REGULAR MEETING OF COUNCIL
AGENDA

Monday, July 9, 2018, 7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

A. CALL TO ORDER

B. MOMENT OF SILENCE AND REFLECTION

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

When a member of Council has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of Council (or that was the subject of consideration at the previous Meeting of Council at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter.

E. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Supplemental Report Application for Zoning By-law Amendment ZBA/08/18 by Great Northern Seedlings - 1507 Road 3 E Part of Lot 9, Concession 2 ED, Parts 1 & 2, PL 12R 16606 1

R. Brown, Manager of Planning Services

i) Notice of Public Meeting (Supplemental): Zoning By-law Amendment, dated June 19, 2018;

ii) Supplementary Report of R. Brown, dated June 27, 2018;

iii) Proposed By-law 63-2018 being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville;

iv) Original Report of R. Brown, dated May 11, 2018.

Recommended Action
It is recommended that Council approve zoning by-law amendment

ZBA/08/18 to:

permit a medical marihuana production facility on property located at 1507 Road 3 E;

address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014;

add odour control provisions as outlined in the attached amendment, and adopt the implementing by-law.

2. PUBLIC MEETING--Supplemental Report Application for Zoning By-law Amendment ZBA/10/18 by J.C. Fresh Farms Ltd. - 2415-2495 Graham Side Road Part of Lot 6, Concession 3 ED, Part 1, PL 12R 24954 26

R. Brown, Manager of Planning Services

i) Notice of Public Meeting (Supplemental): Zoning By-law Amendment, dated June 19, 2018;

ii) Supplementary Report of R. Brown, dated June 27, 2018;

iii) Proposed By-law 65-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

iv) Original Report of R. Brown, dated May 11, 2018.

Recommended Action
It is recommended that Council approve zoning by-law amendment ZBA/10/18 to permit a medical marihuana production facility on property located at 2415-2495 Graham Side Road and address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014 and odour control provisions as outlined in the attached amendment, and adopt the implementing by-law.

3. PUBLIC MEETING--Zoning By-law Amendment Application ZBA/14/18 by Allegro Acres Inc. – 1851 Peterson Lane Part of Lot 8, Concession 2 ED, Part 1, RP 12R 11577 & Parts 3 & 4, RP 12R 23455 49

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated June 19, 2018

ii) Report of R. Brown, dated June 26, 2018;

iii) Proposed By-law 85-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Recommended Action
It is recommended that Council approve zoning by-law amendment ZBA/14/18 to:

permit a medical marihuana production facility on property located at 1851 Peterson Lane;

address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law as detailed in the amending by-law;

add odour control provisions as outlined in the attached amendment, and adopt the implementing by-law.

4. PUBLIC MEETING--Application for Zoning Amendment ZBA/18/18 for 617885 o/a Jem Farms, Rico Root Farms Inc., Hillside Hothouse Limited, 1659437 Ontario Limited & Giovanni & Franca Vespa 65

R Brown, Manager of Planning Services

i) Notices of Public Meeting: Zoning By-law Amendment, dated June 19, 2018;

ii) Report of R. Brown, dated June 21, 2018;

iii) Proposed By-law 84-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Recommended Action
It is recommended that Council approve zoning amendment application ZBA/18/18 to:

Amend Agriculture Zone 1 Exception 62 for lands located at 1581, 1583 and 1585 County Road 34 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 63 for lands located at 1156 Road 3 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 64 for lands located at 1555 and 1557 County Road 34 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 65 for lands located at 1541 County Road 34 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 67 for lands located at 1000 County Road 34 to add odour control provisions as outlined in the amending by-law, and

adopt the implementing by-law.

5. PUBLIC MEETING--Election Sign By-law (76-2018) 82

J. Astrologo, Director of Corporate Services

i) Public Notice, dated June 18, 2018;

ii) Report of J. Astrologo, dated June 29, 2018;

iii) Proposed By-law 76-2018, being a by-law to regulate election signs in the Town of Kingsville

Recommended Action
That Council adopt By-law 76-2018, being a by-law to regulate election signs in the Town of Kingsville at this Regular Meeting.

F. AMENDMENTS TO THE AGENDA

G. ADOPTION OF ACCOUNTS

1. **Town of Kingsville Accounts for the monthly period ended June 30, 2018 being TD cheque numbers 0065698 to 0065960 for a grand total of $1,096,292.23** 93

Recommended Action
That Council approves Town of Kingsville Accounts for the monthly period ended June 30, 2018 being TD cheque numbers 0065698 to 0065960 for a grand total of $1,096,292.23

H. STAFF REPORTS

1. **Kingsville Historical Park Inc. Exemption By-Law (162 Lansdowne Avenue)** 118

L. Brohman, Tax Collector

Recommended Action
Council authorize by-law 86-2018 to authorize exempt the lands known municipally as 162 Lansdowne Avenue from taxation for municipal and school purposes.

2. **Kingsville Pickleball Update** 123

M. Durocher, Parks and Recreation Programs Manager

Recommended Action
That Council approve the following recommendations;

That Administration be directed to draft a user agreement with the Kingsville Pickle Ball for the 2019 Pickleball season for the appropriate use of Kingsville owned recreational facilities

That staff be directed to enter into a fundraising agreement with Kingsville Pickleball Association for the construction of Pickleball courts,

That a consultant be hired to develop more detailed plans regarding the construction of Pickleball courts at the Kingsville Arena.

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--June 25 2018 126

2. Regular 'Closed Session' Meeting of Council--June 25, 2018

Recommended Action
That Council adopts Regular Meeting of Council Minutes dated June 25, 2018, and Regular 'Closed Session' Meeting of Council Minutes dated June 25, 2018.

J. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Association of Municipalities of Ontario Communications, dated June 25, 2018 RE: Policy Update-AMO Stands with Canada and Ontario on NAFTA 142

Recommended Action
That Council receives Business Correspondence-Informational item 1.

K. NOTICES OF MOTION

L. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

M. BYLAWS

1. By-law 55-2018 144

Being a By-law to accept and assume Mettawas Lane in the Mettawas Lane Development

To be read a first, second and third and final time

2. By-law 60-2018 145

Being a by-law to provide for the construction to replace and improve the Road 10 Crossing Over the Patterson Drain, in the Town of Kingsville, in the County of Essex (full document available for review in Department of Corporate Services)

To be read a third and final time

3. By-law 63-2018 149

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/08/18; 1507 Road 3 E)

To be read a first, second and third and final time.

4. **By-law 65-2018** 152

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/10/18; 2415-2495 Graham Sideroad)

To be read a first, second and third and final time.

5. **By-law 76-2018** 155

Being a by-law to regulate election signs in the Town of Kingsville

To be read a first, second and third and final time.

6. **By-law 84-2018** 161

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/18/18; 1000 County Road 34)

To be read a first, second and third and final time

7. **By-law 85-2018** 164

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/14/18; 1851 Peterson Lane)

To be read a first, second, third and final time.

8. **By-law 86-2018** 167

Being a by-law to exempt the lands known municipally as 162 Lansdowne Avenue from taxation for municipal and school purposes

To be read a first, second and third and final time

N. CONFIRMATORY BY-LAW

1. **By-law 87-2018** 169

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 9, 2018 Regular Meeting

To be read a first, second and third and final time.

O. ADJOURNMENT

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

NOTICE OF PUBLIC MEETING (SUPPLEMENTAL): ZONING BY-LAW AMENDMENT

APPLICATION:	**ZONING BY-LAW AMENDMENT FILE ZBA/08/18** **(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**
OWNER:	**Great Northern Seedlings**
LOCATION OF PROPERTY:	**1507 Road 3 E** **Part of Lot 9, Concession 2 ED, Parts 1 & 2,** **PL 12R 16606**

PURPOSE OF APPLICATION: The subject land is a 7.3 ha (18 ac.) farm parcel containing approximately 2.2 ha (5.5 ac.) of greenhouse along with support facilities. The property also has site plan approval for up to an additional 2.95 ha (7.29 ac.) of greenhouse. The applicant is seeking approval of an amendment to permit the growing of medical marihuana in the existing greenhouse. At the May 28, 2018 Council meeting the application was deferred until such time as the applicant could provide details on an odour control plan that would mitigate any impact on surrounding uses. The applicant has provided additional details that will be outlined in the report to Council. However, it will be suggested that provisions be added to the requested zoning by-law amendment to require a detailed odour control plan that will outline what system will be designed and implemented as part of the production facility development. The details of the original notice dated May 7, 2018 remain the same.

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN:	**July 9, 2018**
WHERE:	Town of Kingsville Municipal Building (Council Chambers)
TIME:	**7:00 p.m.**

Your comments on these matters are important. If you have comments on this application, they may be forwarded by phone, email, or mail to the attention of: **Robert Brown, Manager, Planning Services**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

IF A PERSON or public body would otherwise have an ability to appeal the decision of Council for the Town of Kingsville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submission to the Town of Kingsville before the zoning by-law is adopted, the person or public body is not entitled to appeal the decision.

IF A PERSON or public body does not make oral submissions at a public meeting, or make written submission to Council before the zoning by-law is adopted or the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

DATED AT
THE TOWN OF KINGSVILLE
on June 19, 2018.

Robert Brown, H. Ba, MCIP, RPP
519-733-2305 (x 250)
rbrown@kingsville.ca

4.46 Medical Marihuana Production Facilities

By-law 129-2015

Notwithstanding other provisions of this By-law to the contrary, the following provisions and regulations *shall* apply to medical marihuana production facilities:

a) Require a current and valid Medical Marihuana production license issued by Health Canada under the Marihuana for Medical Purposes Regulations (MMPR) as amended from time to time or any subsequent legislation which *may* be enacted in substitution thereof;

b) Site Plan control *shall* apply to any *medical marihuana production facility* proposed within an *existing* or future *building*(s). In addition to all other requirements pursuant to the Planning Act, R.S.O. 1990, c.P. 13 and the Town of Kingsville Site Plan Control By-law, the Town will require, at the owner's sole expense,: any study/studies that will satisfy any additional concerns that the Town of Kingsville or any other commenting agency *may* have with regard to security, emanating odours, provision of municipal services and stormwater/wastewater management;

c) Prohibit *residential uses* on *lots* having a *medical marihuana production facility*;

d) Prohibit a *medical marihuana production facility* as a secondary/*accessory use*;

e) Secondary/*accessory* uses must be 100% associated with the *medical marihuana production facility*;

f) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any lands *Zoned* for residential, recreational or *institutional uses*;

g) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any *structure* currently used for residential or institutional purpose (*dwellings*, *schools*, *churches*, etc.);

h) Require that no outdoor signage or advertising *shall* be *permitted* that references cannabis, marihuana, or any other depiction of such, including on any *vehicle* associated with the *medical marihuana production facility*; and,

i) Require that the *use* of a *medical marihuana production facility* on a *lot* not co-exist with any other *use* on the *lot*.

j) *Shall* not be considered on any lands that are within 250m of Lake Erie.

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: June 27, 2018

To: Mayor and Council

Author: Robert Brown, H, Ba, MCIP, RPP
Manager, Planning Services

RE: Supplemental Report
Application for Zoning By-law Amendment ZBA/08/18 by
Great North Seedlings - 1507 Road 3 E
Part of Lot 9, Concession 2 ED, Parts 1 & 2, PL 12R 16606

Report No.: PDS 2018-033

AIM

To provide Council with follow-up information regarding a request for a zoning amendment to permit a medical marihuana production facility as a permitted use, address relief or exemption from certain provisions under Section 4.46 of the Kingsville Zoning By-law and inclusion of odour control provisions.

BACKGROUND

A report was originally presented to Council at the May 28, 2018 meeting. A number of comments from the public regarding the establishment of medical marihuana production facilities highlighted two concerns. The more prominent issue was odour emissions from the potential operations and how they would be controlled. The other item was related to the fact that the facilities in question require a greater reliance on grow lighting than much of the current vegetable production. Additional information was not able to be provided at the time and as such Council deferred the application until it could be demonstrated how these items would be addressed to the Town's satisfaction.

DISCUSSION

The applicant has provided additional information on how odour will be controlled around the facility with the use of an odour counteractant delivery system. (See Appendix D) The amending by-law has also been updated to incorporate an odour control regulation that specifically outlines the requirements as part of the zoning. Lighting will be addressed as part of the site plan approval.

1) Provincial Policy Statement (PPS), 2014:

There are not additional issues raised as a result of the changes to the proposed amendment.

2) County of Essex Official Plan

There are no issues of County significance raised by the application.

3) Town of Kingsville Official Plan

The subject property is designated 'Agriculture'. The proposed application to rezone the parcel is for the retrofit or replace of an existing greenhouse operation which is consistent with the MMPF policies develop through Official Plan Amendment #3.

4) Comprehensive Zoning By-law – Town of Kingsville

The subject parcel is zoned 'Agriculture Zone 1, (A1)' by the Kingsville Zoning By-law. The specific zoning amendment required for the subject property is as follows:

i) permit medical marihuana as a permitted use in the agricultural zoning specific to the subject property;

Comment: The Official Plan Amendment #3 specific to MMPF outlined that for an existing greenhouse facility to be used for medical marihuana production a site-specific zoning amendment would be required to permit that use. The Kingsville Zoning By-law was specifically amended as part of the implementation of the MMPF Official Plan policies to clearly outline in the Zoning By-law that medical marihuana production was not included as an agricultural use. Therefore, an amendment is necessary to add it to the specific zoning on the subject property.

Grant relief or exemption from the following Sections of 4.46 (Medical Marihuana Production Facilities - MMPF):

i. item c) which prohibits residential uses on lots having medical marihuana production facilities;

Comment: To prohibit a residential use on an agricultural lot which is operating an agricultural use is not standard practice save and exception the prohibition of dwelling on lands that have been the subject of a surplus dwelling severance. In similar fashion a residential use is not prohibited on a farm parcel with a livestock operation. The assumption in this case would be that the resident in the dwelling is either the farmer or farm help who are aware of the impacts of the use.

ii. item d) which prohibits a MMPF as a secondary /accessory use;

Comment: Anything of an agricultural nature, growing crops, raising livestock etc. is not considered an accessory use or even secondary it is part of a diversified agricultural operation. However, since the applicant may continue to utilize the other greenhouse facilities in the interim for continued vegetable production it is important to clarify this point.

iii. item e) outlines that secondary/accessory uses must be 100% associated with the MMPF;

Comment: By definition the proposed facility on the subject property will not have any secondary or accessory uses associated with the MMPF.

iv. item g) which requires a minimum distance separation of 100 m (328 ft.) between a MMPF and any structure currently used for residential or institutional purposes (dwellings, schools, churches etc.)

Comment: The 100 m (328 ft.) setback was established based on an MOECC best practices standard for the location of light industrial uses which is 70 m (230 ft.) This was then rounded to 100 m as a precautionary measure given the absence of real world potential impact from a MMPF. As there has been some limited experience with Part 2 operations in Kingsville and the Aphria operations in Leamington the principle impact has become evident in the form of odour generation. This has more recently been further confirmed in consultation with other areas that also see interest in or development of medical marihuana facilities.

There are existing dwellings to the north, south and east which are or could be located within the required 100 m setback. Based on consultation on similar applications it has been outlined that odour can be controlled through the use of charcoal filtration on ventilation fans and openings and odour neutralization can also be used in other areas. The applicant is working toward establishing a medical marihuana production facility however since these operations are new to the area and untested it is suggested that the 100 m requirement for the off-site dwellings not be reduced. Mapping has been provided (Appendix C) which shows the impact of the 100 m setback on the existing greenhouse as well as areas of potential expansion. Due to the proximity of a number of dwellings there will be limitations on both the existing greenhouse at the west end and on the vacant lands to the east if expansion is proposed. This is however not to say that once the operation has been established and has developed a proven track record that they couldn’t seek a reduction in the setback in the future.

v. item i) require that the use of a MMPF on a lot not co-exist with any other use on the lot.

Comment: This is a limiting provision in the context of the definition of a MMPF. During the original development of the MMPF policies it was assumed that these facilities would be in industrial areas in large industrial buildings utilizing 100% artificial growing environments. These types of facilities draw a significant amount of energy through the use of grow lights. Now that greenhouse growing has become a possible alternative, utilizing nature light and supplementing with artificial it provides an alternative crop for greenhouse growers. However, as with any business, particularly farming, restrictions, which limit production to a single crop, limit the owner's ability to diversify the business. The limitation also would appear to be inconsistent with Provincial Policy that notes in Section 2.3.3 Permitted Uses, 2.3.3.1 states that, 'In prime agricultural areas permitted use and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Section 2.3.3.2 also noted, 'In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.'

With the above items in mind the zoning on the property will be amended to permit a MMPF on the subject lands. The amendment will also address each of the provisions in Section 4.46 which require relief or amendment as follows:

i) item c) will be amended to permit residential uses accessory to or supportive of the agricultural uses on-site, including a MMPF;
ii) item d), e) and i) will not be applicable to the subject property
iii) item g) will be amended to exempt on-site residential uses from the 100 m setback requirement.

In addition to the amendment to Section 4.46 the zoning on the property will include odour control provisions as a requirement of any MMPF establishment on the site.

Comment: It has been determined that there is a need to more directly address odour control as a requirement of zoning versus solely relying on site plan control or the Health Canada licensing requirements. Inclusion in the site-specific zoning amendment, particularly for MMPF establishments, will provide local input and enforcement without overstepping Federal regulations since Health Canada requires all Part 1 operations to maintain odour control of their operations. This approach was implement as part of a recent request on Road 3 E for similar approvals.

The specific provisions in the by-law will require the installation of an air treatment control system that will incorporate the use of a multi-stage carbon filtration, or similar technology. This must be designed by a qualified person and the owner must demonstrate that the system has been installed and is operational as per the design specification prior to the start of any growing operations. As part of the design process for the odour control the owner will also be required to provide a maintenance schedule for the system to insure that it remains operationally efficient.

An additional aspect of odour control for MMPFs is the use of odour neutralization systems which are added to exhaust areas to **supplement** the main control system. As part of the ongoing public discussion there was some concern expressed about the possible control agents used to neutralize odours and what long-term impact they may have.

Comment: The approach being suggested on this item is to take a two-part approach. First to determine, as part of the odour control system design, if and what will be used for neutralization and secondly to require in the zoning provision that no transmission of odour control agents be permit beyond the property line of the subject facility. This would apply to all control agents and would require that the products being used are approved for use by Health Canada or can demonstrate to the satisfaction of the Town that there will be no negative impact.

As a final note regarding the zoning it is important to understand that the approval of the requested zoning on the property does not automatically permit a MMPF to start operations. Item a) of Section 4.46 requires the applicant to have a current valid Part 1 license issued by Health Canada prior to starting production. The applicants are aware of this and would need to proceed with the licensing process if the requested amendment is approved and they move forward with establishment of a MMPF.

Site Plan Approval

Both the Site Plan Control By-law and Section 4.46 b) of the Kingsville Zoning By-law require site plan approval of the proposed development. Although the odour control aspect of MMPFs will be specifically addressed and enforced through the provisions of the zoning the required design reports will be a required appendices to the site plan agreement. In addition to odour internal greenhouse lighting has been raised as an ongoing item of concern with several operations in Kingsville. As we are aware that MMPFs will rely even more heavily on grow lighting the current wording in site plan agreements is no longer sufficient to address this issue. Moving forward with all greenhouse developments owners will be required to provide a lighting design and control plan to demonstrate that they will be dark sky compliant. This would include such details as the type of lighting along with both wall and roof shading that mitigates the impact on night sky.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial considerations for this application at this time.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. Information of the proposed amendment was also posted to the Town website.

At the time of writing, no public comment has been received.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	• Comment is attached as Appendix B • No objections
County of Essex	• No comment is expected from the County
Town of Kingsville Management Team	• The Management Team has reviewed the request amendment and has not expressed any objections. Any new items such as lighting, odour and fencing location will be addressed at the site plan amendment stage.

RECOMMENDATION

It is recommended that Council approve zoning by-law amendment ZBA/08/18 to:

permit a medical marihuana production facility on property located at 1507 Road 3 E;

address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014;

add odour control provisions as outlined in the attached amendment, and

adopt the implementing by-law.

