings or structures damaged or destroyed by fire or by natural causes are exempt.

Section **(q)** is added to exempt portable classrooms, to implement subsection 41(1.1) of the Act. The exemption was added to the Act to streamline the placement of portable classrooms on all school sites. Previously, the school site needed to exist prior to January 1, 2007.

Section **(r)** states that site plan approval does not apply to the development of 10 or fewer residential units on a parcel of land, as set out in provincial changes through Bills 23 and 97. There are however, situations where site plan does apply, which were introduced through Ontario Regulation 254/23 on August 9, 2023. In those prescribed cases, site plan does apply if the development is within 120 metres of a wetland, lake or river (including creeks and streams); or within 300 metres of an active rail line.

Review Fees and Security Deposit

A Fees and Security Deposit section is inserted to state that the Municipality will collect fees for review of Site Plans and will collect a security deposit from the Owner as set out in the Fee By-law (Section 19).

Execution of Agreements

The section is inserted to state that the Site Plan Agreements or other instruments can be executed by staff (the Authorized Person with delegated authority) and will be registered on title (Section 21).

Lapsing of Approval

Changes to the Planning Act which came into effect on June 6, 2024 through Bill 185, state that the Municipality may impose a lapsing provision to approved applications for site plan approval. The approval shall lapse at the end of the expiration period, unless a building permit is issued prior to the expiration. Administration is recommending including a section to the By-law to reflect this change (Section 22).

Definitions

Definitions of “Land” and “Owner” have been added to the draft By-law to aid in interpretation (Section 1).

Conclusion

Including these specific changes provides greater clarity for implementation and assists in creating a more efficient approach to development. Administration recommends that Council pass a new Site Plan By-law, as set out in the Recommendation Section of this report.

Financial Impact:

The passing of the By-law does not cause any financial impact to the Municipality; however, it is anticipated that the new By-law will assist in simplifying the processing of certain development proposals which should reduce applicant time and administrative review time.

Respectfully submitted,



Tammie Ryall, RPP, MCIP, BES
Director of Strategic Initiatives
and Municipal Design



Peter A. Neufeld, B.A., LL.B.
Chief Administrative Officer

Attachments: Appendix I - Draft By-law 54-26, a By-law to Designate a Site Plan Control Area and Exempt Certain Development from the Requirement for Site Plan Approval.

Staff Use Only

Proposed Council Meeting Date: May 12, 2026

By-law Required or Attached: Required Attached

Public Meeting under Planning Act: Yes No

Drainage – Meeting to Consider: Yes No

Drainage – Court of Revision: Yes No

Presentation: Yes No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item: Yes No

The Corporation of the Municipality of Leamington

By-law 54-26

By-Law to Designate a Site Plan Control Area and Exempt Certain Development from the Requirement for Site Plan Approval

Whereas subsection 41(2) of the Act provides that, where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality may, by by-law, designate the whole or any part of such area as a site plan control area;

And whereas the Official Plan provides that all the lands within the Municipality are proposed to be site plan control areas;

And whereas subsection 41(13) of the Act indicates that where the council of a municipality has designated a site plan control area under Section 41, the council may, by by-law, define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required under subsection 41(4) or 41(5);

And whereas subsection 41(5) of the Act indicates that despite the fact that paragraph 2 of subsection 41(4) of the Act exempts the requirement for drawings to be provided in connection with a building to be used for residential purposes containing fewer than twenty-five (25) dwelling units, the council of the municipality may require such drawings if the proposed building is to be located in an area specifically designated in the official plan as an area wherein such drawings may be required;

And whereas in accordance with subsection 41(5) of the Act, the Official Plan has designated all lands within the boundaries of the Municipality as an area where drawings in connection with a building to be used for residential purposes containing fewer than twenty-five (25) dwelling units are required;

And whereas subsection 41(4.0.1) of the Act indicates that a council that passes a by-law under subsection 41(2) shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of approving the plans and drawings described in subsection 41(4) of the Act;

And whereas Council [through By-law 79-25](#) has approved an employee as an authorized person for the purpose of subsection 41(4.0.1) of the Act;

Now therefore the Council of the Municipality hereby enacts as follows:

Definitions

1. For the purpose of this by-law:

- a) "Accessory" means "accessory" as defined in the Zoning By-law.
- b) "Act" means the Planning Act, R.S.O 1990, c. P.13.
- c) "Additional Dwelling Unit" means a "dwelling unit, additional" as defined in the Zoning By-law.
- d) "Additional Residential Unit" means an "additional residential unit" as defined in the Zoning By-law.
- e) "Agricultural Uses" means "agricultural uses" as defined in the Zoning By-law.
- f) Agricultural Restricted Zone means the "agricultural restricted zone" in the Zoning By-law.
- g) "Authorized Person" means the person approved by Council for the purpose of subsection 41(4.0.1) of the Act and named in By-law 79-25, a by-law to delegate powers and duties.
- h) "Cannabis Facilities" means "cannabis facilities" as defined in By-law 35-28, a by-law to regulate certain matters related to cannabis.
- i) "Converted Dwelling" means "dwelling, converted" as defined in the Zoning By-law
- j) "Council" means the Council of the Municipality.
- k) "Development" means "development" as defined in Section 41 of the Act.
- l) "Duplex Dwelling" means "dwelling, two unit", as defined in the Zoning By-law.
- m) "Fire Route" means any highway, private road, driveway, lane, ramp or other means of access or egress to or from a building or structure designated as a Fire Route pursuant to By-law 95-25, a by-law to regulate traffic and the parking of vehicles.
- n) "Greenhouses" means "greenhouses" as defined in the Zoning By-law.
- o) "Gross Floor Area" means "gross floor area" as defined in the Zoning By-law.
- p) "Group Home" means "dwelling, group home" as defined in the Zoning By-law.
- q)
- p) "Land" means any real property within the geographic boundaries of the Municipality of Leamington.

~~q~~r) “Landscaped Open Space” means “landscaped open space” as defined in the Zoning By-law.

~~r~~s) “Loading Space” means “loading space” as defined in the Zoning By-law

~~s~~t) “Materially Advanced” means providing to the Municipality the plans and/or drawings or amended plans and/or drawings as described in Section 41 of the Act and/or the studies or calculations required pursuant to Section 17 of this by-law to support an application for Pre-consultation.

~~t~~u) “Municipality” means The Corporation of the Municipality of Leamington.

~~u~~v) “Mushroom Farm” means “mushroom farm or mushroom operation” as defined in the Zoning By-law.

~~v~~w) “Nurseries, Wholesale and Retail Floral Shops or Tree Farms” means “nurseries, wholesale and retail floral shops or tree farms” as defined in the Zoning By-law.

~~w~~x) “Office” means “office” as defined in the Zoning By-law.

y) “Official Plan” means the Municipality’s Official Plan adopted pursuant to subsection 14.7(3) of the Act.

~~x~~z) “Owner” means the person that is the registered owner of the land pursuant to the laws of the Province of Ontario. For sections 14 to 20, the Owner may provide authorization for persons to make a site plan application under the Act on their behalf.

~~y~~aa) “Parking Lot” means “parking lot” as defined in the Zoning By-law.

~~b~~b) “Pre-consultation” means the pre-consultation required by By-law 838-08, a by-law to require pre-consultation prior to submission of development applications.

~~z~~cc) “Semi-detached Dwelling” means “dwelling, semi-detached” as defined in the Zoning By-law.

~~aa~~dd) “Sign” means a sign as defined in By-law 55-22, a by-law to regulate the size, use, location, construction and alteration of signs within the Municipality.

~~bb~~ee) “Single Unit Dwelling” means “dwelling, single unit detached” as defined in the Zoning By-law.

~~cc~~ff) “Site Plan Approval” means the approval of plans and drawings as described in subsection 41(4) of the Act by the Authorized Person or the Ontario Land Tribunal, as the case may be.

~~dd~~gg) “Storm Water Management Area” means those areas designed for overland storm water conveyance and storm water retention areas, including but not

limited to storm water retention ponds, swales, or hard surfaced retention areas.

~~ee)hh)~~ “Vehicle Maneuvering Area” means an area within a parcel of land that is sufficient to ensure that vehicles, including but not limited to trucks, have the necessary space to safely turn, reverse, park and access Loading Spaces.