Robert Brown

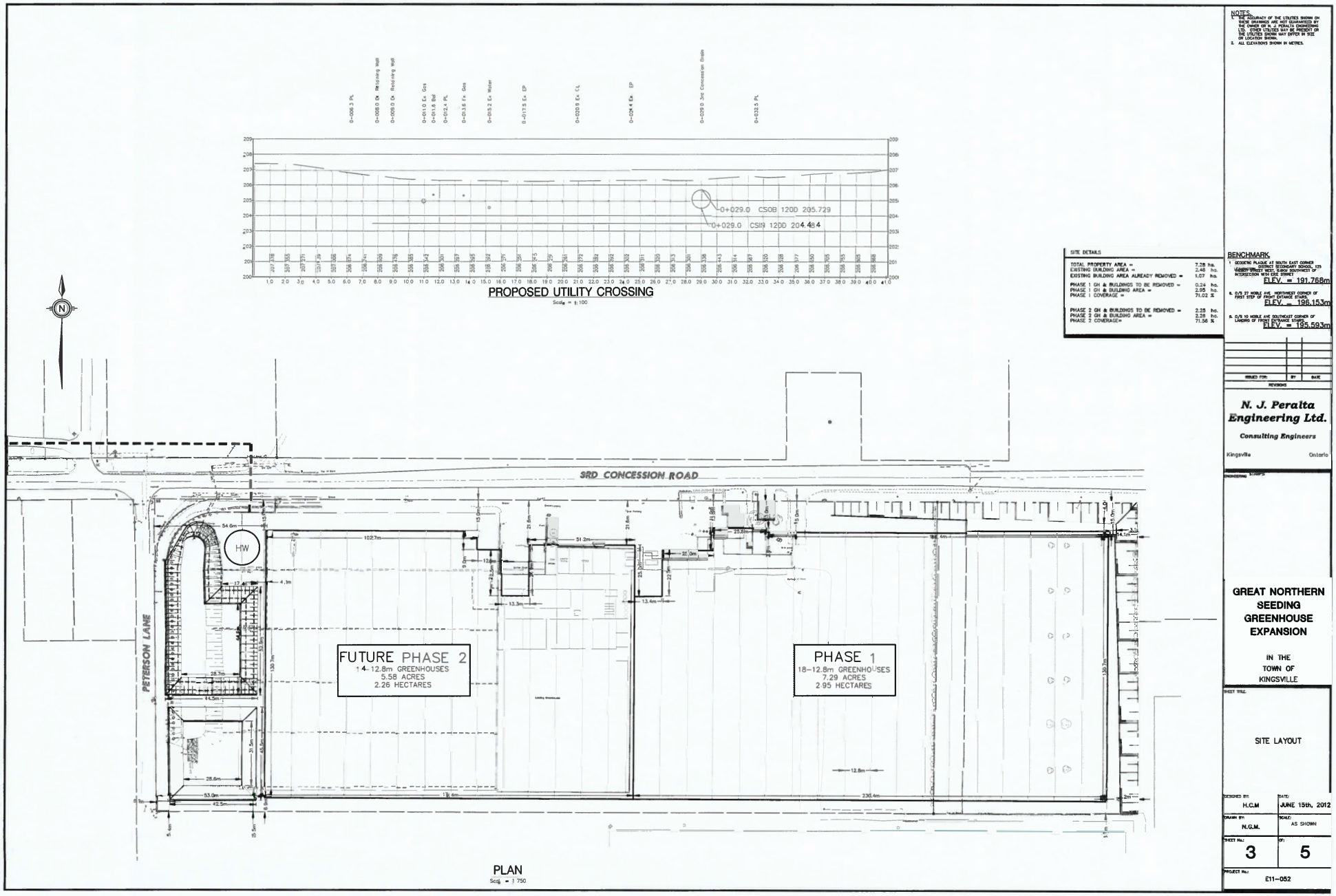
Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

ZBA/08/18

APPENDIX A



Essex Region Conservation

the place for life

regs@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

April 23, 2018

Mr. Robert Brown, Manager of Planning & Development Services
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville ON N9Y 2Y9

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-08-18
1507 ROAD 3 EAST
ARN 371130000033000; PIN: 751450323
Applicant: Great Northern Seedlings

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-08-18. The applicant is requesting to add an additional use of "medical marihuana facility" to the subject lands. It is our understanding through the information circulated, that the production of medical marihuana would be contained to within the existing greenhouse facility.

NATURAL HAZARD POLICIES OF THE PPS, 2014

We have reviewed our floodline mapping for this area and it has been determined this site is **not** located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act,* Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

WATER RESOURCES MANAGEMENT

We acknowledge that the subject application is for the purpose of adding 'medical marihuana production' as a permitted use to the existing greenhouse facility, in which we would have no objections. It is our understanding that any future changes to the greenhouse facility would be subject to the site plan control process. Therefore, we will defer any stormwater management comments until such time that a proposal is circulated with specific changes to the original development.

NATURAL HERITAGE POLICIES OF THE PPS 2014

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

Mr. Brown
April 23, 2018

FINAL RECOMMENDATION

We have no objection to this application for Zoning By-law Amendment.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

Corinne Chiasson
Resource Planner
/cor

Essex Region Conservation Authority
sustaining the place for life

100 m Impact Areas

Legend

- Essex Municipalities
  - <all other values>
  - Kingsville
- Street
- Severance
- Kingsville Assessment

0 88.42 176.8 Meters

1: 5,305 5/15/2018

Notes

Great Northern

THIS MAP IS NOT TO BE USED FOR NAVIGATION
Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

AirStreme™

Odor Counteractant Delivery System

Odor Control Vapor System Kit ACU.15

FOR MARIJUANA GROWING FACILITIES

Ecolo's ACU.15 Vapor Delivery System is a complete odor control package designed exclusively for marijuana greenhouse operations.

Installed at or near exhaust fans, vapor is created and introduced directly, or through the optional diffuser manifold ring, into a column of exhaust air. Odor control systems are programed and wired into exhaust fan operations providing ideal "point source"treatment and odor control solution cost efficiency (works only when needed). When the exhaust fans are running the water-free particles of XStreme™ Vapor Solution are able to easily mix and collide with malodor molecules in columns of air associated with fan or vent exhaust.

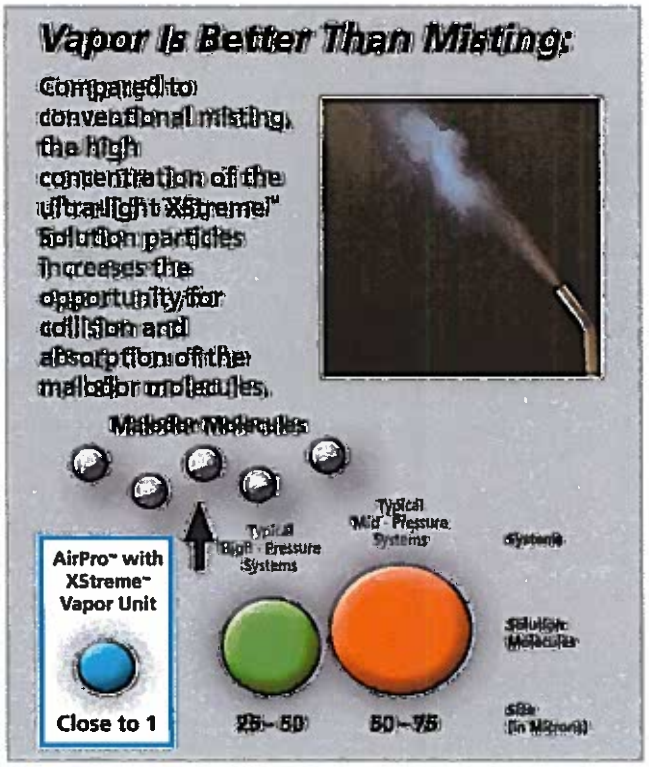
	Compressor / Control Unit (Indoor)	Vapor Satellite Unit (Indoor)	Diffuser Manifold Ring -Dual- (Outdoor)
Part Number:	10-ACU.15-0200	10-VAP-1002-M	30-NZP-V0500-D
Material:	Steel, Powder Coated	Steel, Powder Coated	Aluminum, 1/2" Pipe
Shipping Dimensions: (H x W x D)	38.1cm x 41.9cm x 23.8cm 15" x 16.5" x 9.375"	59.7cm x 38.0cm x 31.7cm 23.5" x 15.0" x 12.5"	Fitting Hood Range From 90cm / 36" to 150cm / 60"
Net Dimensions: (H x W x D)	22.9cm x 29.9cm x 16.2cm 9" x 11.75" x 6.375"	50.0cm x 33.0cm x 27.0cm 19.7" x 13.0" x 10.6"	Small Ring Dia 56cm / 22" Large Ring Dia 58.5cm / 23"
Shipping Weight:	9 Kg 20 Lbs.	13.4 Kg 29.5 Lbs.	-
Net Weight:	5.9 Kg 13 Lbs.	12.7 Kg 28.0 Lbs.	1.35 Kg 3 Lbs.
Capacity:	-	2 x 1 Litres 2 x 33.8 oz	-
Electrical / Power Consumption	110 V - 1 Ph - 60Hz / 0.6 Amps	-	-

Features and Benefits:

- Complete package for easy installation
- Independently Controlled Multi-Zone Operations
- Adjustable Programming for Usage Control
- Waterless Solutions
- Operational in Cold Climates
- Tamper Proof Enclosure (Optional for Outdoor Use)

**Kit includes: Compressor/control unit, vapor satellite unit, odor control solution and optional diffuser manifold ring.*

Odor Control Vapor Solution
Part number:
50-XST-8016-P4-1000 (4L)
50-XST-8015-P4-1000 (4L)
50-XST-8023-P4-1000 (4L)



Canada Head Office

59 Penn Drive,
Toronto, Ontario M9L 2A6
Tel: (416) 740-3900
Toll Free: 1 (800) 667-6355
Fax: (416) 740-3800

Ecolo Odor Control Technologies Inc.

info@ecolo.com | www.ecolo.com

USA Head Office

5829 W Sam Houston Pkwy N.,
Suite 610, Houston, Texas 77041
Tel: (713) 357-6295
Toll Free: 1 (800) 667-6355
Fax: (713) 490-1487

DS-ACU.15-02/18

ECOLO™
ODOR CONTROL TECHNOLOGIES INC.

AOC-E150-TV

WATERLESS VAPOR ODOR CONTROL CANNON

Ecolo® AOC-E150-TV is a self-contained odor control system that emits waterless odor control solutions in the form of vapor. The feature rich oscillating vapor cannons are built for stand alone odor control operation and can be used to replace much larger water-based odor control systems.

PRODUCT SPECIFICATIONS

Product Code:	10-AOC-E150-TV
Current Consumption:	12 Amps
Electrical Power:	220 VAC - 60Hz
Power Cable Length:	10 ft. / 3 m
Fan Starter:	Direct
Emergency Stop:	Yes
Control Panel Buttons:	• Vapor START/STOP • Fan START/STOP • Oscillate • Turn

	Net	Shipping*
Weight	570 lbs. / 258 kg	905 lbs. / 410 kg
Length	44" / 1.12 m	48" / 1.22 m
Width	44" / 1.12 m	48" / 1.22 m
Height	84" / 2.13 m	90" / 2.29 m
Elevation, HAND	-20° to 60°	
Programming	Event cycle with 24/7	
Turning setting	360° oscillation (automatic) in steps of 25°	
Base	36"x36" with fork truck pockets	
Construction	• Control panels - stainless steel • Chassis - hot dipped galvanized steel	

*Shipping weight (905lbs/410kg) includes vinyl cover + 1 case (16L) of vapor solution

The AirStreme®AOC-E150-TV Vapor Cannon uses industry-proven odor neutralizers common to Ecolo®'s AirSolution™ line but contain 0% water and are highly concentrated. The waterless XStreme™ Vapor Solutions are designed to function in below-freezing temperatures to combat odor complaints all year round. Unlike masking agents, it works through the process of odor counteraction in which the malodorous molecules react with the aroma particles to form a new, larger molecule with a lower vapor pressure to reduce the odor intensity.

ECOLO
ODOR CONTROL TECHNOLOGIES INC.

59 Penn Drive,
Toronto, Ontario M9L 2A6
Tel: (416) 740-3900
Toll Free: 1 (800) 667-6355
Fax: (416) 740-3800

5829 W Sam Houston Pkwy N.,
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Toll Free: 1 (800) 667-6355
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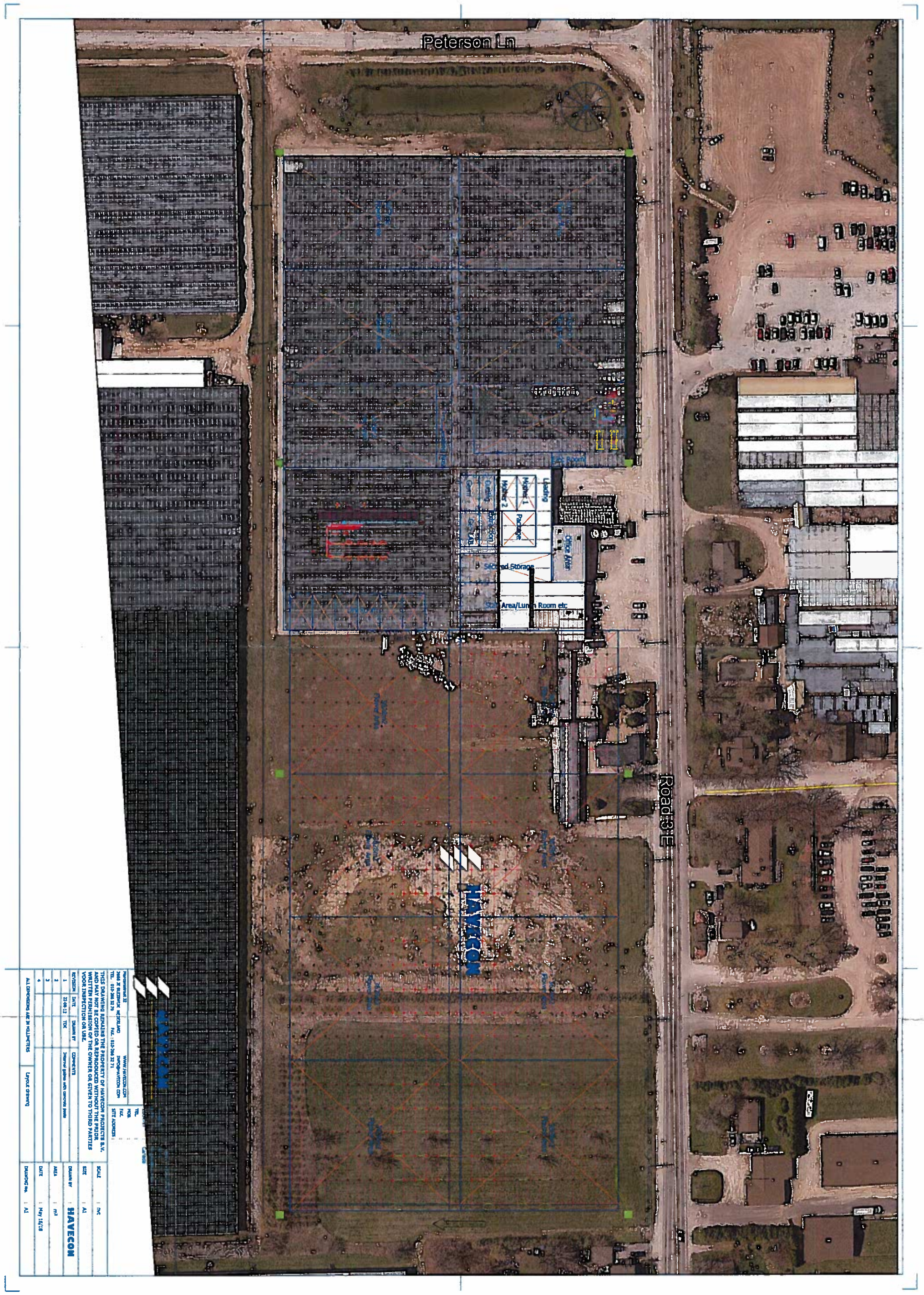
info@ecolo.com | www.ecolo.com


Peterson Ln
Road 3 E
Lunch
Office Area
Secured Storage
Staff Area/Lunch Room etc
Garage
Garage
Warehouse 2
Warehouse 1
Receiving
Elec Room
HAVECON
HAVECON
HAVECON
Prepared by
HAVECON
Programmed by
3448 W BEDWICK HEIDELAND
TEL. 613-344 32 76
FAX. 613-344 32 71
WWW.HAVECON.COM
INFO@HAVECON.COM
THIS DRAWING REMAINS THE PROPERTY OF HAVECON PROJECTS B.V. AND MAY NOT BE COPIED OR REPRODUCED WITHOUT THE PRIOR WRITTEN PERMISSION OF THE OWNER OR GIVEN TO THIRD PARTIES FOOR INSPECTION OR USE.
REVISION
DATE
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COMMENTS
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Original plans with Concrete Pads
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ALL DIMENSIONS ARE IN MILLIMETERS
Layout drawing
TEL.
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SCALE : 1:1C
SIZE : A1
DRAWN BY : HAVECON
AREA : m²
DATE : May 16/18
DRAWING No. : A1

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 63-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan**;**

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.65 'AGRICULTURE *ZONE* 1 EXCEPTION 66 (A1-66)'

a) For lands shown as A1-66 on Map 53 Schedule "A" of this By-law.

b) **Permitted Uses**
   i) Those uses permitted under Section 7.1;
   ii) A medical marihuana production facility (MMPF)

c) **Permitted Buildings and Structures**

   i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
   ii) Buildings and structures accessory to the permitted uses.

d) **Zone Provisions**
   All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-66 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the following shall apply:

i) Item c) is deleted and replaced as follows: A residential use accessory to or supportive of the agricultural uses on-site, including a MMPF is permitted
ii) Items d), e) and i) are not applicable to lands zoned A1-66;
iii) Item g) shall not be applicable to on-site residential uses including a bunkhouse on the lands zoned A1-66.

All other items listed under Section 4.46 remain applicable to lands zoned A1-66.

2. Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as, Part of Lot 9, Concession 2 ED, and locally known as 1507 Road 3 E as shown on Schedule 'A' cross-hatched attached hereto from ‘Agriculture Zone 1 (A1)’ to 'Agriculture Zone 1 Exception 66 (A1-66)'.

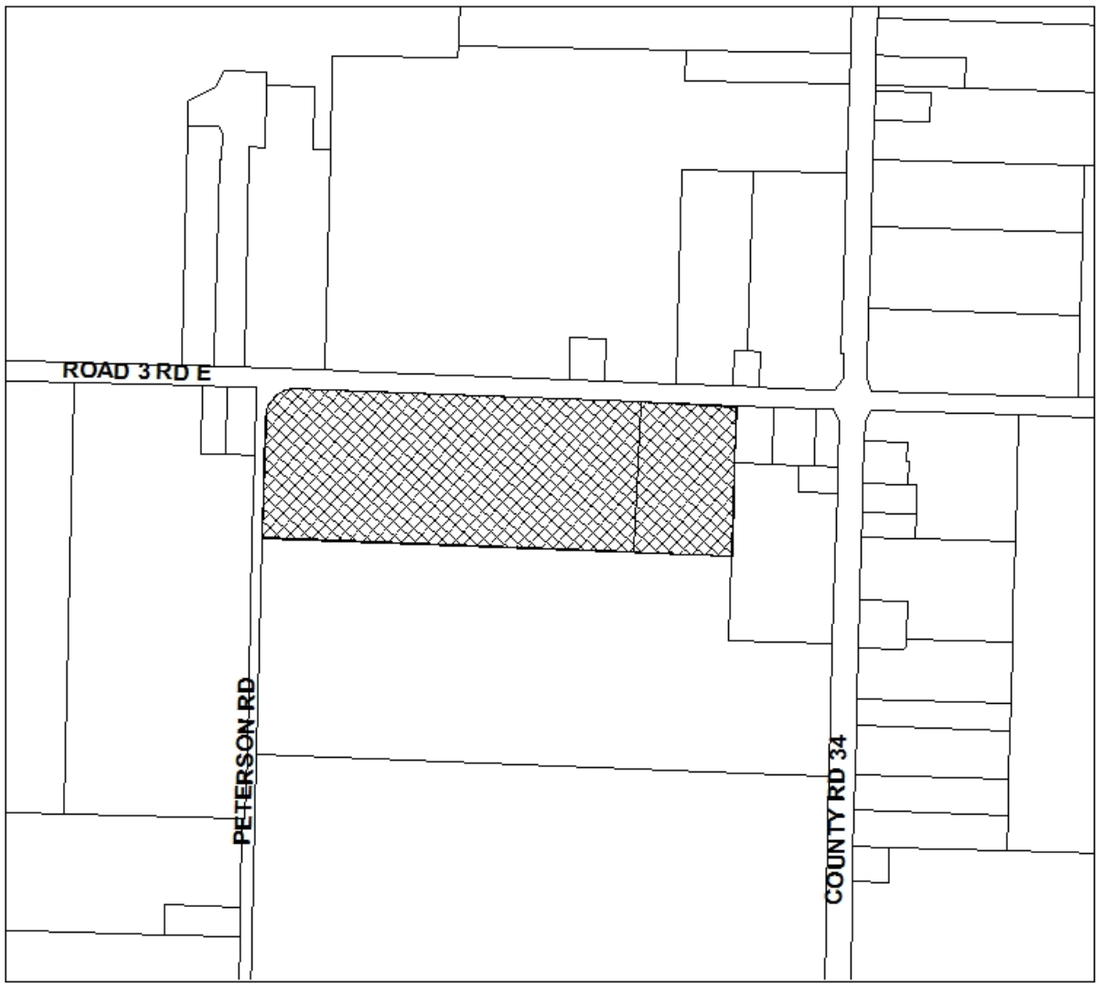
3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 9, Concession 2 ED
1507 Road 3 E
Zoning By-law Amendment ZBA/08/18

N

0 37.5 75 150 225 300 Meters

Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 66 (A1-66)'

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: May 11, 2018

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Application for Zoning By-law Amendment ZBA/08/18
1507 Road 3 E
Part of Lot 9, Concession 2 ED, Parts 1 & 2, PL 12R 16606

Report No.: PDS 2018-023

AIM

To provide Council with information regarding a request for a zoning amendment to permit a medical marihuana production facility as a permitted use and address relief or exemption from certain provisions under Section 4.46 of the Kingsville Zoning By-law.