~~ff)ii)~~ “Zoning By-law” means Comprehensive Zoning By-law 890-09.

Generally

2. Unless otherwise defined, the words and phrases used in this by-law have their normal and ordinary meaning.
3. Unless a contrary intention appears herein, the provisions of this by-law are intended to be gender neutral and gender inclusive and the singular also implies the plural, and vice versa.
4. Where a Court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue in force unless the Court makes an order to the contrary.
5. Any reference in this by-law to any statute or any section of a statute or regulation shall, unless expressly stated, be deemed to be reference to the most current state of the statute or regulation as it may be amended, restated or re-enacted from time to time.
6. Any reference to a policy or by-law of the Municipality shall, unless expressly stated, be deemed to be a reference to the most current state of the policy or by-law as it may be amended or replaced from time to time.

Site Plan Control Area

7. All lands within the boundaries of the Municipality be and are hereby designated as a site plan control area pursuant to Section 41 of the Act.
8. No development shall be undertaken by any person within the designated site plan control area, unless plans and drawings as provided for in subsection 41(4) of the Act are approved by the Municipality through a fully executed site plan agreement which has been registered on title of the subject lands.
9. If any application for site plan approval is granted, the Municipality may impose any of the conditions contained in subsection 41(7) and subsection 42 of the Act.

Exemptions from Site Plan Approval

- ~~8.10.~~ Notwithstanding section ~~78~~ and subject to section 11, the following Development is exempt from the requirement for Site Plan Approval:

- a) A Single Unit Dwelling.
- b) A Duplex Dwelling.
- c) An Additional Dwelling Unit.
- d) An Additional Residential Unit.
- e) A Semi-detached Dwelling.
- f) A Group Home.
- g) A Converted Dwelling.
- h) A Sign.
- i) A use, building or structure that is Accessory that meets the following criteria:
 - i) it does not cause a reduction to the Landscaped Open Space;
 - ii) it does not reduce the number of parking spaces required by the “Parking Area Requirements” of the Zoning By-law;
 - iii) the location is not within, nor does it impact:
 - 1) a Fire Route;
 - 2) a Loading Space;
 - 3) a Storm Water Management Area; or
 - 4) a Vehicle Maneuvering Area.
- j) Development associated with Agricultural Uses and/or uses permitted in an Agricultural Restricted Zone except:
 - i) Cannabis Facilities;
 - ii) Nurseries, Wholesale and Retail Floral Shops or Tree Farms;
 - iii) Mushroom Farm; and
 - iv) Greenhouses, including any associated Office.
- k) An addition to a building or structure that does not exceed twenty percent (20%) of the Gross Floor Area of said building or structure up to a maximum of two hundred and fifty (250) square metres Gross Floor Area, that meets the following criteria:
 - i) it does not cause a reduction to the Landscaped Open Space;

- ii) it does not reduce the number of parking spaces required by the “Parking Area Requirements” of the Zoning By-law;
- iii) the addition is not within, nor does it impact:
 - 5) a Fire Route;
 - 6) a Loading Space;
 - 7) a Storm Water Management Area; or
 - 8) a Vehicle Maneuvering Area.

Such maximum shall be calculated as the cumulative area of all additions to the building or structure since the effective day of this By-law.

- l) An addition to, or the reconfiguration of a Parking Area that meets the following criteria:
 - i) it does not cause a reduction to the Landscaped Open Space;
 - ii) the addition is not within, nor does it impact:
 - 1) a Fire Route;
 - 2) a Loading Space;
 - 3) a Storm Water Management Area; or
 - 4) a Vehicle Maneuvering Area.
- m) An underground storage tank or an underground sewage system designed in accordance with Part 8 of the Building Code, O.Reg. 332/12, unless the proposed underground storage tank or underground sewage system would cause a change to surface grade or is located within a Storm Water Management Area.
- n) A building or structure used for flood control, and preservation or conservation of natural resources that is the result of an order, an approval or specific advisement of an authority established under the Conservation Authorities Act, R.S.O. 1990, c. C.27.
- o) A development consisting of municipal works or construction on municipal lands; including development of or an extension to a municipal building or structure.
- p) A building or structure damaged or destroyed by fire or natural hazard or natural causes, may be rebuilt without the need for site plan approval provided it is within the same building envelope that existed before damages occurred, and the use remains the same.

g) A portable classroom placed on a school site of a district school board.

o)r) A development consisting of ten (10) or fewer residential units on a single parcel of land, except in the prescribed areas where a municipality requires site plan control through provincial regulation.