BACKGROUND

In April of 2014 Council approved new Official Plan policies to address the pending changes to Federal legislation governing the growing of medical marihuana which was transitioning from individual or designated growers to a commercial based industrial type of format. The ultimate intention of the change was to provide better quality control and reduce the amount of 'surplus production' from the individual or designated growing be diverted to the illegal drug trade. This change in the legislation was eventually challenged by individual and designated growers as reducing access to medical marihuana. The courts ruled in their favour and the Federal government was forced to amend the new legislation to incorporate regulations for both the new commercial production, or Part 1 licensing and individual or designated growers, or Part 2 licensing under what is now referred to as the Access to Cannabis for Medical Purpose Regulations (ACMPR).

Under the ACMPR Part 1 regulations anyone seeking to obtain a Part 1 license must get confirmation from the municipality in which they are proposing to locate that the production of medical marihuana is a permitted use and will be in compliance with any applicable regulations that the municipality has established for such a use. In Kingsville, Official Plan Amendment No. 3 established policies in the Official Plan for consideration of medical

marihuana production. The implementing zoning by-law (129-2015) outlines the specific regulations but only for a Part 1 license.

Part 2 licensing under the ACMPR does not require any confirmation from local municipalities regarding the growing of medical marihuana by an individual or designated grower regardless of location.

DISCUSSION

The proposal specific to the subject property at 1507 Road 3 E is to add a medical marihuana production facility as a permitted use utilizing up to 5.2 ha (12.8 acre) of existing or approved greenhouse. (See Appendix A) For the proposal to proceed a zoning amendment is required to first permit a medical marihuana production facility (MMPF) as an additional site-specific permitted use on the subject property. Secondly, based on a review of the requirements under Section 4.46 of the Kingsville Zoning By-law partial relief or exemption is required from certain provisions, the details of which are outlined in the zoning section of this report.

1) Provincial Policy Statement (PPS), 2014:

Both the Ministry of Municipal Affairs and Ontario Ministry of Agriculture, Food and Rural Affairs have recognized that medical marihuana production can be considered an agricultural use similar to a greenhouse or winery. As such the proposed zoning amendment would be consistent with Provincial Policy Section 2.3.

2) County of Essex Official Plan

There are no issues of County significance raised by the application.

3) Town of Kingsville Official Plan

The subject property is designated 'Agriculture'. The proposed application to rezone the parcel is for the retrofit or replace of an existing greenhouse operation which is consistent with the MMPF policies develop through Official Plan Amendment #3.

4) Comprehensive Zoning By-law – Town of Kingsville

The subject parcel is zoned 'Agriculture Zone 1, (A1)' by the Kingsville Zoning By-law. The specific zoning amendment required for the subject property is as follows:

i) permit medical marihuana as a permitted use in the agricultural zoning specific to the subject property;

Comment: The Official Plan Amendment #3 specific to MMPF outlined that for an existing greenhouse facility to be used for medical marihuana production a site-specific zoning amendment would be required to permit that use. The Kingsville Zoning By-law was specifically amended as part of the implementation of the MMPF Official Plan policies to clearly outline in the Zoning By-law that medical marihuana production was not included as an agricultural use. Therefore, an amendment is necessary to add it to the specific zoning on the subject property.

Grant relief or exemption from the following Sections of 4.46 (Medical Marihuana Production Facilities - MMPF):

i. item c) which prohibits residential uses on lots having medical marihuana production facilities;

   Comment: To prohibit a residential use on an agricultural lot which is operating an agricultural use is not standard practice save and exception the prohibition of dwelling on lands that have been the subject of a surplus dwelling severance. In similar fashion a residential use is not prohibited on a farm parcel with a livestock operation. The assumption in this case would be that the resident in the dwelling is either the farmer or farm help who are aware of the impacts of the use.

ii. item d) which prohibits a MMPF as a secondary /accessory use;

   Comment: Anything of an agricultural nature, growing crops, raising livestock etc. is not considered an accessory use or even secondary it is part of a diversified agricultural operation. However, since the applicant may continue to utilize the other greenhouse facilities in the interim for continued vegetable production it is important to clarify this point.

iii. item e) outlines that secondary/accessory uses must be 100% associated with the MMPF;

   Comment: By definition the proposed facility on the subject property will not have any secondary or accessory uses associated with the MMPF.

iv. item g) which requires a minimum distance separation of 100 m (328 ft.) between a MMPF and any structure currently used for residential or institutional purposes (dwellings, schools, churches etc.)

   Comment: The 100 m (328 ft.) setback was established based on an MOECC best practices standard for the location of light industrial uses which is 70 m (230 ft.) This was then rounded to 100 m as a precautionary measure given the absence of real world potential impact from a MMPF. As there has been some limited experience with Part 2 operations in Kingsville and the Aphria operations in Leamington the principle impact has become evident in the form of odour generation. This has more recently been further confirmed in consultation with other areas that also see interest in or development of medical marihuana facilities.

   There are existing dwellings to the north, south and east which are or could be located within the required 100 m setback. Based on consultation on similar applications it has been outlined that odour can be controlled through the use of charcoal filtration on ventilation fans and openings and cloaking or scent smell masking can also be used in other areas. Odour control in the growing area may not be 100% as such it is important for these areas to comply with the 100 m setback. If existing

greenhouse growing areas are located less than 100 m from an off-site residential use these areas may have to remain dark, not utilized, or demonstrate that minor reductions in the setback can be appropriately mitigated. In this case the applicant has no immediate plans for medical marihuana as such it is suggested that the 100 m requirement for the off-site dwellings not be reduced. Mapping has been provided (Appendix C) which shows the impact of the100 m setback on the existing greenhouse as well as areas of potential expansion. Due to the proximity of a number of dwellings there will be limitations on both the existing greenhouse at the west end and on the vacant lands to the east if expansion is proposed.

v. item i) require that the use of a MMPF on a lot not co-exist with any other use on the lot.

Comment: This is a limiting provision in the context of the definition of a MMPF. During the original development of the MMPF policies it was assumed that these facilities would be in industrial areas in large industrial buildings utilizing 100% artificial growing environments. These types of facilities draw a significant amount of energy through the use of grow lights. Now that greenhouse growing has become a possible alternative, utilizing nature light and supplementing with artificial it provides an alternative crop for greenhouse growers. However, as with any business, particularly farming, restrictions, which limit production to a single crop, limit the owner's ability to diversify the business. The limitation also would appear to be inconsistent with Provincial Policy that notes in Section 2.3.3 Permitted Uses, 2.3.3.1 states that, 'In prime agricultural areas permitted use and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Section 2.3.3.2 also noted, 'In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.'

With the above items in mind the zoning on the property will be amended to permit a MMPF on the subject lands. The amendment will also address each of the provisions in Section 4.46 which require relief or amendment as follows:

i) item c) will be amended to permit residential uses accessory to or supportive of the agricultural uses on-site, including a MMPF;
ii) item d), e) and i) will not be applicable to the subject property
iii) item g) will be amended to exempt on-site residential uses from the 100 m setback requirement.

As a final note regarding the zoning it is important to understand that the approval of the requested zoning on the property does not automatically permit a MMPF to start operations. Item a) of Section 4.46 requires the applicant to have a current valid Part 1 license issued by Health Canada prior to starting production. The applicants are aware of this and would need to proceed with the licensing process if the requested amendment is approved and they move forward with establishment of a MMPF.

Site Plan Approval

As per Section 4.46 b) site plan control is to apply to MMPF. As noted above the applicant is not proceeding at the present time with a MMPF but rather planning for the future. Once plans are in place and the licensing process started the applicant should initiate the site plan amendment process. At that time issues such as fencing, lighting and odour control will be incorporated as part of the amending agreement.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial considerations for this application at this time.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. Information of the proposed amendment was also posted to the Town website.

At the time of writing, no public comment has been received.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	• Comment is attached as Appendix B • No objections
County of Essex	• No comment is expected from the County
Town of Kingsville Management Team	• The Management Team has reviewed the request amendment and has not expressed any objections. Any new items such as lighting, odour and fencing location will be addressed at the site plan amendment stage.

RECOMMENDATION

It is recommended that Council approve zoning by-law amendment ZBA/08/18 to permit a medical marihuana production facility on property located at 1507 Road 3 E and address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014 as outlined in the attached amendment and adopt the implementing by-law.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

NOTICE OF PUBLIC MEETING (SUPPLEMENTAL): ZONING BY-LAW AMENDMENT

APPLICATION:	**ZONING BY-LAW AMENDMENT FILE ZBA/10/18** **(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**
OWNER:	**J.C. Fresh Farms Ltd.**
LOCATION OF PROPERTY:	**2415 & 2495 Graham Side Road** **Part of Lot 6, Concession 3 ED, Part 1, PL 12R 24954**

PURPOSE OF APPLICATION: The subject land is a 29.1 ha (72 ac.) farm parcel containing approximately 13.55 ha (33.5 ac.) of greenhouse along with support facilities. The property also has site plan approval from 2006 with additional expansion capacity. The applicant is seeking approval of an amendment to permit the growing of medical marihuana in the existing greenhouse. At the May 28, 2018 Council meeting the application was deferred until such time as an odour control by-law was implemented by the Town however since the issue at hand is related directly to potential odour from the proposed medical marihuana production facility it will be suggested that provisions be added to the requested zoning by-law amendment to require a detailed odour control plan that will detail what system will be designed and implemented as part of the production facility development. The details of the original notice dated May 7, 2018 remain the same.

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN:	**July 9, 2018**
WHERE:	Town of Kingsville Municipal Building (Council Chambers)
TIME:	**7:00 p.m.**

Your comments on these matters are important. If you have comments on this application, they may be forwarded by phone, email, or mail to the attention of: **Robert Brown, Manager, Planning Services**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

IF A PERSON or public body would otherwise have an ability to appeal the decision of Council for the Town of Kingsville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submission to the Town of Kingsville before the zoning by-law is adopted, the person or public body is not entitled to appeal the decision.

IF A PERSON or public body does not make oral submissions at a public meeting, or make written submission to Council before the zoning by-law is adopted or the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

DATED AT
THE TOWN OF KINGSVILLE
on June 19, 2018.

Robert Brown, H. Ba, MCIP, RPP
519-733-2305 (x 250)
rbrown@kingsville.ca

4.46 Medical Marihuana Production Facilities

By-law 129-2015

Notwithstanding other provisions of this By-law to the contrary, the following provisions and regulations *shall* apply to medical marihuana production facilities:

a) Require a current and valid Medical Marihuana production license issued by Health Canada under the Marihuana for Medical Purposes Regulations (MMPR) as amended from time to time or any subsequent legislation which *may* be enacted in substitution thereof;

b) Site Plan control *shall* apply to any *medical marihuana production facility* proposed within an *existing* or future *building*(s). In addition to all other requirements pursuant to the Planning Act, R.S.O. 1990, c.P. 13 and the Town of Kingsville Site Plan Control By-law, the Town will require, at the owner's sole expense,: any study/studies that will satisfy any additional concerns that the Town of Kingsville or any other commenting agency *may* have with regard to security, emanating odours, provision of municipal services and stormwater/wastewater management;

c) Prohibit *residential uses* on *lots* having a *medical marihuana production facility*;

d) Prohibit a *medical marihuana production facility* as a secondary/*accessory use*;

e) Secondary/*accessory* uses must be 100% associated with the *medical marihuana production facility*;

f) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any lands *Zoned* for residential, recreational or *institutional uses*;

g) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any *structure* currently used for residential or institutional purpose (*dwellings*, *schools*, *churches*, etc.);

h) Require that no outdoor signage or advertising *shall* be *permitted* that references cannabis, marihuana, or any other depiction of such, including on any *vehicle* associated with the *medical marihuana production facility*; and,

i) Require that the *use* of a *medical marihuana production facility* on a *lot* not co-exist with any other *use* on the *lot*.

j) *Shall* not be considered on any lands that are within 250m of Lake Erie.

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: June 27, 2018

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Supplemental Report
Application for Zoning By-law Amendment ZBA/10/18 by
J.C. Fresh Farms Ltd. - 2415-2495 Graham Side Road
Part of Lot 6, Concession 3 ED, Part 1, PL 12R 24954

Report No.: PDS 2018-034

AIM

To provide Council with follow-up information regarding a request for a zoning amendment to permit a medical marihuana production facility as a permitted use, address relief or exemption from certain provisions under Section 4.46 of the Kingsville Zoning By-law and inclusion of odour control provisions.

BACKGROUND

A report was originally presented to Council at the May 28, 2018 meeting. A number of comments from the public regarding the establishment of medical marihuana production facilities highlighted two concerns. The more prominent issue was odour emissions from the potential operations and how they would be controlled. The other item was related to the fact that the facilities in question require a greater reliance on grow lighting than much of the current vegetable production. While a similar application was deferred until additional information on odour control could be provided to demonstrate mitigation of the concerns this application was deferred until such time as an odour control by-law was developed for the Town.

DISCUSSION

The proposal specific to the subject property at 2415-2495 Graham Side Road is to add a medical marihuana production facility as a permitted use utilizing up to 19.3 ha (47.7 acre) of existing or approved greenhouse. (See Appendix A) The amending by-law has been updated to incorporate an odour control regulation that specifically outlines the

requirements as part of the requested zoning. Lighting will be addresses as part of the site plan approval.

Council's Motion to Defer

While it is understood that Council would like to see a Town wide comprehensive odour control by-law it was also noted that such a by-law would take several months to prepare. This is based on the fact that it would require Town wide circulation and consultation as it would have to be designed to address a very broad set of regulations to address a variety of different odour related circumstances. It is suggested that a two part approach, similar to that taken in Norfolk County, be adopted. Part 1 would directly address the request for approval of Part 1 MMPFs through provisions included in the zoning request for each property that speaks directly to how odour is to be controlled. Part 2 would undertake a review of existing odour control by-laws in other jurisdictions to potentially develop a draft by-law for consideration. As part of that review we could also determine if implementation of such a by-law would be able to address Part 2 operations both existing and new.

1) Provincial Policy Statement (PPS), 2014:

There are no additional issues of provincial significance raised by the proposed change to the requested amendment.

2) County of Essex Official Plan

There are no issues of County significance raised by the application.

3) Town of Kingsville Official Plan

The subject property is designated 'Agriculture'. The proposed application to rezone the parcel is for the retrofit or replace of an existing greenhouse operation which is consistent with the MMPF policies develop through Official Plan Amendment #3.

4) Comprehensive Zoning By-law – Town of Kingsville

The subject parcel is zoned 'Agriculture Zone 1, (A1)' by the Kingsville Zoning By-law. The specific zoning amendment required for the subject property is as follows:

i) permit medical marihuana as a permitted use in the agricultural zoning specific to the subject property;

Comment: The Official Plan Amendment #3 specific to MMPF outlined that for an existing greenhouse facility to be used for medical marihuana production a site-specific zoning amendment would be required to permit that use. The Kingsville Zoning By-law was specifically amended as part of the implementation of the MMPF Official Plan policies to clearly outline in the Zoning By-law that medical marihuana production was not included as an agricultural use. Therefore, an amendment is necessary to add it to the specific zoning on the subject property.

Grant relief or exemption from the following Sections of 4.46 (Medical Marihuana Production Facilities - MMPF):

i. item c) which prohibits residential uses on lots having medical marihuana production facilities;

Comment: To prohibit a residential use on an agricultural lot which is operating an agricultural use is not standard practice save and exception the prohibition of dwelling on lands that have been the subject of a surplus dwelling severance. In similar fashion a residential use is not prohibited on a farm parcel with a livestock operation. The assumption in this case would be that the resident in the dwelling is either the farmer or farm help who are aware of the impacts of the use.

ii. item d) which prohibits a MMPF as a secondary /accessory use;

Comment: Anything of an agricultural nature, growing crops, raising livestock etc. is not considered an accessory use or even secondary it is part of a diversified agricultural operation. However, since the applicant may continue to utilize the other greenhouse facilities in the interim for continued vegetable production it is important to clarify this point.

iii. item e) outlines that secondary/accessory uses must be 100% associated with the MMPF;

Comment: By definition the proposed facility on the subject property will not have any secondary or accessory uses associated with the MMPF.

iv. item g) which requires a minimum distance separation of 100 m (328 ft.) between a MMPF and any structure currently used for residential or institutional purposes (dwellings, schools, churches etc.)

Comment: The 100 m (328 ft.) setback was established based on an MOECC best practices standard for the location of light industrial uses which is 70 m (230 ft.) This was then rounded to 100 m as a precautionary measure given the absence of real world potential impact from a MMPF. As there has been some limited experience with Part 2 operations in Kingsville and the Aphria operations in Leamington the principle impact has become evident in the form of odour generation. This has more recently been further confirmed in consultation with other areas that also see interest in or development of medical marihuana facilities.

There is one existing dwelling (1009 County Road 18, Road 4 E) located within the required 100 m setback from the existing greenhouse operations. Based on consultation on similar applications it has been outlined that odour can be controlled through the use of charcoal filtration on ventilation fans and openings and cloaking or scent smell masking can also be used in other areas. Odour control in the growing area may not be 100% as such it is important for these areas to comply with the 100 m setback. If existing greenhouse growing areas are located less than 100 m from an off-site residential use these areas may have to remain dark, not utilized, or demonstrate that minor reductions in the setback can be

appropriately mitigated. The existing greenhouse is impacted by two dwellings, one to the north and one to the northeast (See Appendix D). Both of these dwellings are within the 100 m setback requirement and would prevent growing operations in approximately 0.6 acres of the greenhouse

v. item i) require that the use of a MMPF on a lot not co-exist with any other use on the lot.

Comment: This is a limiting provision in the context of the definition of a MMPF. During the original development of the MMPF policies it was assumed that these facilities would be in industrial areas in large industrial buildings utilizing 100% artificial growing environments. These types of facilities draw a significant amount of energy through the use of grow lights. Now that greenhouse growing has become a possible alternative, utilizing nature light and supplementing with artificial it provides an alternative crop for greenhouse growers. However, as with any business, particularly farming, restrictions, which limit production to a single crop, limit the owner's ability to diversify the business. The limitation also would appear to be inconsistent with Provincial Policy that notes in Section 2.3.3 Permitted Uses, 2.3.3.1 states that, 'In prime agricultural areas permitted use and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Section 2.3.3.2 also noted, 'In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.'

With the above items in mind the zoning on the property will be amended to permit a MMPF on the subject lands. The amendment will also address each of the provisions in Section 4.46 which require relief or amendment as follows:

i) item c) will be amended to permit residential uses accessory to or supportive of the agricultural uses on-site, including a MMPF;
ii) item d), e) and i) will not be applicable to the subject property
iii) item g) will be amended to exempt on-site residential uses from the 100 m setback requirement.

In addition to the amendment to Section 4.46 the zoning on the property will include odour control provisions as a requirement of any MMPF establishment on the site.

Comment: It has been determined that there is a need to more directly address odour control as a requirement of zoning versus solely relying on site plan control or the Health Canada licensing requirements. Inclusion in the site-specific zoning amendment, particularly for MMPF establishments, will provide local input and enforcement without overstepping Federal regulations since Health Canada requires all Part 1 operations to maintain odour control of their operations. This approach was implement as part of a recent request on Road 3 E for similar approvals.

The specific provisions in the by-law will require the installation of an air treatment control system that will incorporate the use of a multi-stage carbon filtration, or similar technology. This must be designed by a qualified person and the owner must demonstrate that the system has been installed and is operational as per the design specification prior to the start of any growing operations. As part of the design process for the odour control the owner will also be required to provide a maintenance schedule for the system to insure that it remains operationally efficient.

An additional aspect of odour control for MMPFs is the use of odour neutralization systems which are added to exhaust areas to **supplement** the main control system. As part of the ongoing public discussion there was some concern expressed about the possible control agents used to neutralize odours and what long-term impact they may have.

The approach being suggested on this item is to take a two-part approach. First to determine, as part of the odour control system design, if and what will be used for neutralization and secondly to require in the zoning provision that no transmission of odour control agents be permit beyond the property line of the subject facility. This would apply to all control agents and would require that the products being used are approved for use by Health Canada or can demonstrate to the satisfaction of the Town that there will be no negative impact.

As a final note regarding the zoning it is important to understand that the approval of the requested zoning on the property does not automatically permit a MMPF to start operations. Item a) of Section 4.46 requires the applicant to have a current valid Part 1 license issued by Health Canada prior to starting production. The applicants are aware of this and would need to proceed with the licensing process if the requested amendment is approved and they move forward with establishment of a MMPF.

Site Plan Approval

Both the Site Plan Control By-law and Section 4.46 b) of the Kingsville Zoning By-law require site plan approval of the proposed development. The existing approved layout has been provided. (See Appendix A).

Although the odour control aspect of MMPFs will be specifically addressed and enforced through the provisions of the zoning the required design reports will be a required appendices to the site plan agreement. In addition to odour internal greenhouse lighting has been raised as an ongoing item of concern with several operations in Kingsville. As we are aware that MMPFs will rely even more heavily on grow lighting the current wording in site plan agreements is no longer sufficient to address this issue. Moving forward with all greenhouse developments owners will be required to provide a lighting design and control plan to demonstrate that they will be dark sky compliant. This would include such details as the type of lighting along with both wall and roof shading that mitigates the impact on night sky.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial considerations for this application at this time.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. Information of the proposed amendment was also posted to the Town website.

Input has been received from neighbouring landowners in the area of the subject property. The principle concern being a combination of appropriate setback and how the applicant's will control odour emissions to a level that will not negatively impact on the enjoyment of their property.

Comment: As noted in the original report Health Canada has outlined as part of the ACMPR that facilities are to be equipped with an air filtration system to prevent the escape of odours under Provision 61 of the ACMPR. An air filtration system using a H13 high-efficiency particle air (HEPA) filter is given as an example of such a system by Health Canada. As part a requirement of the zoning, if approved, applicants will be required to outline what type of system(s) will be used to control odour.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	• Comment is attached as Appendix B • No objections
County of Essex	• The County has indicated that any new structures must be located a minimum of 85 ft. from the centreline of Cty Rd 18. Any new access or changes to existing access will require permits. (Appendix C)
Town of Kingsville Management Team	• The Management Team has reviewed the request amendment and has not expressed any objections. Any new items such as lighting, odour and fencing location will be addressed at the site plan amendment stage.

RECOMMENDATION

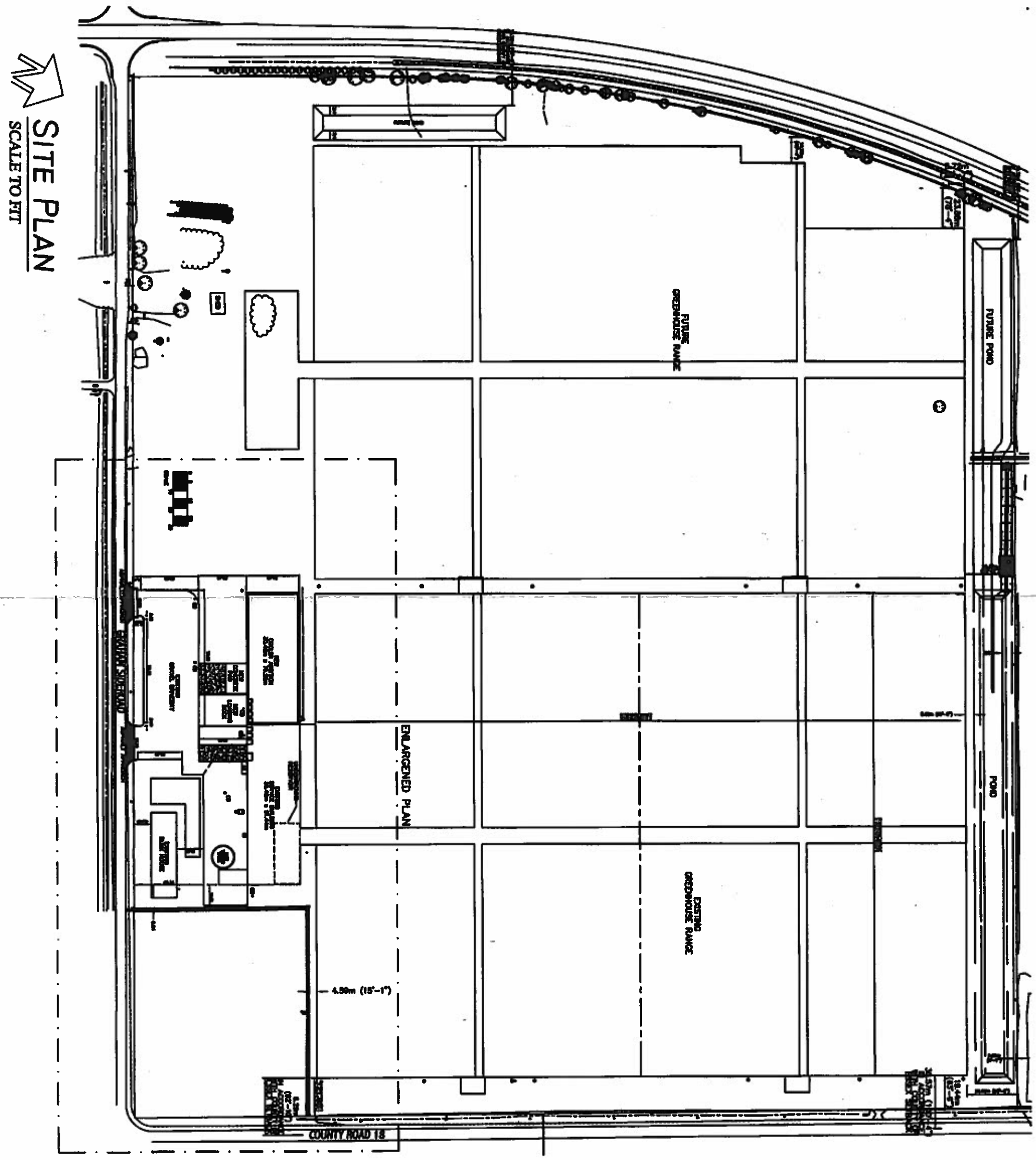
It is recommended that Council approve zoning by-law amendment ZBA/10/18 to permit a medical marihuana production facility on property located at 2415-2495 Graham Side Road and address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014 and odour control provisions as outlined in the attached amendment, and adopt the implementing by-law.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer


SITE PLAN
SCALE TO FIT
FUTURE GREENHOUSE RANGE
FUTURE POND
ENLARGENED PLAN
EXISTING GREENHOUSE RANGE
POND
4.50m (15'-1")
COUNTY ROAD 18

Essex Region Conservation

the place for life

regs@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

April 23, 2018

Mr. Robert Brown, Manager of Planning & Development Services
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville ON N9Y 2Y9

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-10-18
2415-2495 GRAHAM SIDE RD
ARN 371136000004900; PIN: 751690185
Applicant: J.C. Fresh Farms Ltd.

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-10-18. The applicant is requesting to add an additional use of "medical marihuana facility" to the subject lands. It is our understanding through the information circulated, that the production of medical marihuana would be contained to within the existing greenhouse facility.

NATURAL HAZARD POLICIES OF THE PPS, 2014

Portions of the above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). The subject parcel falls within the regulated area of the following watercourses/waterbodies: Wallace Fox Drain and Lane Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations.

WATER RESOURCES MANAGEMENT

We acknowledge that the subject application is for the purpose of adding 'medical marihuana production' as a permitted use to the existing greenhouse facility, in which we would have no objections. It is our understanding that any future changes to the greenhouse facility would be subject to the site plan control process, therefore we will defer any stormwater management comments until such time that a proposal is circulated with specific changes to the original development.

NATURAL HERITAGE POLICIES OF THE PPS 2014

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

Essex Region Conservation Authority
sustaining the place for life

Mr. Brown
April 23, 2018

FINAL RECOMMENDATION

We have no objections to this Zoning By-law amendment.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

Corinne Chiasson
Resource Planner
/cor

Essex Region Conservation Authority
sustaining the place for life

County of Essex

Office of the Manager, Planning Services

William J. King, AMCT, MCIP, RPP
Manager, Planning Services

April 24, 2018

Mr. Robert Brown
Town of Kingsville
2021 Division Road North
Kingsville, Ontario
N9Y 2Y9

Dear Mr. Brown:

RE: ZBA-10-2018, J.C. Fresh Farms Ltd. Part Lot 6, Concession 3, South Side of County Road No. 18, West of Graham Sideroad 18, Municipal Number 212415-2495 Graham Sideroad

Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering related only. This application has not been reviewed from a planning perspective. The subject lands have frontage on County Road No. 18.

The Applicant will be required to comply with the following County Road regulations:

> County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.
>
> County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the right of way of County Road 18. Permits are necessary for any changes to existing entrances or structures, or the construction of new entrances or structures.

We are requesting a copy of the Decision of the aforementioned application. Thank you for your assistance and cooperation in this matter.

Sincerely,

William J. King, AMCT, MCIP, RPP
Manager, Planning Services

360 Fairview Ave. West, Essex, Ontario N8M 1Y6, Phone: 519-776-6441, Ext. 1329; Fax 519-776-4455
TTY 1-877-624-4832, E-mail: bking@countyofessex.on.ca

100 m Impact Areas

Legend

- Essex Municipalities
  - <all other values>
  - Kingsville
- Street
- Severance
- Kingsville Assessment

0 88.42 176.8 Meters

1: 5,305 5/15/2018

Notes

JC Fresh

THIS MAP IS NOT TO BE USED FOR NAVIGATION
Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 65-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan**;**

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.65 'AGRICULTURE *ZONE* 1 EXCEPTION 68 (A1-68)'

a) For lands shown as A1-68 on Map 47 Schedule "A" of this By-law.

b) **Permitted Uses**
   i) Those uses permitted under Section 7.1;
   ii) A medical marihuana production facility (MMPF)

c) **Permitted Buildings and Structures**

   i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
   ii) Buildings and structures accessory to the permitted uses.

d) **Zone Provisions**
   All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-68 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the following shall apply:

i) Item c) is deleted and replaced as follows: A residential use accessory to or supportive of the agricultural uses on-site, including a MMPF is permitted
ii) Items d), e) and i) are not applicable to lands zoned A1-68;
iii) Item g) shall not be applicable to on-site residential uses including a bunkhouse on the lands zoned A1-68.

All other items listed under Section 4.46 remain applicable to lands zoned A1-68.

2. Schedule "A", Map 47 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as, Part of Lot 6, Concession 3 ED, and locally known as 2415-2495 Graham Sideroad as shown on Schedule 'A' cross-hatched attached hereto from ‘Agriculture Zone 1 (A1)’ to 'Agriculture Zone 1 Exception 68 (A1-68)'.

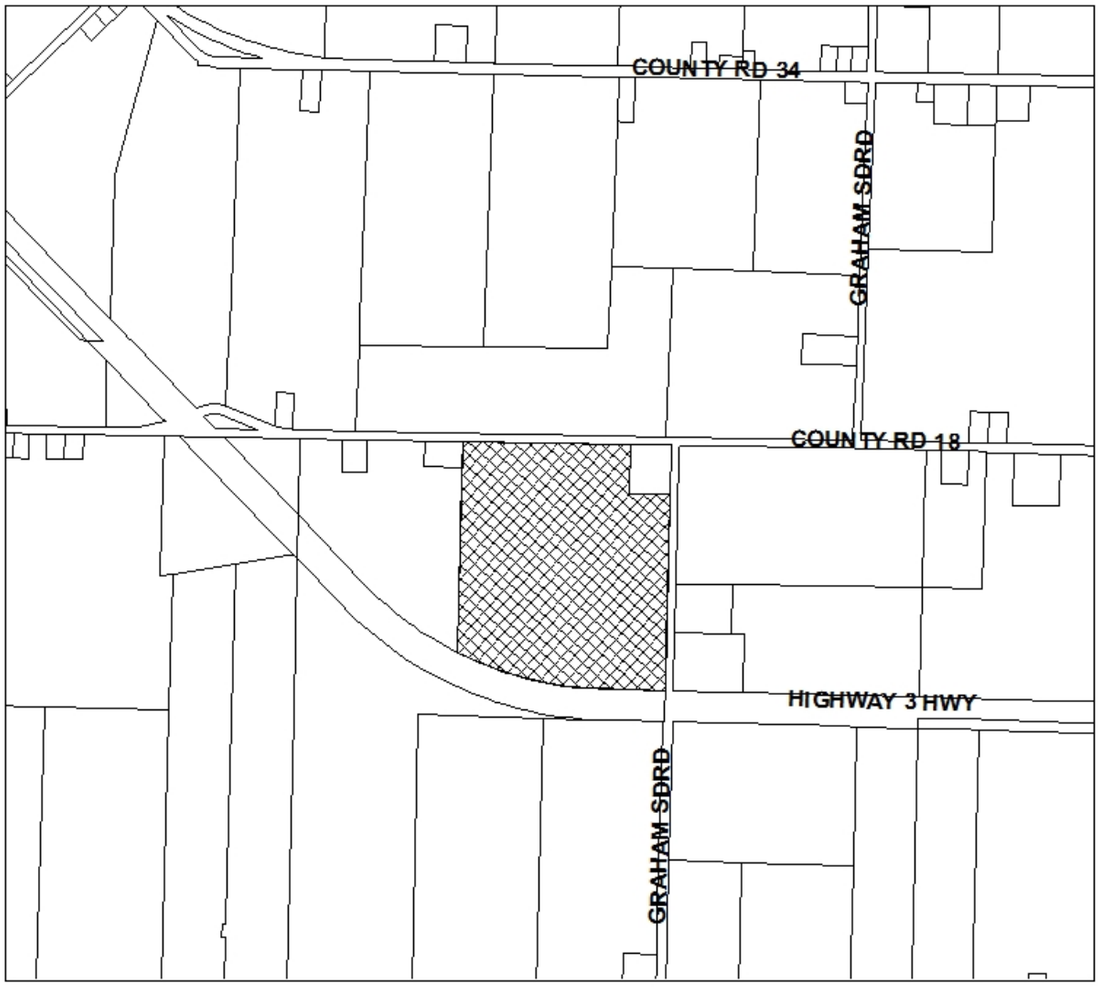
3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 6, Concession 3 ED
2415-2495 County Road 18 - Road 4 E
Zoning By-law Amendment ZBA/10/18

N

0 90 180 360 540 720 Meters

Schedule "A", Map 47 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 68 (A1-68)'

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: May 11, 2018

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Application for Zoning By-law Amendment ZBA/10/18
2415-2495 Graham Sideroad
Part of Lot 6, Concession 3 ED, Part 1, PL 12R 24954

Report No.: PDS 2018-025

AIM

To provide Council with information regarding a request for a zoning amendment to permit a medical marihuana production facility as a permitted use and address relief or exemption from certain provisions under Section 4.46 of the Kingsville Zoning By-law.

BACKGROUND

In April of 2014 Council approved new Official Plan policies to address the pending changes to Federal legislation governing the growing of medical marihuana which was transitioning from individual or designated growers to a commercial based industrial type of format. The ultimate intention of the change was to provide better quality control and reduce the amount of 'surplus production' from the individual or designated growing be diverted to the illegal drug trade. This change in the legislation was eventually challenged by individual and designated growers as reducing access to medical marihuana. The courts ruled in their favour and the Federal government was forced to amend the new legislation to incorporate regulations for both the new commercial production, or Part 1 licensing and individual or designated growers, or Part 2 licensing under what is now referred to as the Access to Cannabis for Medical Purpose Regulations (ACMPR).

Under the ACMPR Part 1 regulations anyone seeking to obtain a Part 1 license must get confirmation from the municipality in which they are proposing to locate that the production of medical marihuana is a permitted use and will be in compliance with any applicable regulations that the municipality has established for such a use. In Kingsville, Official Plan Amendment No. 3 established policies in the Official Plan for consideration of medical

marihuana production. The implementing zoning by-law (129-2015) outlines the specific regulations but only for a Part 1 license.

Part 2 licensing under the ACMPR does not require any confirmation from local municipalities regarding the growing of medical marihuana by an individual or designated grower regardless of location.

DISCUSSION

The proposal specific to the subject property at 2415-2495 Graham Sideroad is to add a medical marihuana production facility as a permitted use utilizing up to 19.3 ha (47.7 acre) of existing or approved greenhouse. (See Appendix A) For the proposal to proceed a zoning amendment is required to first permit a medical marihuana production facility (MMPF) as an additional site-specific permitted use on the subject property. Secondly, based on a review of the requirements under Section 4.46 of the Kingsville Zoning By-law partial relief or exemption is required from certain provisions, the details of which are outlined in the zoning section of this report.

1) Provincial Policy Statement (PPS), 2014:

Both the Ministry of Municipal Affairs and Ontario Ministry of Agriculture, Food and Rural Affairs have recognized that medical marihuana production can be considered an agricultural use similar to a greenhouse or winery. As such the proposed zoning amendment would be consistent with Provincial Policy Section 2.3.

2) County of Essex Official Plan

There are no issues of County significance raised by the application.

3) Town of Kingsville Official Plan

The subject property is designated 'Agriculture'. The proposed application to rezone the parcel is for the retrofit or replace of an existing greenhouse operation which is consistent with the MMPF policies develop through Official Plan Amendment #3.

4) Comprehensive Zoning By-law – Town of Kingsville

The subject parcel is zoned 'Agriculture Zone 1, (A1)' by the Kingsville Zoning By-law. The specific zoning amendment required for the subject property is as follows:

i) permit medical marihuana as a permitted use in the agricultural zoning specific to the subject property;

Comment: The Official Plan Amendment #3 specific to MMPF outlined that for an existing greenhouse facility to be used for medical marihuana production a site-specific zoning amendment would be required to permit that use. The Kingsville Zoning By-law was specifically amended as part of the implementation of the MMPF Official Plan policies to clearly outline in the Zoning By-law that medical marihuana production was not included as an agricultural use. Therefore, an amendment is necessary to add it to the specific zoning on the subject property.

Grant relief or exemption from the following Sections of 4.46 (Medical Marihuana Production Facilities - MMPF):

i. item c) which prohibits residential uses on lots having medical marihuana production facilities;

   Comment: To prohibit a residential use on an agricultural lot which is operating an agricultural use is not standard practice save and exception the prohibition of dwelling on lands that have been the subject of a surplus dwelling severance. In similar fashion a residential use is not prohibited on a farm parcel with a livestock operation. The assumption in this case would be that the resident in the dwelling is either the farmer or farm help who are aware of the impacts of the use.

ii. item d) which prohibits a MMPF as a secondary /accessory use;

   Comment: Anything of an agricultural nature, growing crops, raising livestock etc. is not considered an accessory use or even secondary it is part of a diversified agricultural operation. However, since the applicant may continue to utilize the other greenhouse facilities in the interim for continued vegetable production it is important to clarify this point.

iii. item e) outlines that secondary/accessory uses must be 100% associated with the MMPF;

   Comment: By definition the proposed facility on the subject property will not have any secondary or accessory uses associated with the MMPF.

iv. item g) which requires a minimum distance separation of 100 m (328 ft.) between a MMPF and any structure currently used for residential or institutional purposes (dwellings, schools, churches etc.)

   Comment: The 100 m (328 ft.) setback was established based on an MOECC best practices standard for the location of light industrial uses which is 70 m (230 ft.) This was then rounded to 100 m as a precautionary measure given the absence of real world potential impact from a MMPF. As there has been some limited experience with Part 2 operations in Kingsville and the Aphria operations in Leamington the principle impact has become evident in the form of odour generation. This has more recently been further confirmed in consultation with other areas that also see interest in or development of medical marihuana facilities.

   There is one existing dwelling (1009 County Road 18, Road 4 E) located within the required 100 m setback from the existing greenhouse operations. Based on consultation on similar applications it has been outlined that odour can be controlled through the use of charcoal filtration on ventilation fans and openings and cloaking or scent smell masking can also be used in other areas. Odour control in the growing area may not be 100% as such it is important for these areas to comply with the 100 m

setback. If existing greenhouse growing areas are located less than 100 m from an off-site residential use these areas may have to remain dark, not utilized, or demonstrate that minor reductions in the setback can be appropriately mitigated. The existing greenhouse is impacted by two dwellings, one to the north and one to the northeast (See Appendix D). Both of these dwellings are within the 100 m setback requirement and would prevent growing operations in approximately 0.6 acres of the greenhouse

v. item i) require that the use of a MMPF on a lot not co-exist with any other use on the lot.

Comment: This is a limiting provision in the context of the definition of a MMPF. During the original development of the MMPF policies it was assumed that these facilities would be in industrial areas in large industrial buildings utilizing 100% artificial growing environments. These types of facilities draw a significant amount of energy through the use of grow lights. Now that greenhouse growing has become a possible alternative, utilizing nature light and supplementing with artificial it provides an alternative crop for greenhouse growers. However, as with any business, particularly farming, restrictions, which limit production to a single crop, limit the owner's ability to diversify the business. The limitation also would appear to be inconsistent with Provincial Policy that notes in Section 2.3.3 Permitted Uses, 2.3.3.1 states that, 'In prime agricultural areas permitted use and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Section 2.3.3.2 also noted, 'In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.'

With the above items in mind the zoning on the property will be amended to permit a MMPF on the subject lands. The amendment will also address each of the provisions in Section 4.46 which require relief or amendment as follows:

i) item c) will be amended to permit residential uses accessory to or supportive of the agricultural uses on-site, including a MMPF;
ii) item d), e) and i) will not be applicable to the subject property
iii) item g) will be amended to exempt on-site residential uses from the 100 m setback requirement.

As a final note regarding the zoning it is important to understand that the approval of the requested zoning on the property does not automatically permit a MMPF to start operations. Item a) of Section 4.46 requires the applicant to have a current valid Part 1 license issued by Health Canada prior to starting production. The applicants are aware of this and would need to proceed with the licensing process if the requested amendment is approved and they move forward with establishment of a MMPF.

Site Plan Approval

As per Section 4.46 b) site plan control is to apply to MMPF. As noted above the applicant is not proceeding at the present time with a MMPF but rather planning for the future. Once plans are in place and the licensing process started the applicant should initiate the site plan amendment process. At that time issues such as fencing, lighting and odour control will be incorporated as part of the amending agreement.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial considerations for this application at this time.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. Information of the proposed amendment was also posted to the Town website.

Input has been received from one neighbouring landowner to the immediate north of the subject property. The principle concern being a combination of appropriate setback and how the applicant's will control odour emissions to a level that will not negatively impact on the enjoyment of their property.