Application of Other By-laws, Including Zoning By-law

~~9-11.~~ Subject to section ~~102~~, if Development that is exempt from Site Plan Approval pursuant to this by-law is subject to Site Plan Approval pursuant to any other by-law of the Municipality, the by-law requiring Site Plan Approval shall prevail.

~~10-12.~~ If Development that is exempt from Site Plan Approval pursuant to this by-law is subject to Site Plan Approval pursuant to the Zoning By-law, this by-law shall prevail.

~~11-13.~~ Notwithstanding section 12, this by-law shall not be construed so as to reduce or mitigate any other provision or regulation in the Zoning By-law applicable to any Development.

Application for Pre-consultation

~~12-14.~~ An applicantOwner for Pre-consultation shall submit an application to the Municipality in such form as may be required by the Authorized Person.

Abandoned Pre-consultation Applications

~~13-15.~~ In the event that an applicant for Pre-consultation has not Materially Advanced the application for Pre-consultation for a period of six (6) months, the Authorized Person, or their designate, shall provide notice to the applicantOwner that the application for Pre-consultation may be deemed abandoned and a new application for Pre-consultation shall be required in the event the applicantOwner wishes to further the Development, unless:

- a) the application for Pre-consultation is Materially Advanced by the applicantOwner within three (3) months of receipt of the notice; or
- b) such Development has been determined to be exempt from the requirement for Site Plan Approval pursuant to section 8.

~~14-16.~~ Any notice required to be given in accordance with section 15 shall be in writing and shall be either delivered personally; sent by way of regular mail; or sent by email to the applicantOwner at the address contained within the application for Pre-consultation. Any notice given shall be deemed to have been received as follows:

- a) If delivered personally, on the day of delivery.
- b) If sent by mail, on the fifth (5th) business day following the date of mailing.

- c) If sent by email, on the first (1st) business day following the date of transmission, unless the sender received notice that the email was undeliverable.
- d) For the purposes of this section, the term “business day” shall mean Monday to Friday, inclusive, excluding days which are statutory holidays in the Province of Ontario.

~~15-17.~~ In the event that an applicantOwner for Pre-consultation has not Materially Advanced the application for Pre-consultation within three (3) months following the receipt of the notice described in section 13 and the Development is not exempt from the requirement for Site Plan Approval, the Authorized Person may deem the application for Pre-consultation abandoned and a new application for Pre-consultation shall be required in the event the applicantOwner wishes to further the Development.

Application for Site Plan Approval

~~16-18.~~ An applicant for Site Plan Approval shall submit an application to the Municipality in such form as may be required by the Authorized Person.

Review Fees and Security Deposits

19. The Municipality will collect fees for review of Site Plan applications and will collect a financial security deposit from the Owner as set out in the Fees By-law.

Studies or Calculations

~~17-20.~~ The Municipality may require an applicantOwner for Pre-consultation or Site Plan Approval to produce studies or calculations that validate the location, dimensions and nature of the buildings, structures, facilities and works proposed in the plans and drawings submitted with an application.

Execution of Agreements

21. After approval of a Site Plan application or amendment to a site plan or amendments to conditions by the Authorized Person, the Authorized Person has authority to sign agreements or instruments required to implement the conditions of approval. Such agreements or instruments will be registered on title.

Lapsing of Approval

22. A lapsing provision may be imposed to approved site plan agreements unless a building permit is issued prior to expiration, as per the provisions of subsections 41 (7.1), (7.2), or (7.3) of the Act.

Repeal and Coming into Force

236. By-law 96-25 and any amendments thereto, be and is hereby repealed.

274. This by-law shall come into full force and effect on the date of enactment.

| Read a first, second and third time and finally enacted this 12th day of May, 2026.

Hilda MacDonald, Mayor

Brenda M. Percy, Clerk

1
ATTACHMENT