Comment: Health Canada has outlined as part of the ACMPR regulations that facilities are to be equipped with an air filtration system to prevent the escape of odours under Provision 61 of the ACMPR. An air filtration system using a H13 high-efficiency particle air (HEPA) filter is given as an example of such a system by Health Canada. As part of the required amendment of any site plans related to MMPF applicants will be required to outline what type of system(s) will be used to control odour. While odour cannot be specifically regulated as part of a site plan we can rely on the Health Canada regulations for ACMPRs. For example a provision in the site plan agreement can stipulate that the operations must maintain compliance all applicable regulations including but not limited to zoning and licensing requirements. As such if your license requires that you control odour and the operation does not maintain control they are not in compliance with their license.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	• Comment is attached as Appendix B • No objections
County of Essex	• The County has indicated that any new structures must be located a minimum of 85 ft. from the centreline of Cty Rd 18. Any new access or changes to existing access will require permits. (Appendix C)
Town of Kingsville Management Team	• The Management Team has reviewed the request amendment and has not expressed any objections. Any new items such as lighting, odour and fencing location will be addressed at the site plan amendment stage.

RECOMMENDATION

It is recommended that Council approve zoning by-law amendment ZBA/10/18 to permit a medical marihuana production facility on property located at 2415-2495 Graham Sideroad and address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014 as outlined in the attached amendment, and adopt the implementing by-law.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING: ZONING BY-LAW AMENDMENT

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/14/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Allegro Acres Inc.**

LOCATION OF PROPERTY: **1851 Peterson Lane**
Part of Lot 8, Concession 2 ED, Part 1, PL 12R 11577 & Parts 3 & 4, RP 12R 23455

PURPOSE OF APPLICATION:

The subject land is an 18.6 ha (46 ac.) greenhouse operation containing approximately 12.5 ha (31 ac.) of greenhouse along with support facilities. The property is subject to an existing site plan approval from 2008 and subsequent amendment in 2011 for the existing development on site. The applicant is seeking approval of a zoning amendment to permit the growing of medical marihuana in the existing greenhouse. In 2015 Council approved an amendment to the Kingsville Official Plan and supporting zoning amendment which added provisions to the zoning under Section 4.46. The main requirements is that medical marihuana may be considered a permitted use on agricultural properties on a site specific basis in existing greenhouses but subject to certain requirements. (See 4.46 attached) The subject property has an approved site plan, however, in order to permit the proposed use relief in part or in whole will need to be granted from Section c), d), e) g) and i).

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN: **July 9, 2018**
WHERE: Town of Kingsville Municipal Building (Council Chambers)
TIME: **7:00 p.m.**

Your comments on these matters are important. If you have comments on this application, they may be forwarded by phone, email, or mail to the attention of: **Robert Brown, Manager, Planning Services**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

IF A PERSON or public body would otherwise have an ability to appeal the decision of Council for the Town of Kingsville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submission to the Town of Kingsville before the zoning by-law is adopted, the person or public body is not entitled to appeal the decision.

IF A PERSON or public body does not make oral submissions at a public meeting, or make written submission to Council before the zoning by-law is adopted or the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

DATED AT
THE TOWN OF KINGSVILLE
on June 19, 2018.

Robert Brown, H. Ba, MCIP, RPP
519-733-2305 (x 250)
rbrown@kingsville.ca

4.46 Medical Marihuana Production Facilities

By-law 129-2015

Notwithstanding other provisions of this By-law to the contrary, the following provisions and regulations *shall* apply to medical marihuana production facilities:

a) Require a current and valid Medical Marihuana production license issued by Health Canada under the Marihuana for Medical Purposes Regulations (MMPR) as amended from time to time or any subsequent legislation which *may* be enacted in substitution thereof;

b) Site Plan control *shall* apply to any *medical marihuana production facility* proposed within an *existing* or future *building*(s). In addition to all other requirements pursuant to the Planning Act, R.S.O. 1990, c.P. 13 and the Town of Kingsville Site Plan Control By-law, the Town will require, at the owner's sole expense,: any study/studies that will satisfy any additional concerns that the Town of Kingsville or any other commenting agency *may* have with regard to security, emanating odours, provision of municipal services and stormwater/wastewater management;

c) Prohibit *residential uses* on *lots* having a *medical marihuana production facility*;

d) Prohibit a *medical marihuana production facility* as a secondary/*accessory use*;

e) Secondary/*accessory* uses must be 100% associated with the *medical marihuana production facility*;

f) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any lands *Zoned* for residential, recreational or *institutional uses*;

g) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any *structure* currently used for residential or institutional purpose (*dwellings*, *schools*, *churches*, etc.);

h) Require that no outdoor signage or advertising *shall* be *permitted* that references cannabis, marihuana, or any other depiction of such, including on any *vehicle* associated with the *medical marihuana production facility*; and,

i) Require that the *use* of a *medical marihuana production facility* on a *lot* not co-exist with any other *use* on the *lot*.

j) *Shall* not be considered on any lands that are within 250m of Lake Erie.

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: June 26, 2018

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Zoning By-law Amendment Application ZBA/14/18 by Allegro Acres Inc. – 1851 Peterson Lane
Part of Lot 8, Concession 2 ED, Part 1, RP 12R 11577 & Parts 3 & 4, RP 12R 23455

Report No.: PDS 2018-036

AIM

To provide Council with information regarding a request for a zoning amendment to permit a medical marihuana production facility as a permitted use, address relief or exemption from certain provisions under Section 4.46 of the Kingsville Zoning By-law and establish odour control provisions.

BACKGROUND

In April of 2014 Council approved new Official Plan policies to address the pending changes to Federal legislation governing the growing of medical marihuana which was transitioning from individual or designated growers to a commercial based industrial type of format. The ultimate intention of the change was to provide better quality control and reduce the amount of 'surplus production' from the individual or designated growing be diverted to the illegal drug trade. This change in the legislation was eventually challenged by individual and designated growers as reducing access to medical marihuana. The courts ruled in their favour and the Federal government was forced to amend the new legislation to incorporate regulations for both the new commercial production, or Part 1 licensing and individual or designated growers, or Part 2 licensing under what is now referred to as the Access to Cannabis for Medical Purpose Regulations (ACMPR).

Under the ACMPR Part 1 regulations anyone seeking to obtain a Part 1 license must get confirmation from the municipality in which they are proposing to locate that the production of medical marihuana is a permitted use and will be in compliance with any applicable regulations that the municipality has established for such a use. In Kingsville, Official Plan

Amendment No. 3 established policies in the Official Plan for consideration of medical marihuana production. The implementing zoning by-law (129-2015) outlines the specific regulations but only for a Part 1 license.

Part 2 licensing under the ACMPR does not require any confirmation from local municipalities regarding the growing of medical marihuana by an individual or designated grower regardless of location.

DISCUSSION

The proposal specific to the subject property at 1851 Peterson Lane is to add a medical marihuana production facility as a permitted use utilizing up to 12.5 ha (31 acre) of existing greenhouse. (See Appendix A) For the proposal to proceed a zoning amendment is required to first permit a medical marihuana production facility (MMPF) as an additional site-specific permitted use on the subject property. Secondly, based on a review of the requirements under Section 4.46 of the Kingsville Zoning By-law partial relief or exemption is required from certain provisions, the details of which are outlined in the zoning section of this report. Lastly, the amendment will include odour control provisions that require a professionally designed system to be installed and operational prior to the start of growing.

1) Provincial Policy Statement (PPS), 2014:

Both the Ministry of Municipal Affairs and Ontario Ministry of Agriculture, Food and Rural Affairs have recognized that medical marihuana production can be considered an agricultural use similar to a greenhouse or winery. As such the proposed zoning amendment would be consistent with Provincial Policy Section 2.3.

2) County of Essex Official Plan

There are no issues of County significance raised by the application.

3) Town of Kingsville Official Plan

The subject property is designated ‘Agriculture’. The proposed application to rezone the parcel is for the retrofit or replace of an existing greenhouse operation which is consistent with the MMPF policies develop through Official Plan Amendment #3.

4) Comprehensive Zoning By-law – Town of Kingsville

The subject parcel is zoned ‘Agriculture Zone 1, (A1)’ by the Kingsville Zoning By-law. The specific zoning amendment required for the subject property is as follows:

i) permit medical marihuana as a permitted use in the agricultural zoning specific to the subject property;

Comment: The Official Plan Amendment #3 specific to MMPF outlined that for an existing greenhouse facility to be used for medical marihuana production a site-specific zoning amendment would be required to permit that use. The Kingsville Zoning By-law was specifically amended as part of the implementation of the MMPF Official Plan policies to clearly outline in the Zoning By-law that medical marihuana production was

not included as an agricultural use. Therefore, an amendment is necessary to add it to the specific zoning on the subject property.

Grant relief or exemption from the following Sections of 4.46 (Medical Marihuana Production Facilities - MMPF):

i. item c) which prohibits residential uses on lots having medical marihuana production facilities;

   Comment: To prohibit a residential use on an agricultural lot which is operating an agricultural use is not standard practice save and exception the prohibition of dwelling on lands that have been the subject of a surplus dwelling severance. In similar fashion a residential use is not prohibited on a farm parcel with a livestock operation. The assumption in this case would be that the resident in the dwelling is either the farmer or farm help who are aware of the impacts of the use.

ii. item d) which prohibits a MMPF as a secondary /accessory use;

   Comment: Anything of an agricultural nature, growing crops, raising livestock etc. is not considered an accessory use or even secondary it is part of a diversified agricultural operation. However, since the applicant may continue to utilize the other greenhouse facilities in the interim for continued vegetable production it is important to clarify this point.

iii. item e) outlines that secondary/accessory uses must be 100% associated with the MMPF;

   Comment: By definition the proposed facility on the subject property will not have any secondary or accessory uses associated with the MMPF.

iv. item g) which requires a minimum distance separation of 100 m (328 ft.) between a MMPF and any structure currently used for residential or institutional purposes (dwellings, schools, churches etc.)

   Comment: The 100 m (328 ft.) setback was established based on an MOECC best practices standard for the location of light industrial uses which is 70 m (230 ft.) This was then rounded to 100 m as a precautionary measure given the absence of real world potential impact from a MMPF. As there has been some limited experience with Part 2 operations in Kingsville and the Aphria operations in Leamington the principle impact has become evident in the form of odour generation. This has more recently been further confirmed in consultation with other areas that also see interest in or development of medical marihuana facilities.

   There are four existing dwellings which are or could be located within the required 100 m setback. The dwelling at 1975 Peterson is under the ownership of the applicant and as such would be exempt as part of the amending by-law. Based on consultation on similar applications it has been outlined that odour can be controlled through the use of charcoal

filtration on ventilation fans and openings and odour neutralization can also be used in other areas. Odour control in the growing area may not be 100% as such it is suggested that the 100 m requirement for off-site dwellings not be reduced unless it can be demonstrated that there will be no impact on neighboring dwellings or other sensitive uses. Any request of a reduction would require Planning Act approval including notification of the impacted neighbours.

Mapping has been provided (Appendix B) which shows the impact of the100 m setback on the existing greenhouse. There is some limited impact however many of the larger operations have indicated that they will only be converting a portion of the facility for the growing of cannabis so it can be located in an area not impact by the required setback.

v. item i) require that the use of a MMPF on a lot not co-exist with any other use on the lot.

Comment: This is a limiting provision in the context of the definition of a MMPF. During the original development of the MMPF policies it was assumed that these facilities would be in industrial areas in large industrial buildings utilizing 100% artificial growing environments. These types of facilities draw a significant amount of energy through the use of grow lights. Now that greenhouse growing has become a possible alternative, utilizing nature light and supplementing with artificial it provides an alternative crop for greenhouse growers. However, as with any business, particularly farming, restrictions, which limit production to a single crop, limit the owner's ability to diversify the business. The limitation also would appear to be inconsistent with Provincial Policy that notes in Section 2.3.3 Permitted Uses, 2.3.3.1 states that, 'In prime agricultural areas permitted use and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Section 2.3.3.2 also noted, 'In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.'

With the above items in mind the zoning on the property will be amended to permit a MMPF on the subject lands. The amendment will also address each of the provisions in Section 4.46 which require relief or amendment as follows:

i) item c) will be amended to permit residential uses accessory to or supportive of the agricultural uses on-site, including a MMPF;
ii) item d), e) and i) will not be applicable to the subject property
iii) item g) will be amended to exempt on-site residential uses from the 100 m setback requirement and any off-site dwelling under the same ownership as the subject property.

As a final note regarding the zoning it is important to understand that the approval of the requested zoning on the property does not automatically permit a MMPF to start operations. Item a) of Section 4.46 requires the applicant to have a current valid Part 1 license issued by Health Canada prior to starting production. The applicants are aware of

this and would need to proceed with the licensing process if the requested amendment is approved and they move forward with establishment of a MMPF.

In addition to the amendment to Section 4.46 the zoning on the property will include odour control provisions as a requirement of any MMPF establishment on the site.

> Comment: It has been determined that there is a need to more directly address odour control as a requirement of zoning versus solely relying on site plan control or the Health Canada licensing requirements. Inclusion in the site-specific zoning amendment, particularly for MMPF establishments, will provide local input and enforcement without overstepping Federal regulations since Health Canada requires all Part 1 operations to maintain odour control of their operations. This approach was implement as part of a recent request on Road 3 E for similar approvals.
>
> The specific provisions in the by-law will require the installation of an air treatment control system that will incorporate the use of a multi-stage carbon filtration, or similar technology. This must be designed by a qualified person and the owner must demonstrate that the system has been installed and is operational as per the design specification prior to the start of any growing operations. As part of the design process for the odour control the owner will also be required to provide a maintenance schedule for the system to insure that it remains operationally efficient.
>
> An additional aspect of odour control for MMPFs is the use of odour neutralization systems which are added to exhaust areas to **supplement** the main control system. As part of the ongoing public discussion there was some concern expressed about the possible control agents used to neutralize odours and what long-term impact they may have.
>
> The approach being suggested on this item is to take a two-part approach. First to determine, as part of the odour control system design, if and what will be used for neutralization and secondly to require in the zoning provision that no transmission of odour control agents be permit beyond the property line of the subject facility. This would apply to all control agents and would require that the products being used are approved for use by Health Canada or can demonstrate to the satisfaction of the Town that there will be no negative impact.

Site Plan Approval

As per Section 4.46 b) site plan control is to apply to MMPF. As noted above the applicant is not proceeding at the present time with a MMPF but rather planning for the future. Once plans are in place and the licensing process started the applicant should initiate the site plan amendment process. At that time issues such as fencing, lighting, buffering and landscaping will be incorporated as part of the amending agreement.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial considerations for this application at this time.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. Information of the proposed amendment was also posted to the Town website.

At the time of writing, no public comment has been received.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	• Comment is attached as Appendix C • No objections
County of Essex	• No comment is expected from the County
Town of Kingsville Management Team	• The Management Team has reviewed the request amendment and has not expressed any objections. Any new items such as lighting, odour and fencing location will be addressed at the site plan amendment stage.

RECOMMENDATION

It is recommended that Council approve zoning by-law amendment ZBA/14/18 to:

permit a medical marihuana production facility on property located at 1851 Peterson Lane;

address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law as detailed in the amending by-law;

add odour control provisions as outlined in the attached amendment, and

adopt the implementing by-law.

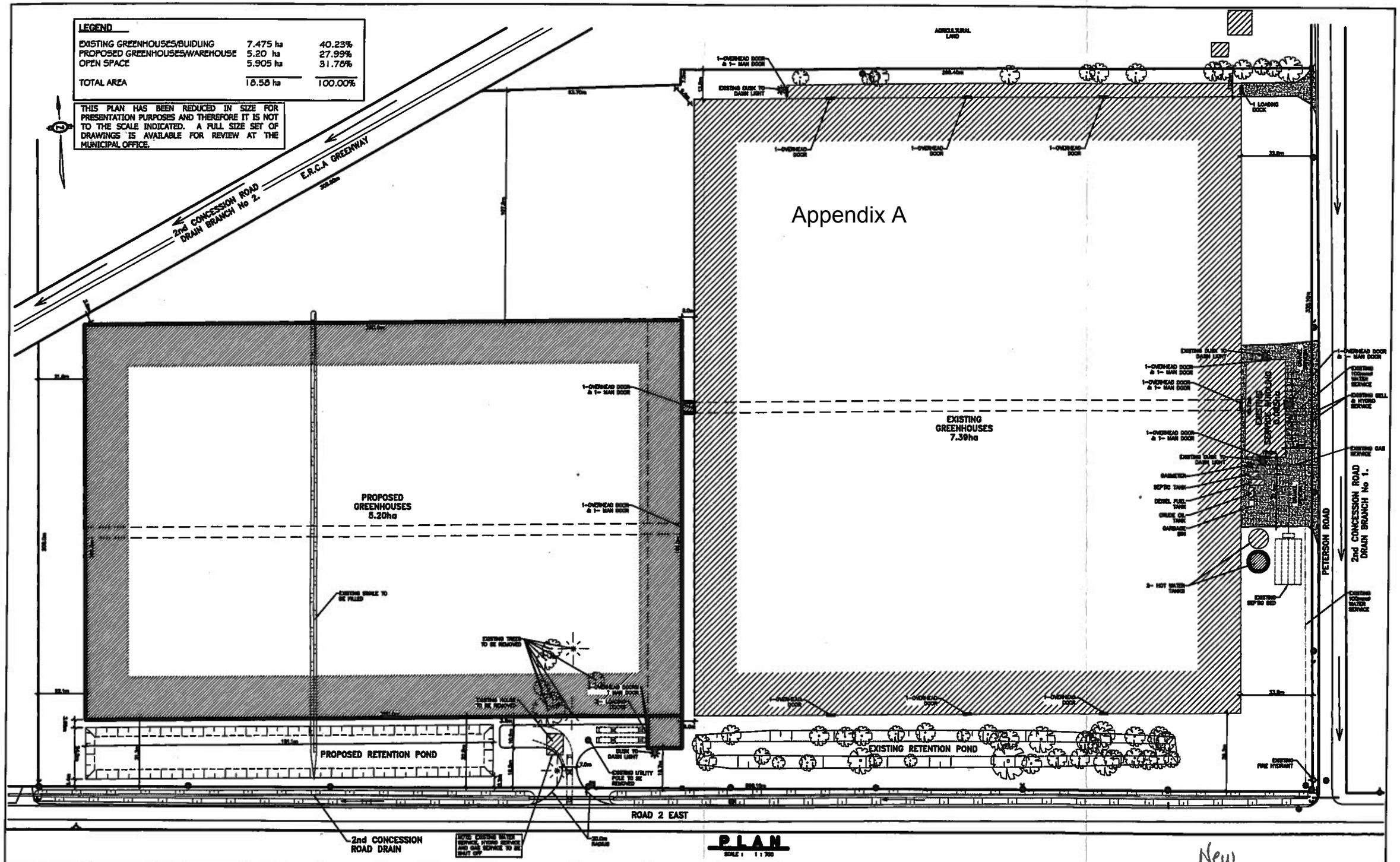
Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

Appendix A



New.

DATE	REVISIONS

BRUCE D. CROZIER, P.Eng

BRUCE D. CROZIER ENGINEERING INC.
CONSULTING ENGINEER

project title: ALLEGRO ACRES GREENHOUSES
FOR GENE INGRATTA
TOWN OF KINGSVILLE

sheet title: SITE PLAN

date: MAY 24/11	project no: BC-11-014
scale: AS NOTED	
drawn by: A.P.	sheet no: 1
checked by: B.D.C.	

Appendix B

1851 Peterson Lane

Legend

- Essex Municipalities
  - <all other values>
  - Kingsville
- Street
- Severance
- Kingsville Assessment

0 109.83 219.7 Meters

1: 6,589 5/22/2018

Notes

Peterson Lane

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Essex Region Conservation

the place for life

regs@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

May 30, 2018

Mr. Robert Brown, Manager of Planning & Development Services
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville ON N9Y 2Y9

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-14-18 1851 Peterson Lane
ARN 371130000023500; PIN: 751450315
Applicant: ALLEGRO ACRES INC.

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-14-18. We understand that the purpose of this application is to permit the growing of medical marihuana within an existing greenhouse facility. We acknowledge that no new development or expansion is being proposed at this site.

NATURAL HAZARD POLICIES OF THE PPS, 2014

Portions of the above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). These portions fall within the regulated area of the 2nd Concession Road Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations.

WATER RESOURCES MANAGEMENT

Our office has reviewed the proposal and has no concerns relating to stormwater management.

NATURAL HERITAGE POLICIES OF THE PPS 2014

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

Essex Region Conservation Authority
sustaining the place for life

Mr. Brown
May 30, 2018

ADJACENT LANDOWNER

The subject parcel is adjacent to a property which is owned and/or managed by the Essex Region Conservation Authority. Prior to any construction and/or site alteration activities adjacent to this property, or for general information regarding this property, please contact Kevin Money, Director of Conservation Services at (519) 776-5209 ext. 351.

FINAL RECOMMENDATION

We have no objections to this Zoning By-law Amendment.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

Corinne Chiasson
Resource Planner
/cor

Essex Region Conservation Authority
sustaining the place for life

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 85-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.70 'AGRICULTURE *ZONE* 1 EXCEPTION 70 (A1-70)'

a) For lands shown as A1-70 on Map 53 Schedule "A" of this By-law.

b) **Permitted Uses**
   i) Those uses permitted under Section 7.1;
   ii) A medical marihuana production facility (MMPF)

c) **Permitted Buildings and Structures**

   i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
   ii) Buildings and structures accessory to the permitted uses.

d) **Zone Provisions**

   All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-70 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the following shall apply:

i) Item c) is deleted and replaced as follows: An existing residential use accessory to or supportive of the agricultural uses on-site, including a MMPF, is permitted

ii) Items d), e) and i) are not applicable to lands zoned A1-70;

iii) Item g) is deleted and replaced as follows:

a. an MMPF growing area shall be located a minimum of 100 m from an existing off-site residential use or institutional use;

b. item g) shall not be applicable to an on-site bunkhouse or off-site dwelling under the same ownership as the lands zoned A1-70.

All other items listed under Section 4.46 remain applicable to lands zoned A1-70.

2. Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 8, Concession 2 ED, Part 1, RP 12R 11577 & Parts 3 & 4 RP 12R 23455 and locally known as 1851 Peterson Lane as shown on Schedule 'A' cross-hatched attached hereto from ‘Agriculture Zone 1 (A1)’ to 'Agriculture Zone 1 Exception 70 (A1-70)'.

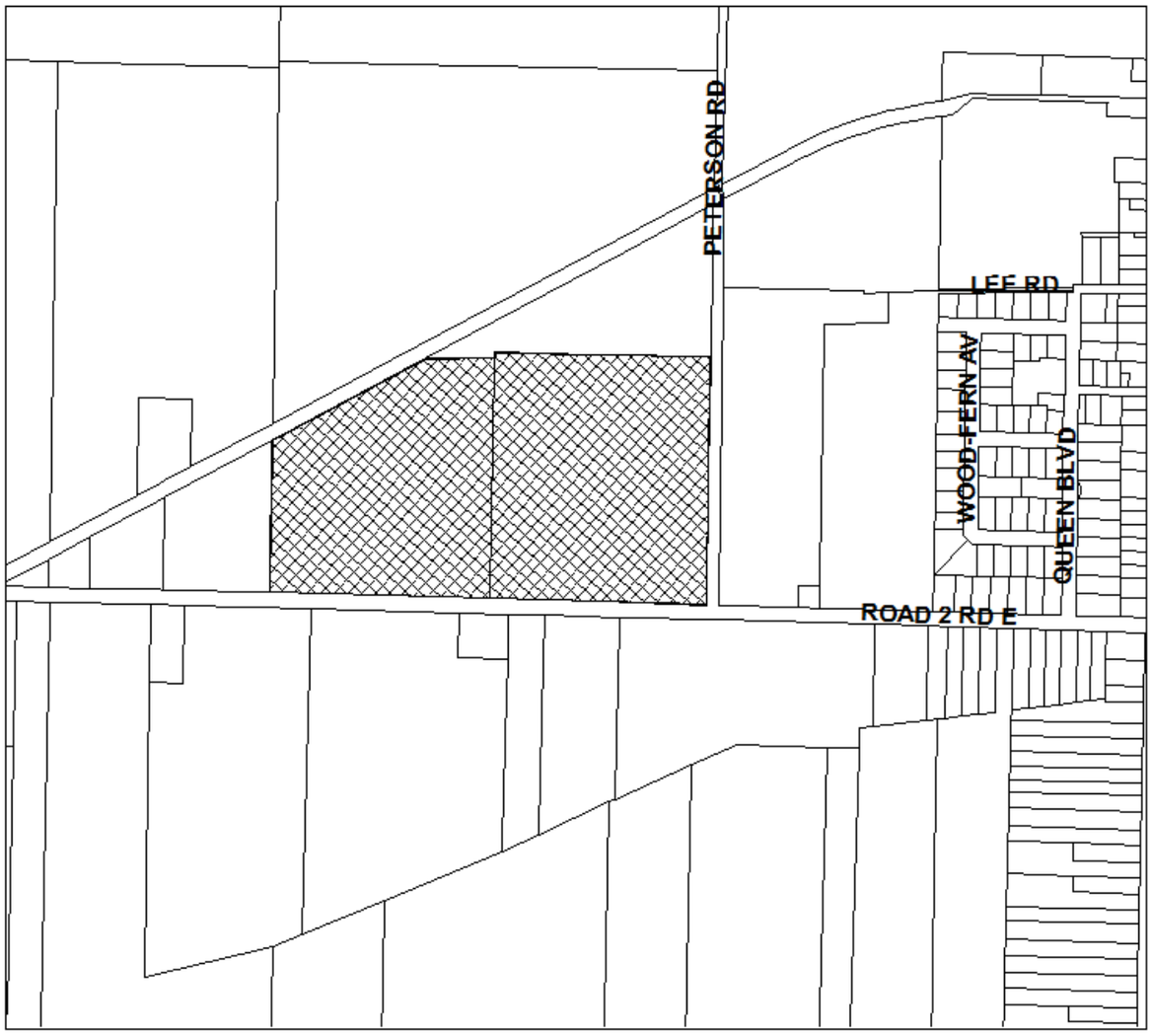
3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 8, Concession 2 ED
1851 Peterson Lane
Zoning By-law Amendment ZBA/14/18

N

0 55 110 220 330 440 Meters

Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 70 (A1-70)'

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

NOTICE OF PUBLIC MEETING:
ZONING BY-LAW AMENDMENT

APPLICATION:	**ZONING BY-LAW AMENDMENT FILE ZBA/18/18** **(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**
OWNER:	**617885 Ontario Limited o/a JEM Farms**
LOCATION OF PROPERTY:	**1581, 1583 & 1585 County Road 34 E** **Part of Lot 9, Concession 2 ED**

PURPOSE OF APPLICATION: The subject land is a 29.3 ha (72.5 ac.) greenhouse operation containing approximately 11.7 ha (29 ac.) of greenhouse along with support facilities, a bunkhouse and a single detached dwelling. The operation is also connected to a warehouse facility on a lot to the immediate north at 1577 County Rd 34 E. In March and April of 2018 Council approved a zoning amendment on the subject parcels to add a medical marihuana production facility as an additional permitted use. Since that time Council has had several additional requests to add this use as permitted to other existing greenhouse facilities as well.

With the increased interest and concern expressed about odour and lighting controls in these new operations Council has deferred any additional requests until such time as additional measures are taken to demonstrate how odour and lighting will be control. The proposed amendment in this case is to add regulations to the existing zoning on all properties that have received approval for a medical marihuana production facility to require the submission of an odour control plan which will clearly outline the details of the system to be used. As each of these facilities will also require site plan amendments to their existing approval lighting controls will be addressed in greater detail at that stage.

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN:	**July 9, 2018**
WHERE:	Town of Kingsville Municipal Building (Council Chambers)
TIME:	**7:00 p.m.**

Your comments on these matters are important. If you have comments on this application, they may be forwarded by phone, email, or mail to the attention of: **Robert Brown, Manager, Planning Services**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

IF A PERSON or public body would otherwise have an ability to appeal the decision of Council for the Town of Kingsville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submission to the Town of Kingsville before the zoning by-law is adopted, the person or public body is not entitled to appeal the decision.

IF A PERSON or public body does not make oral submissions at a public meeting, or make written submission to Council before the zoning by-law is adopted or the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

DATED AT
THE TOWN OF KINGSVILLE
on June 19, 2018.

Robert Brown, H. Ba, MCIP, RPP
519-733-2305 (x 250)
rbrown@kingsville.ca

ROAD 3 E
1907
1581
1583
1587
1624
2047
2037
2031
2001
1518
1002
1006
1004

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

NOTICE OF PUBLIC MEETING:
ZONING BY-LAW AMENDMENT

APPLICATION:	**ZONING BY-LAW AMENDMENT FILE ZBA/18/18** **(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**
OWNER:	**Rico Roots Plant Farm Inc.**
LOCATION OF PROPERTY:	**1156 Road 3 E** **Part of Lot 7, Concession 3 ED, Part 1, RP 12R 24428**

PURPOSE OF APPLICATION: The subject land is an 8.7 ha (21.6 ac.) greenhouse operation containing approximately 5.2 ha (13 ac.) of greenhouse along with support facilities and a bunkhouse. In March of 2018 Council approved a zoning amendment on the subject parcel to add a medical marihuana production facility as an additional permitted use. Since that time Council has had several additional requests to add this use as permitted to other existing greenhouse facilities as well.

With the increased interest and concern expressed about odour and lighting controls in these new operations Council has deferred any additional requests until such time as additional measures are taken to demonstrate how odour and lighting will be control. The proposed amendment in this case is to add regulations to the existing zoning on all properties that have received approval for a medical marihuana production facility to require the submission of an odour control plan which will clearly outline the details of the system to be used. As each of these facilities will also require site plan amendments to their existing approval lighting controls will be addressed in greater detail at that stage.

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TIME:	**7:00 p.m.**

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ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

DATED AT
THE TOWN OF KINGSVILLE
on June 19, 2018.

Robert Brown, H. Ba, MCIP, RPP
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rbrown@kingsville.ca

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2021 Division Road North
Kingsville, Ontario N9Y 2Y9
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NOTICE OF PUBLIC MEETING:
ZONING BY-LAW AMENDMENT

APPLICATION:	**ZONING BY-LAW AMENDMENT FILE ZBA/18/18** **(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**
OWNER:	**Hillside Hothouse Limited.**
LOCATION OF PROPERTY:	**1541 County Road 34** **Part of Lot 9, Concession 3 ED**

PURPOSE OF APPLICATION: The subject land is a 10 ha (24.75 ac.) greenhouse operation containing approximately 6.8 ha (16.8 ac.) of greenhouse along with support facilities. In May of 2018 Council approved a zoning amendment on the subject parcel to add a medical marihuana production facility as an additional permitted use. Since that time Council has had several additional requests to add this use as permitted to other existing greenhouse facilities as well.

With the increased interest and concern expressed about odour and lighting controls in these new operations Council has deferred any additional requests until such time as additional measures are taken to demonstrate how odour and lighting will be control. The proposed amendment in this case is to add regulations to the existing zoning on all properties that have received approval for a medical marihuana production facility to require the submission of an odour control plan which will clearly outline the details of the system to be used. As each of these facilities will also require site plan amendments to their existing approval lighting controls will be addressed in greater detail at that stage.

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN:	**July 9, 2018**
WHERE:	Town of Kingsville Municipal Building (Council Chambers)
TIME:	**7:00 p.m.**

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2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
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NOTICE OF PUBLIC MEETING:
ZONING BY-LAW AMENDMENT

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/18/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **1659437 Ontario Limited.**

LOCATION OF PROPERTY: **1555-1557 County Road 34 E**
Part of Lot 9, Concession 3 ED

PURPOSE OF APPLICATION: The subject land is an 8.5 ha (21 ac.) greenhouse operation containing approximately 2.7 ha (6.6 ac.) of greenhouse along with support facilities, a bunkhouse, a single detached dwelling and a large road side stand. In March of 2018 Council approved a zoning amendment on the subject parcel to add a medical marihuana production facility as an additional permitted use. Since that time Council has had several additional requests to add this use as permitted to other existing greenhouse facilities as well.

With the increased interest and concern expressed about odour and lighting controls in these new operations Council has deferred any additional requests until such time as additional measures are taken to demonstrate how odour and lighting will be control. The proposed amendment in this case is to add regulations to the existing zoning on all properties that have received approval for a medical marihuana production facility to require the submission of an odour control plan which will clearly outline the details of the system to be used. As each of these facilities will also require site plan amendments to their existing approval lighting controls will be addressed in greater detail at that stage.

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NOTICE OF PUBLIC MEETING:
ZONING BY-LAW AMENDMENT

APPLICATION:	**ZONING BY-LAW AMENDMENT FILE ZBA/18/18** **(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**
OWNER:	**Giovanni & Franca Vespa**
LOCATION OF PROPERTY:	**1000 County Road 34** **Part of Lot 258, NTR, Part 1, PL 12R 3375**

PURPOSE OF APPLICATION: The subject land is a 20 ha (49.4 ac.) farm parcel containing approximately 1.23 ha (3.05 ac.) of greenhouse along with support facilities. In May of 2018 Council approved a zoning amendment on the subject parcel to add a medical marihuana production facility as an additional permitted use. Since that time Council has had several additional requests to add this use as permitted to other existing greenhouse facilities as well.

With the increased interest and concern expressed about odour and lighting controls in these new operations Council has deferred any additional requests until such time as additional measures are taken to demonstrate how odour and lighting will be control. The proposed amendment in this case is to add regulations to the existing zoning on all properties that have received approval for a medical marihuana production facility to require the submission of an odour control plan which will clearly outline the details of the system to be used. As each of these facilities will also require site plan amendments to their existing approval lighting controls will be addressed in greater detail at that stage.

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DATED AT
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on June 19, 2018.

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Date: June 21, 2018

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Application for Zoning Amendment ZBA/18/18 for 617885 o/a Jem Farms, Rico Root Farms Inc., Hillside Hothouse Limited, 1659437 Ontario Limited & Giovanni & Franca Vespa 1581-1585,

Report No.: PDS 2018-035

AIM

To provide Council with information regarding the addition of odour control provisions to be added to the existing zoning approvals to permit medical marihuana production facilities (MMPF) on the subject properties.

BACKGROUND

Since March of 2018 Council has had several zoning by-law amendment requests to permit medical marihuana as a permitted use on several agricultural properties. As of June 21, 2018 five applications have been approved, two have been deferred and three remain pending presentation to Council.

DISCUSSION

At the May 28, 2018 Council meeting two of the three applications presented for zoning amendments to permit an MMPF were deferred primarily because of the concern of odour both how it would be controlled and how this requirement would be enforced. The initial intention with the applications that had already received approval was to implement odour control as part of the site plan amendment process which would be the next step for each of the approved properties if they received approval for licensing from Health Canada. This method of odour control would be in support of the Health Canada requirements for Part 1 medical marihuana production facilities to emit no odour.

Much of the uncertainty surrounding the establishment of MMPFs, particularly as it relates to odour, is based on a wide variety of misinformation, varying regulations, especially between the Part 1 and Part 2 operations and lack of regulating experience at the local level. Unfortunately, for the industry the much newer and much more regulated Part 1 licensed operations are being characterized the same as the unregulated Part 2 operations. This does however have an advantage as it has clearly pointed out that odour must be clearly addressed for these operations to be sustainable and not negatively impact on the community. Addition of an odour provision to the existing approvals on the subject properties will both echo the Health Canada requirement and provide local oversight.

1) Provincial Policy Statement (PPS), 2014:

There are no additional issues of provincial significance raised by the proposed change to the existing approvals.

2) County of Essex Official Plan

There are no issues of County significance raised by the application.

3) Town of Kingsville Official Plan

The subject property is designated 'Agriculture'. The proposed amendment to will help to bolster the regulation of the proposed MMPFs and would be considered consistent with the policies of OPA #3

4) Comprehensive Zoning By-law – Town of Kingsville

The proposed amendment for the subject properties is to add the following provision to each of the existing site-specific approvals already in place.

> "Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned to permit a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.
>
> Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town."

As the result of an earlier amendment "Air Treatment Control" and "Qualified Person" have been added and defined in the Kingsville Comprehensive By-law. The implementation of this requirement will be through the site plan approval or site plan amendment process. The odour control system design will be added as an appendix to any agreements so that it remains clear what the expectation for MMPFs will be moving forward.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial implications as a result of the proposed amendment

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Public Meeting by mail. Information of the proposed amendment was also posted to the Town website.

Addition of the new provision to the existing approval was based on public input, Council comment, consultation with each of the property owners (applicants) and Administration.

Agency & Administrative Consultations

The Notice of Public meeting was circulated to the required agencies however no new comment was anticipated or received.

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/18/18 to:

Amend Agriculture Zone 1 Exception 62 for lands located at 1581, 1583 and 1585 County Road 34 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 63 for lands located at 1156 Road 3 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 64 for lands located at 1555 and 1557 County Road 34 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 65 for lands located at 1541 County Road 34 E to add odour control provisions as outlined in the amending by-law;

Amend Agriculture Zone 1 Exception 67 for lands located at 1000 County Road 34 to add odour control provisions as outlined in the amending by-law, and

adopt the implementing by-law.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 84-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1.62 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-62 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

2. That Subsection 7.1.63 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-63 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

3. That Subsection 7.1.64 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-64 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

4. That Subsection 7.1.65 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-65 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used, as part of an Air Treatment Control system, must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

5. That Subsection 7.1.67 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-67 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

6. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: **June 29, 2018**

To: **Mayor and Council**

Author: **Jennifer Astrologo, Director of Corporate Services/Clerk**

RE: **Election Sign By-law (76-2018)**

Report No.: **CS-2018-16**

AIM

To provide Council with an overview of the draft election sign by-law and to make a recommendation to Council for the adoption of the draft by-law.

BACKGROUND

At the April 23, 2018 Regular Meeting of Council, the following motion was carried:

Moved by Deputy Mayor Queen, Seconded by Councillor Coghill:

289-2018 That all municipal election signage not be erected or displayed until the second Friday in August and that the Director of Corporate Services prepare a draft by-law regulating election signs for Council's consideration.

The Director of Corporate Services reviewed the applicable legislation and a number of by-laws from various municipalities across the province with a view to developing a draft by-law for Council's consideration.

DISCUSSION

The recent amendments to the *Municipal Elections Act, 1996* (the *"Act*") has introduced a number of changes with respect to signage during an election. These changes are effective during the 2018 municipal election, and are as follows:

1. Landlords or condominium corporations, or their agents, may not prevent a tenant, leasee, or owner from displaying an election sign on the premise to which the lease relates.

2. The landlord or condominium corporation, or their agent, may set reasonable conditions relating to the size or type of the election sign that may be displayed, and may prohibit the display of election signs in common areas.

3. An election campaign advertisement is an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a candidate, and when purchased by or under the direction of a candidate, must identify that candidate.

4. Election campaign advertisements purchased by third party advertisers must contain the name of the third party, the municipality where the third party is registered, and the contact information (email, address, or telephone number) for that third party.

5. Municipalities have the authority to require the removal of election signs when certain advertising/signage provisions have been contravened.

Although the *Act* sets out some rules with respect to advertising during an election campaign, the overall regulation of election signs within a municipality and the enforcement of same is within the jurisdiction of each municipality.

Currently, the Town does not have a by-law regulating the placement of election signs. After reviewing several by-laws from various municipalities, some of the common features of a by-law include:

1. Timing of the placement of election signs
2. Number and location of signs
3. Penalty for violation
4. Enforcement of the by-law

The draft By-law is intended to clearly outline the rules and regulations with respect to the placement of election signs in the Town of Kingsville under the above criteria for federal, provincial and municipal elections.

Timing of Placement

Currently, motion 289-2018 (reproduced above) is the only authority prohibiting the placement of election signs in the municipality, and permits signs as of the second Friday in August.

The by-laws across the province vary in the date that signage is permitted to be erected. Many of the older by-laws stipulate that signs may be erected as of Nomination Day. However, the recent amendments to the *Act* moved Nomination Day from the second Friday in September to the fourth Friday in July, which increases the duration for sign placement by about 7 weeks. Recently enacted/amended by-laws have addressed this change by adopting alternative provisions which provide that signs may not be displayed until a set number of days prior to Voting Day. These by-laws range from 60 days prior to Voting Day to 24 days prior to Voting Day. For Federal and Provincial elections, municipalities across the province have adopted a provision prohibiting election signage until the issuance of the Writ of Election.

For municipal elections, Administration recommends that signs are not permitted to be displayed until 45 days prior to Voting Day. This would apply to both regular elections and by-elections. This would give candidates/third party advertisers a reasonable amount of time for promotion while balancing the interests of the community with respect to visual clutter.

With respect to federal and provincial elections, it is recommended that Kingsville adopt a provision prohibiting the display of election signs until the Writ of Election is issued.

Following any election, the by-law requires that all signs must be removed within 48 hours of the close of voting. This provision is designed to ensure that once the election has concluded, signs are removed relatively quickly.

Number and Location of Signs

There are several municipalities which restrict the number of signs that can be erected and set out regulations as to the location of those signs. The proposed by-law does not specifically restrict the number of signs that can be placed on a property, but does prohibit placing signs of the same candidate within 10 metres of each other. The intent of this provision is two-fold: i) to limit the visual clutter in the Town that results from election signage, and ii) to give all candidates equal opportunity to place election signs in what may be considered a “prime signage area”.

Although the proposed by-law does not limit the number of signs that can be placed, it does prohibit signage at the following locations:

- On Town owned or controlled property, including parks;
- In the roadway;
- On or in property used as a Ballot Return Station, a Voting Place, or where the administration of the election is occurring;
- Between the sidewalk and the road, and where there is no sidewalk, within 3 metres of the road;
- On any tree, fence, wall, pole or gate located on public property;
- Anywhere that impedes or obstructs pedestrians on a sidewalk; and
- Anywhere that will interfere with the safe operation of vehicular traffic or the safety of pedestrians.

The blanket restriction of the placement of election signs on Town owned or controlled property is crucial to the Town maintaining its non-partisan status with respect to the election. The additional restrictions against placing a sign within 3 metres of the road, or in a spot that impedes pedestrian traffic on a sidewalk or that interferes with the safe operation of traffic is designed to ensure the safety of visitors and residents alike. Additionally, there are sign height restrictions depending on how close the sign is situated to the road and whether the sign falls within the site visibility triangle.

Penalty and Enforcement

The Town currently does not have a by-law in place to regulate election signs. If the by-law comes into effect, the Clerk, or designate, and by-law enforcement officers are

empowered under the by-law to enforce its provisions. The Town currently operates with a very lean workforce in those departments that are charged with enforcement of the by-law, namely the Corporate Services and Building Departments. Enforcement responsibilities will take away from other duties within the Town. However, the by-law has been drafted so that the rules are simple to understand so that enforcement is straightforward.

Rather than requiring taxation to pick up the entire cost of enforcement, Administration is recommending that some of those costs be transferred to the groups to whom the by-law specifically applies. Complete cost recovery for the enforcement of the by-law is not realistic, however, if candidates and advertisers know that they are accountable and that there are real cost consequences for violations, they may take more care to ensure that their signage is placed in compliance with the by-law.

To address the costs associated with enforcement of their election sign by-law many municipalities, including King, Caledon, Newmarket, Mississauga, Essa, Uxbridge and Wasaga Beach, have introduced a security deposit that must be paid before a candidate or third party can display any election signage. With the exception of some municipalities, the deposit is fully refundable provided that the provisions of the applicable sign by-law are not violated. The amount of the deposit varies amongst municipalities and in some circumstances the amount is different within the same municipality depending on which council position for which the candidate is nominated.

In Caledon, the security deposit is $300 for Mayor and $150 for councillors. In Clarington and Newmarket, a deposit of $250 must be posted, while Essa only charges its candidates $100. King requires a $250 deposit, and also charges its candidates a $100 non-refundable fee.

Administration is recommending the collection of a refundable security deposit for those Candidates that opt to place election signs throughout the Town. Under the draft by-law, any municipal council candidate, school board trustee candidate or third party advertiser who wishes to place election signs in the municipality would be required to provide the Town with a deposit in the amount of $140.00. Individuals wishing to place election signs around Town for a federal or provincial election would be required to pay a $300.00 deposit. The deposit would be fully refundable provided there was no violation of the by-law. If any election signs were required to be removed for non-compliance, the deposit would be reduced by $20.00 for each sign that was removed. If a security deposit is provided to the Town prior to any signage being displayed the Town can draw on the deposit at a rate of $20.00 per sign removed. Without the security deposit, the Town must rely on the sign owner to attend at the municipal office and pay the removal fee.

LINK TO STRATEGIC PLAN

Promote the betterment, self-image and attitude of the community.

FINANCIAL CONSIDERATIONS

There are no specific financial considerations at this time. Given that the Town has never regulated election signs, there is no means to calculate the costs of enforcement.

CONSULTATIONS

Senior Management Team

RECOMMENDATION

That Council adopt By-law 76-2018, being a by-law to regulate election signs in the Town of Kingsville at this Regular Meeting.

Jennifer Astrologo
Jennifer Astrologo, B.H.K. (hons), LL.B
Director of Corporate Services/Clerk

Peggy Van Mierlo-West
Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW XX-2018

Being a by-law to regulate election signs in the Town of Kingsville

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. c. 25, as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS paragraph 7 of subsection 11(3) of the *Municipal Act, 2001*, S.O. c. 25, as amended, permit a municipality to pass by-laws respecting signs;

AND WHEREAS section 99 of the *Municipal Act, 2001*, S.O. c. 25, as amended, sets out rules that apply to a by-law of the municipality respecting advertising devices, including signs;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it necessary to regulate election signs within the Town of Kingsville;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. Definitions

1.1 In this By-law,

"Ballot Return Station" means a place where electors can return their completed ballots rather than returning them to the Town by mail, and includes the Street abutting;

"By-law" means by-law XX-2018, being a by-law to regulate election signs in the Town of Kingsville;

"Enforcement Officer" means any person responsible for by-law enforcement in the Town, including the Police, or persons that have been appointed as a by-law enforcement officer by the Council of the Town;

"Campaign Office" means a building or structure, or part of a building or structure, used by a Candidate to conduct an election campaign;

"Candidate" means a Candidate within the meaning of the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996,* as amended, and shall be deemed to include a Registered Third Party and any Person registered pursuant to any of the above-noted statutes, or an agent for that registered Person, who is seeking to influence how another person votes in an Election;

"Clerk" means the Clerk of the Town, or a person delegated by them for the purposes of this By-law;

"Council" means the municipal council for the Town;

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“Election” means any federal, provincial or municipal election, including any by-election, and any question or by-law submitted to the electors and includes an election to a local board or commission;

“Election Sign” means any sign, including posters, promoting, opposing or taking a position with respect to:

(i) any Candidate or political party in an election under the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996*;

(ii) an issue associated with a person or political party in an election under the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996*; or

(iii) a question, law or by-law submitted to the electors under the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996*;

“Median Strip” means the promotion of a Road so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement and includes a central island in a roundabout;

“Park” means any land and land covered by water, and all portions thereof under the control, management, or joint management of the Town, that is or hereafter may be established, dedicated, set apart, or made available for use as public open space, including a natural park area and any environmentally significant area as defined in this By-law, including any buildings, structures, erections, facilities, and improvements located in or on such land;

“Person” includes, but is not limited to an individual, firm, corporation, association, or partnership;

“Place” means attach, install, erect, build, construct, reconstruct, move, display or affix;

“Public Property” means any real property, including a Park, owned by or under the control of the Town, or any of its agencies, local boards, commissions, or corporations but, for the purposes of this by-law, does not include a Street;

“Registered Third Party” means, in relation to an election in a municipality, an individual, corporation, or trade union that is registered under section 88.6;

“Roadway” means the part of a Street that is improved, designed or ordinarily used for vehicular traffic and includes a shoulder;

“Sidewalk” means any municipal walkway, or that portion of the Street between the Roadway and the adjacent property line, primarily intended for the use of pedestrians;

“Street” means a highway, road allowance, street, avenue, boulevard, parkway, driveway, land, square, place, bridge, viaduct, trestle or other public way under the jurisdiction of the Town and this term includes all road works and appurtenant to municipal land;

“Town” means The Corporation of the Town of Kingsville;

“Vehicle Sign” means any form of Election Sign Placed on or in a vehicle or trailer;

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“Voting Day” means the day on which the final vote is to be taken in an election;

“Voting Place” means a place where electors cast their ballots and, regardless of whether the Voting Place is located on Public Property, includes the Street abutting;

“Writ of Election” means the date as defined in the *Canada Elections Act* and the *Election Act* (Ontario).

1.2 This By-law applies to all Election Signs displayed within the boundaries of the Town.

1.3 References to items in the plural include the singular, as applicable.

2. Prohibitions

2.1 No Person shall Place or permit to be Placed an Election Sign in the Town except in accordance with this By-law and any other applicable legislation.

2.2 No Person shall Place or permit to be Placed an Election Sign on or in any premises used as a Voting Place, Ballot Return Station, or where the administration of election processes are conducted.

2.3 No Person shall display on any Election Sign a logo, brand, trademark, slogan or official mark, in whole or in part, owned or licensed by the Town.

2.4 No person shall Place or permit to be Placed an Election Sign on Public Property.

2.5 No person shall Place or permit to be Placed an Election Sign in a Park.

2.6 No Person shall Place or permit to be Placed an Election Sign that:

2.6.1 is illuminated;

2.6.2 has a sign area of more than 1.5 square metres;

2.6.3 interferes with the safe operation of vehicular traffic or the safety of pedestrians; or

2.6.4 impedes or obstructs the Town’s maintenance operations.

2.7 Subsections 2.6.1 and 2.6.1 do not apply to Election Signs promoting a Candidate on a Campaign Office.

2.8 No Person shall Place or permit to be Placed an Election Sign that is in contravention of the *Election Act*, *Canada Elections Act*, or the *Municipal Elections Act, 1996*.

2.9 No Person shall remove a lawfully Placed Election Sign, except in accordance with this By-law, or with the permission of the owner.

2.10 No person shall deface or willfully cause damage to an Election Sign.

2.11 No person shall hinder or obstruct an Enforcement Officer in the enforcement of this By-law.

3. Timing of Placement

3.1 No person shall Place, or permit to be Placed, an Election Sign for a federal or provincial election or by-election earlier than the day the Writ of Election or by-election is issued.

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3.2 No person shall Place, or permit to be Placed, an Election Sign for a municipal election, except an Election Sign which is Placed on a Campaign Office, earlier than 45 days prior to Voting Day in the year of a regular election or a by-election.

3.3 No person shall Place, or permit to be Placed, an Election Sign for a municipal election on a Campaign Office earlier than the day that Candidate has filed their nomination with the Clerk.

3.4 No person shall fail to remove an Election Sign more than 2 days after the last Voting Day for the Election.

4. General Provisions

4.1 No person shall Place or permit to be Placed an Election Sign on private property without the permission or consent of the owner or occupant of the property.

4.2 Every Election Sign must be maintained in a proper state of repair.

4.3 No person shall Place or permit to be Placed an Election Sign:

4.3.1 in a Roadway;

4.3.2 within 3 metres of a Roadway;

4.3.3 between a Roadway and a Sidewalk;

4.3.4 that impedes or obstructs the passage of pedestrians on a Sidewalk;

4.3.5 in a Median Strip;

4.3.6 less than 3 metres from a Crosswalk;

4.3.7 on a tree, fence, wall, pole or gate located on Public Property or on a Street;

4.3.8 on public utility poles;

4.3.9 in a boulevard that abuts a Park;

4.3.10 within 10 metres of another Election Sign of the same Candidate.

4.4 No Person shall Place or permit to be Placed an Election Sign that has a Sign Height:

4.4.1 of more than 0.8 metres if located within an intersection site visibility triangle;

4.4.2 of more than 2 metres when Placed within 3 to 8 metres of the Roadway;

4.4.3 of more than 4 metres when Placed beyond 8 metres of the Roadway.

4.5 No Person shall injure or foul a Street or permit the injuring or fouling of a Street when Placing an Election Sign.

4.6 The Town shall not be liable for any damage or loss to an Election Sign that was Placed in accordance with this By-law or that was removed pursuant to the provisions of this By-law.

5. Vehicle Signs

5.1 No Person shall Place or permit to be Placed a Vehicle Sign except in accordance with this By-law.

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5.2 The total area of the Vehicle Sign(s) Placed on or in any one vehicle shall not exceed 1.5 square metres.

6. Election Sign Security Deposit

6.1 A refundable security deposit in the amount of $140.00 shall be paid to the Town prior to the Placement of any Election Sign for a Municipal Election.

6.2 A refundable security deposit in the amount of $300.00 shall be paid to the Town prior to the Placement of any Election Sign for a Federal or Provincial Election.

6.3 Election Signs removed in accordance with this By-law shall be subject to a sign removal fee of $20.00 per sign.

6.4 Election Sign removed in accordance with this By-law, the Candidate to whom the Election Sign belongs will be charged the amount outlined in provision 6.3, and such charges will be deducted from the security deposit.

6.5 If the costs incurred by the Town in removing a Candidate's Election Sign exceed the deposit paid to the Town by that Candidate, the Town shall notify the Candidate, who shall have five (5) days after the notice is received to pay the outstanding balance.

6.6 Subject to any deductions made pursuant to this By-law, a Candidate is entitled to have their security deposit refunded no later than ninety (90) days after Voting Day.

7. Administration and Enforcement

7.1 Where an Election Sign has been Placed contrary to this By-law, the Clerk or By-law Enforcement Officer may authorize the removal of the Election Sign without notice or compensation.

7.2 Election Signs that have been removed in accordance with provision 7.1, shall be stored for a period of not less than 14 days, during which time the Candidate or Candidate's agent may retrieve the sign, provided the Town receives full payment of the sign removal fee outlined in section 6.3.

7.3 Any Election Sign that has been stored for at least 14 days and has not been retrieved may be destroyed or otherwise disposed of without notice and without compensation.

7.4 Notwithstanding any other provision in this By-law, the Clerk or By-law Enforcement Officer is not required to store Election Signs made entirely of paper material and may authorize immediate disposal of such signs upon removal.

7.5 Where an Enforcement Officer has reasonable grounds to believe that an offence has been committed by a person under this By-law, the officer may require the name, address and proof of identity of that person, and the person shall supply the requested information.

8. Conflict and Severability

8.1 In the event of any conflict between this By-law and any County of Essex by-law, the County of Essex by-law shall prevail.

8.2 Each section of this By-law is an independent section, and the holding of any section or part of any section of this By-law to be void or

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ineffective for any reason shall not be deemed to affect the validity of any other sections of this By-law.

9. Offence and Penalties

9.1 Every Person who contravenes any provision in this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act,* R.S.O. 1990, c, P.33.

9.2 No Person shall prevent, hinder or interfere or attempt to prevent, hinder or interfere with an officer enforcing the provisions of this By-law.

10. Coming into Force

10.1 This by-law shall come into force upon third reading and being finally passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

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Town of Kingsville
Council Summary Report
2018

Cheque Distributions for the Month of: JUNE

Department Summary:

Dept. No.	Department Name	Amount
	Credit Card Transactions	$ 6,221.46
000	Default - Clearing	$ 101,037.43
110	Council	$ 45.79
112	General Administration	$ 51,233.58
114	Information Technology	$ 13,238.55
120	Animal Control	$ 39,025.00
121	Fire	$ 22,520.40
122	OPP	$ 8,444.75
124	Building	$ 5,150.57
130	Transportation - Public Works	$ 64,799.80
131	Sanitation	$ 87,727.54
151	Cemetery	$ 8,935.35
170	Arena	$ 26,755.87
171	Parks	$ 77,251.57
172	Fantasy of Lights	$ -
173	Marina	$ 10,614.61
174	Migration Festival	$ -
175	Recreation Programs	$ 12,205.96
176	Communities in Bloom	$ -
178	Facilities	$ 333,083.96
180	Planning	$ 11,563.25
181	BIA	$ 12,657.39
184	Accessibility Committee	$ 172.99
185	Tourism & Economic Development Committee	$ 4,036.60
186	Heritage Committee	$ 420.00
201	Environmental - Water	$ 29,438.85
242	Kingsville/Lakeshore West Wastewater	$ 156,576.34
243	Cottam Wastewater	$ 13,134.62

Total of Current Expenditures: $ 1,096,292.23

**Note HST Rebate details are omitted, but are included in the totals*

Total Number of Current Cheques Issued: 264

Comparison Data: JUNE 2017

Total of Approved Expenditures: $ 1,055,885.00

Total Number of Cheques Issued: 302

** denotes monies to be recouped, billed to third party*

Council Summary Report
Credit Card Transactions
June 2018

Cheque Number	Cheque Date	Vendor Name	Description	Account	Amount
65938	6/21/2018	TD Canada Trust - RM Visa	TWEPI AGM - G Queen	01-110-101-60253	$ 30.00
65938	6/21/2018	TD Canada Trust - RM Visa	Smart List Training	01-112-098-60254	$ 793.73
65938	6/21/2018	TD Canada Trust - RM Visa	New Employee Training	01-112-098-60254	$ 793.73
65938	6/21/2018	TD Canada Trust - RM Visa	Utility Bill Training	01-112-098-60254	$ 793.73
65938	6/21/2018	TD Canada Trust - RM Visa	Webinar Partial Refund	01-112-098-60254	$ (396.86)
65938	6/21/2018	TD Canada Trust - RM Visa	Webinar Partial Refund	01-112-098-60254	$ (396.86)
65938	6/21/2018	TD Canada Trust - RM Visa	Webinar Partial Refund	01-112-098-60254	$ (396.86)
65938	6/21/2018	TD Canada Trust - RM Visa	Supervisor P&R Ad	01-112-099-60306	$ 477.25
65938	6/21/2018	TD Canada Trust - RM Visa	Job Posting	01-112-099-60306	$ 20.57
65938	6/21/2018	TD Canada Trust - RM Visa	Contract Negotiations	01-112-099-60319	$ 306.20
65938	6/21/2018	TD Canada Trust - RM Visa	Fire Training Material	01-121-072-60118	$ 90.04
65938	6/21/2018	TD Canada Trust - RM Visa	Fire Training Material	01-121-072-60118	$ 77.39
65938	6/21/2018	TD Canada Trust - RM Visa	Fire Training Material	01-121-072-60118	$ 5.90
65938	6/21/2018	TD Canada Trust - RM Visa	Membership Dues	01-124-098-60254	$ 219.94
65938	6/21/2018	TD Canada Trust - RM Visa	Sidewalk Mgmt Course	01-130-098-60254	$ 178.08
65938	6/21/2018	TD Canada Trust - RM Visa	Cemetery Grounds Mtce	01-151-099-60337	$ 168.00
65938	6/21/2018	TD Canada Trust - RM Visa	H&S Training - S Mathies	01-170-098-60254	$ 925.00
65938	6/21/2018	TD Canada Trust - RM Visa	Software for Arena Screen	01-170-099-60302	$ 451.46
65938	6/21/2018	TD Canada Trust - RM Visa	Refund - Amazon	01-170-099-60315	$ (0.44)
65938	6/21/2018	TD Canada Trust - RM Visa	Arena - Facility Mtce	01-170-099-60315	$ 418.63
65938	6/21/2018	TD Canada Trust - RM Visa	Marina - Soap Dispenser	01-173-099-60315	$ 52.37
65938	6/21/2018	TD Canada Trust - RM Visa	New Planning Acts	01-180-099-60301	$ 203.62
n/a	6/21/2018	TD Canada Trust - PVMW	ROMA Conf - Santos	01-110-100-60253	$ (229.54)
n/a	6/21/2018	TD Canada Trust - PVMW	ROMA Conf - Neufeld	01-110-105-60253	$ (229.54)
n/a	6/21/2018	TD Canada Trust - PVMW	360 Interviewer - Lunch	01-112-098-60254	$ 11.65
n/a	6/21/2018	TD Canada Trust - PVMW	Snack - Cottam Revitalization	01-112-099-60317	$ 56.94
n/a	6/21/2018	TD Canada Trust - PVMW	Charged in Error	01-122-098-60253	$ 366.53
n/a	6/21/2018	TD Canada Trust - PVMW	Charged in Error	01-122-098-60253	$ 417.38
n/a	6/21/2018	TD Canada Trust - PVMW	Refund Charge	01-122-098-60253	$ (366.53)
n/a	6/21/2018	TD Canada Trust - PVMW	Charged in Error	01-122-098-60253	$ 689.25
n/a	6/21/2018	TD Canada Trust - PVMW	OAPSB Conf - Wallace-Gero	01-122-098-60253	$ 366.53
n/a		TD Canada Trust - PVMW	Charged in Error	01-122-098-60253	$ (255.64)
65937	6/21/2018	TD Canada Trust - NS Visa	OABSP Conference	01-122-098-60253	$ 44.58
65937	6/21/2018	TD Canada Trust - NS Visa	OABSP Conference	01-122-098-60253	$ 49.72
65937	6/21/2018	TD Canada Trust - NS Visa	OABSP Conference	01-122-098-60253	$ 60.78
65937	6/21/2018	TD Canada Trust - NS Visa	OABSP Conference	01-122-098-60253	$ 330.07
65937	6/21/2018	TD Canada Trust - NS Visa	OABSP Conference	01-122-098-60253	$ 33.98
65937	6/21/2018	TD Canada Trust - NS Visa	OABSP Conference	01-122-098-60253	$ 60.68
			Total Credit Card Transactions		**$ 6,221.46**

Town of Kingsville
Council Summary Report

Ranges:	From:	To:
Vendor ID:	First	Last
Vendor Name:	First	Last
Cheque Date:	6/1/2018	6/30/2018
Sorted By:	Cheque Number	

Distribution Types Included: **PURCH**

Cheque Number		Cheque Date	Vendor Name	Description	Amount
Total For Department					**$0.00**
000					
0065762		6/13/2018	I.B.E.W. #636	Remittance 01-000-000-21006	$698.32
0065762		6/13/2018	I.B.E.W. #636	Remittance 01-000-000-21006	$1,303.70
0065764		6/13/2018	Kingsville Fire Fighter Assoc	Remittance 01-000-000-21014	$348.00
0065776		6/13/2018	Minister of Finance (Fynbo)	Claim No. SC-17-58242 01-000-000-21016	$52.93
0065797		6/13/2018	RC Spencer Associates Inc.	Extension Smith Newman Drain 01-000-023-14080	$712.32
0065797		6/13/2018	RC Spencer Associates Inc.	Relocation-Morley/Wigle Drain 01-000-023-14080	$5,263.53
0065797		6/13/2018	RC Spencer Associates Inc.	Extension - Smith Newman Drain 01-000-023-14080	$713.59
0065797		6/13/2018	RC Spencer Associates Inc.	Relocation-Morely/Wigle Drain 01-000-023-14080	$4,859.04
0065798		6/13/2018	REALTAX INC	Proceed with Tax Registrations 01-000-030-21307	$435.05
0065798		6/13/2018	REALTAX INC	Proceed with Tax Registrations 01-000-030-21307	$435.05
0065798		6/13/2018	REALTAX INC	Proceed with Tax Registrations 01-000-030-21307	$435.05
0065798		6/13/2018	REALTAX INC	Proceed with Tax Registrations 01-000-030-21307	$435.05
0065804		6/13/2018	Rood Engineering Inc.	9th Conc Road Drain 01-000-023-14080	$13,220.65
0065814		6/13/2018	Shilson Excavation & Trucking I	Ruscom River Dr Obstruction 01-000-023-14080	$508.80
0065814		6/13/2018	Shilson Excavation & Trucking I	East Br of #47 Drain 01-000-023-14080	$4,684.62
0065814		6/13/2018	Shilson Excavation & Trucking I	Tinney Drain 01-000-023-14080	$1,816.41
0065814		6/13/2018	Shilson Excavation & Trucking I	Charles Granger Drain 01-000-023-14080	$5,093.08
0065814		6/13/2018	Shilson Excavation & Trucking I	Boose Drain 01-000-023-14080	$1,908.00
0065814		6/13/2018	Shilson Excavation & Trucking I	4th Conc Drain 01-000-023-14080	$1,572.19
0065814		6/13/2018	Shilson Excavation & Trucking I	Lane Drain 01-000-023-14080	$11,142.71

Cheque Number		Cheque Date	Vendor Name	Description	Cheque Amount
0065814	*	6/13/2018	Shilson Excavation & Trucking I	East Townline Drain 01-000-023-14080	$2,635.58
0065834	*	6/13/2018	Town of Lakeshore	Lakeshore Drainage Projects 01-000-023-14080	$1,100.62
0065850		6/13/2018	Workplace Safety & Insurance E	Remittance 01-000-000-21007	$7,210.11
0065852	*	6/13/2018	Cindy Zimmer	Refund Pavilion Rental June 5 01-000-030-21383	$16.20
0065864	*	6/21/2018	Bondy, Riley, Koski	Site Plan Reg SPA/13/17 01-000-020-22245	$363.89
0065867	*	6/21/2018	Michele Chauvin	Refund Deposit - 342 Coghill 01-000-000-21413	$150.00
0065868	*	6/21/2018	Chris King & Sons Construction	Rfnd Deposit - 48 Robin Crt 01-000-000-21410	$1,000.00
0065868	*	6/21/2018	Chris King & Sons Construction	Deposit Refund - 46 Robin Crt 01-000-000-21410	$1,000.00
0065879	*	6/21/2018	Erie North Shore Basketball	Sun Life Benevity Fund 01-000-031-21418	$1,000.00
0065889	*	6/21/2018	Hillside Hothouse Limited	Deposit Rfnd - 1541 Cty Rd 34 01-000-020-22265	$989.92
0065894		6/21/2018	Intrepid General Limited	Final Holdback Release 01-000-027-20030	$5,088.00
0065917	*	6/21/2018	Phasor Industrial	Mettawas-Replace Light Fixture 01-000-006-13199	$1,795.00
0065924	*	6/21/2018	Rotary Club of Cottam	Refund Rent Payment 01-000-006-12014	$113.75
0065925		6/21/2018	Royal Benefits Inc	Claims - May 2018 01-000-006-12002	$21.54
0065933	*	6/21/2018	Stantec Consulting Ltd.	Boem Berry Flow Control 01-000-006-13199	$4,607.28
0065933	*	6/21/2018	Stantec Consulting Ltd.	Mucci Farms - GH Plant 3 01-000-006-13199	$4,665.60
0065933	*	6/21/2018	Stantec Consulting Ltd.	M&M Farms Water Flow Control 01-000-006-13199	$524.88
0065933	*	6/21/2018	Stantec Consulting Ltd.	M&M Farms - Watermain 01-000-006-13200	$10,604.32
0065959	*	6/26/2018	HYDRO ONE	1 Conc Lot 22 Moroun Pump Stn 01-000-023-14080	$2,512.65

Total For Department 000 **$101,037.43**

110 -

0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-110-099-60327	$45.79

Total For Department 110 **$45.79**

112 -

0065715	6/13/2018	BDO Canada LLP	YE Audit - Progress Bill 01-112-099-60326	$16,179.83
0065726	6/13/2018	Canada Post Corporation	Election 2018 01-112-099-60325	$737.76

Cheque Number		Cheque Date	Vendor Name	Description	Cheque Amount
0065726		6/13/2018	Canada Post Corporation	Tax Arrears 01-112-099-60303	$694.94
0065728	*	6/13/2018	Isabel Carreira	May 26/18 - Stasko/Ehrman 01-112-072-60129	$275.00
0065728	*	6/13/2018	Isabel Carreira	May 26/18 - Stasko/Ehrman 01-112-072-60129	$3.56
0065733		6/13/2018	Cintas Canada Limited	Town Hall - Mats 01-112-099-60315	$71.72
0065734		6/13/2018	Natalie Cobby	Mileage 01-112-099-60400	$73.31
0065735		6/13/2018	Compugen Inc.	Treasury Copies 01-112-099-60311	$932.89
0065735		6/13/2018	Compugen Inc.	CAO Copies 01-112-099-60311	$0.33
0065739		6/13/2018	Culligan Water	Water Cooler - Lunchroom 01-112-099-60311	$28.44
0065747		6/13/2018	Ergonow Incorporated	P&R Supervisor Chair 01-112-099-60358	$646.18
0065748		6/13/2018	Essex Free Press	2018 Election Audit Committee 01-112-099-60325	$204.83
0065770	*	6/13/2018	Linda Lyman	June 8/18 - Willemsma/Park 01-112-072-60129	$175.00
0065774		6/13/2018	Marianne Love Consulting Servi	Pay Equity for IBEW Group 01-112-360-71721	$3,358.08
0065779		6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-112-099-60301	$616.49
0065779		6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-112-099-60317	$9.47
0065783		6/13/2018	HYDRO ONE	2021 Division Admin #J027150 01-112-099-60314	$2,016.78
0065785		6/13/2018	Ontario Recreation Facilities As	P&R Supervisor - Ad 01-112-099-60306	$432.48
0065789		6/13/2018	Pearsall Marshall Halliwell & Se	Audit Confirmation Letter 01-112-099-60326	$356.16
0065789		6/13/2018	Pearsall Marshall Halliwell & Se	Boem Berry - Temp Encroachment 01-112-099-60319	$686.88
0065794		6/13/2018	Purolator Courier Service	Courier Expenses 01-112-099-60305	$20.62
0065800		6/13/2018	Ricci, Enns, Rollier & Setteringt	FTA Fees 01-112-099-60319	$114.48
0065816		6/13/2018	Sims Publications Incorporated	Election Compliance Audit Comm 01-112-099-60306	$182.71
0065828		6/13/2018	Telus Mobility	Cell Phone - May to June 01-112-099-60327	$228.96
0065836		6/13/2018	Tri-County Copiers Plus	Admin/Arena Copies 01-112-099-60311	$129.90
0065839		6/13/2018	Peggy Van Mierlo-West	Mileage 01-112-099-60400	$598.31
0065858		6/21/2018	ATM Pharmacies Ltd	Rent - Unit 10, 59 Main St E 01-112-099-60376	$1,664.08
0065861		6/21/2018	BDO Canada LLP	2017 FS Audit - Final Bill 01-112-099-60326	$7,173.06
0065862		6/21/2018	Bell Canada	2021 Division (long dist/ext) 01-112-099-60327	$652.28
0065862		6/21/2018	Bell Canada	2021 Division Rd N 01-112-099-60327	$559.68
0065865		6/21/2018	Linda Brohman	2018 OMTRA Conf Registration 01-112-098-60254	$702.14

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065869	6/21/2018	Cintas Canada Limited	Admin - Mats 01-112-099-60315	$71.72
0065875	6/21/2018	D.H.Kingsville Investments Inc	Medical Centre Rent 01-112-099-60366	$3,013.68
0065876	6/21/2018	Diamond Software Inc.	Cash Receipt/Tax Stmt Modules 01-112-099-60310	$1,148.62
0065885	6/21/2018	Fred Fuller	FAF Form 01-112-099-60319	$60.00
0065887	6/21/2018	Global Leasing	Q3 -Folder/Inserter Lease Pymt 01-112-099-60311	$887.84
0065890	6/21/2018	Tiffany Hong	CPA Membership - T Hong 01-112-099-60320	$997.25
0065898	6/21/2018	Kingsville Home Hardware	Admin - Batteries 01-112-099-60315	$9.15
0065907	6/21/2018	Kaylin McHardy	Police Clearance 01-112-099-60317	$25.00
0065911	6/21/2018	Stephanie Olewski	Accessibility Training 01-112-099-60400	$34.67
0065923	6/21/2018	R. Moir Cleaning Service	June Cleaning - Town Hall 01-112-099-60341	$2,442.24
0065925	6/21/2018	Royal Benefits Inc	Claims - May 2018 01-112-072-60222	$1,226.15
0065927	6/21/2018	Jennifer Setterington	Mileage 01-112-099-60400	$85.74
0065928	6/21/2018	Shred-It International ULC	Archives Destruction 01-112-099-60317	$149.56
0065929	6/21/2018	Sims Publications Incorporated	Business Cards - T Hong 01-112-099-60301	$86.50
0065941	6/21/2018	Thomson Reuters Canada	Online Charges - May 2018 01-112-099-60320	$118.68
0065943	6/21/2018	Union Gas Limited	2021 Division Rd - Town Hall 01-112-099-60314	$150.43
0065958	6/26/2018	Minister of Finance (Marriage)	Marriage Licences 01-112-099-60345	$1,200.00

Total For Department 112 **$51,233.58**

114

0065711	6/13/2018	Applied Computer Solutions Inc	Server work/updates 01-114-099-60310	$1,017.60
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-114-099-60327	$91.58
0065831	6/13/2018	Thinkdox Inc.	Laserfiche Mtce Renewal 01-114-099-60309	$10,198.87
0065855	6/21/2018	Advanced Network Devices Inc	Network Monitoring Software 01-114-099-60309	$1,752.92
0065857	6/21/2018	Applied Computer Solutions Inc	Arena - VMWare Mtce 01-114-099-60309	$87.35
0065892	6/21/2018	Tony Iacobelli	Phone Case & USB Stick 01-114-099-60302	$90.23

Total For Department 114 **$13,238.55**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
120				
0065765	6/13/2018	LaSalle Animal Hospital	Cat Voucher Program 01-120-280-60377	$75.00
0065878	6/21/2018	Erie Veterinary Hospital	Cat Voucher Program 01-120-280-60377	$75.00
0065878	6/21/2018	Erie Veterinary Hospital	Cat Voucher Program 01-120-280-60377	$150.00
0065909	6/21/2018	Municipality of Leamington	Essex County K9 Contract 01-120-280-60371	$38,050.00
0065948	6/21/2018	Windsor Essex County Humane	Stray Cats Program - May 01-120-280-60125	$125.00
0065948	6/21/2018	Windsor Essex County Humane	Cat Vouchers 01-120-280-60377	$550.00
		Total For Department 120		**$39,025.00**
121				
0065733	6/13/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	$62.86
0065733	6/13/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	$35.62
0065738	6/13/2018	Coxon's Sales and Rentals Ltd	Container Rental 01-121-099-60311	$101.76
0065741	6/13/2018	Darch Fire	Thermal Camera 01-121-360-71821	$10,562.68
0065741	6/13/2018	Darch Fire	Flir Truck Charger 01-121-099-60358	$1,788.94
0065746	6/13/2018	E.L.K. Energy Inc	120 Fox St 01-121-099-60314	$196.45
0065751	6/13/2018	Fireservice Management Ltd.	Fire - Equipment Repair 01-121-099-60316	$208.18
0065751	6/13/2018	Fireservice Management Ltd.	Fire - Equipment Repair 01-121-099-60316	$439.43
0065751	6/13/2018	Fireservice Management Ltd.	Fire - Equipment Repair 01-121-099-60316	$164.36
0065754	6/13/2018	Gosfield North Communications	Cottam Fire Hall 01-121-099-60327	$183.26
0065763	6/13/2018	Kingsville Home Hardware	Fire - Soap 01-121-099-60315	$18.31
0065763	6/13/2018	Kingsville Home Hardware	Fire - Equipment Repair 01-121-099-60316	$26.02
0065779	6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-121-099-60301	$141.98
0065779	6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-121-099-60317	$12.75
0065780	6/13/2018	Scott Moore	H&S Building Inspector Trainin 01-121-098-60254	$152.64
0065783	6/13/2018	HYDRO ONE	1720 Division Rd N 01-121-099-60314	$56.24
0065794	6/13/2018	Purolator Courier Service	Courier Expenses 01-121-099-60305	$4.42
0065806	6/13/2018	Safedesign Apparel Ltd.	Helmet - J McHardy 01-121-099-60701	$885.76

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065811	6/13/2018	Sentry Fire Protection Services	Fire - Equipment Repair 01-121-099-60316	$145.60
0065813	6/13/2018	Dorothy Shepley (fire)	Janitorial - May 2018 01-121-099-60341	$333.33
0065820	6/13/2018	Southwest Diesel Service Inc	216 - Dryer 01-121-099-60316	$596.69
0065820	6/13/2018	Southwest Diesel Service Inc	122 - Repair 01-121-099-60316	$1,475.70
0065824	6/13/2018	Stryker CA LP	AED - Infant Pads 01-121-099-60317	$118.04
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-121-099-60327	$157.73
0065846	6/13/2018	Windsor Factory Supply	LED Light 01-121-099-60316	$221.73
0065851	6/13/2018	Xerox Canada Ltd.	Fire - Copies 01-121-099-60311	$30.35
0065859	6/21/2018	B&T Waechter Holdings Ltd (Cc	Water Cooler 01-121-099-60315	$183.16
0065869	6/21/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	$35.62
0065869	6/21/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	$62.86
0065874	6/21/2018	DeLage Landen	Copier Lease - Fire 01-121-099-60311	$137.83
0065882	6/21/2018	Fireservice Management Ltd.	Fire - Equipment Repair 01-121-099-60316	$105.42
0065883	6/21/2018	Fisher's Regalia & Uniform Ac	Fire - Uniforms 01-121-072-60216	$71.77
0065891	6/21/2018	Sean Humenny	Pub Ed / Camera Course 01-121-100-60710	$110.26
0065891	6/21/2018	Sean Humenny	Pub Ed / Camera Course 01-121-098-60254	$163.86
0065908	6/21/2018	Merchant Paper Company	Fire - Janitorial Supplies 01-121-099-60315	$77.96
0065912	6/21/2018	HYDRO ONE	1720 Division Rd 01-121-099-60314	$584.35
0065913	6/21/2018	Ontario Municipal Management	CMM Membership - C Parsons 01-121-099-60320	$145.00
0065918	6/21/2018	Purolator Courier Service	Courier Fees 01-121-099-60305	$3.99
0065931	6/21/2018	Southwest Diesel Service Inc	Unit 123 Lights 01-121-099-60316	$248.59
0065932	6/21/2018	Southwest Fire Academy	Gemmell - 1006 Gen Rescue 01-121-072-60118	$432.48
0065932	6/21/2018	Southwest Fire Academy	Gemmell - 1006 Rope Rescue 01-121-072-60118	$432.48
0065932	6/21/2018	Southwest Fire Academy	Ingall - 1006 General Rescue 01-121-072-60118	$432.48
0065932	6/21/2018	Southwest Fire Academy	Ingall - 1006 Rope Rescue 01-121-072-60118	$432.48
0065940	6/21/2018	Thames Communications Ltd.	Radios & Pagers 01-121-099-60702	$305.28
0065943	6/21/2018	Union Gas Limited	120 Fox St 01-121-099-60314	$58.60
0065943	6/21/2018	Union Gas Limited	1720 Division St N 01-121-099-60314	$179.22
0065947	6/21/2018	Warkentin Plumbing	Fire - Facility Repair 01-121-099-60315	$153.33

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065949	6/21/2018	Windsor Factory Supply	Regulator 01-121-099-60316	$42.55
		Total For Department 121		**$22,520.40**
122				
0065708	6/13/2018	ABSOLUTE CANADIAN	OPP - Water 01-122-099-60315	$37.25
0065733	6/13/2018	Cintas Canada Limited	OPP - Mats 01-122-099-60315	$71.24
0065746	6/13/2018	E.L.K. Energy Inc	41 Division St S 01-122-099-60314	$480.53
0065754	6/13/2018	Gosfield North Communications	OPP - Talbot St Cottam 01-122-099-60327	$122.32
0065787	6/13/2018	Larry Patterson	OAPSB Conference 01-122-098-60253	$491.27
0065808	6/13/2018	Nelson Santos	OAPSB Conference 01-122-098-60253	$253.94
0065821	6/13/2018	Stanton Construction & Restora	Repair Side Entry Door 01-122-099-60315	$254.40
0065833	6/13/2018	Town of Kingsville (water)	41 Division St S 01-122-099-60314	$186.67
0065860	6/21/2018	Gary Bain	OAPSB Conference 01-122-098-60253	$818.10
0065869	6/21/2018	Cintas Canada Limited	OPP - Mats 01-122-099-60315	$71.24
0065886	6/21/2018	Gabriele Carpet Ltd	OPP - Facility Mtce 01-122-099-60315	$2,644.74
0065895	6/21/2018	John and Michelle Ivanisko	Cottam OPP Lease 01-122-260-60342	$540.31
0065920	6/21/2018	Reliance Home Comfort	41 Division St S 01-122-099-60314	$37.61
0065922	6/21/2018	Ricoh Canada	Copier Lease - OPP 01-122-099-60311	$278.09
0065923	6/21/2018	R. Moir Cleaning Service	June Cleaning - OPP 01-122-099-60341	$1,424.64
0065923	6/21/2018	R. Moir Cleaning Service	June Cleaning - Cottam OPP 01-122-099-60341	$203.52
0065943	6/21/2018	Union Gas Limited	41 Division St S 01-122-099-60314	$71.86
0065945	6/21/2018	Nancy Wallace-Gero	OAPSB Conf May 23-26/18 01-122-098-60253	$457.02
		Total For Department 122		**$8,444.75**
124				
0065750	6/13/2018	FastSigns	Supplies - By-Law Enforcement 01-124-099-60301	$348.02
0065779	6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-124-099-60301	$58.41
0065790	6/13/2018	Albert J Peach	Contract Worker 01-124-072-60120	$2,137.50

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065792	6/13/2018	Preview Inspections and Consul	Building Department 01-124-072-60120	$1,602.72
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-124-099-60327	$183.17
0065906	6/21/2018	MC Business Solutions Ltd	Bldg Dept - Copies 01-124-099-60301	$183.25
0065915	6/21/2018	Albert J Peach	Contract Work 01-124-072-60120	$637.50
		Total For Department 124		**$5,150.57**
130				
0065698	6/5/2018	Essex Region Conservation Aut	Shoreline Protection 01-130-099-60345	$150.00
0065699	6/5/2018	Essex Region Conservation Aut	Shoreline Protection 01-130-099-60345	$150.00
0065700	6/5/2018	Essex Region Conservation Aut	Shoreline Protection 01-130-099-60345	$150.00
0065714	6/13/2018	Wayne Bailey	Test and Renewal for DZ 01-130-099-60345	$105.75
0065732	6/13/2018	Chapman Signs	Plaque 01-130-099-60424	$298.50
0065743	6/13/2018	Dillon Consulting	Bridge #503 - Replace Culvert 01-130-360-71828	$3,022.82
0065743	6/13/2018	Dillon Consulting	Bridge #46 - Replace Culvert 01-130-360-71827	$997.90
0065743	6/13/2018	Dillon Consulting	Bridge #18 - Rehabilitation 01-130-360-71825	$1,530.92
0065746	6/13/2018	E.L.K. Energy Inc	390 Main St E Traffic Lights 01-130-110-60402	$61.80
0065746	6/13/2018	E.L.K. Energy Inc	Wigle Traffic Lights 01-130-110-60402	$48.91
0065746	6/13/2018	E.L.K. Energy Inc	Jasperson Traffic Lights 01-130-110-60402	$164.52
0065746	6/13/2018	E.L.K. Energy Inc	Streetlights - Kingsville 01-130-114-60412	$5,585.55
0065746	6/13/2018	E.L.K. Energy Inc	Division Traffic Lights 01-130-110-60402	$127.76
0065746	6/13/2018	E.L.K. Energy Inc	Spruce Traffic Lights 01-130-110-60402	$164.52
0065746	6/13/2018	E.L.K. Energy Inc	Santos & Main Traffic Lights 01-130-110-60402	$26.19
0065746	6/13/2018	E.L.K. Energy Inc	Streetlights - Cottam 01-130-114-60412	$1,163.17
0065759	6/13/2018	Heaton Sanitation	Daylight on McCallum Bridge 01-130-360-71828	$2,381.18
0065759	6/13/2018	Heaton Sanitation	Catch Basin Program 01-130-141-60439	$1,831.68
0065759	6/13/2018	Heaton Sanitation	Catch Basin Program 01-130-141-60439	$1,831.68
0065763	6/13/2018	Kingsville Home Hardware	Cut Off Wheels for Shop 01-130-099-60335	$31.53
0065763	6/13/2018	Kingsville Home Hardware	Plow Maintenance/ Paint 01-130-099-60316	$111.38

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065766	6/13/2018	Leamington Equipment Rentals	Pump Rental - Storm Sewer 01-130-099-60318	$162.82
0065769	6/13/2018	LSI Supply Inc	Hydraulic Fittings 01-130-099-60316	$273.61
0065772	6/13/2018	Shaun Martinho	Work Clothing 01-130-072-60216	$96.16
0065779	6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-130-099-60301	$93.26
0065779	6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-130-099-60317	$37.45
0065781	6/13/2018	N.J. Peralta Engineering Ltd.	Patterson Drain 01-130-360-71745	$10,628.83
0065783	6/13/2018	HYDRO ONE	Streetlights - Kratz 01-130-114-60412	$4.26
0065783	6/13/2018	HYDRO ONE	Streetlights - Mucci Dr 01-130-114-60412	$23.53
0065783	6/13/2018	HYDRO ONE	Streetlights - Road 3E 01-130-114-60412	$4.26
0065783	6/13/2018	HYDRO ONE	Streetlights - Woodland 01-130-114-60412	$60.78
0065783	6/13/2018	HYDRO ONE	Streetlights - Regent St 01-130-114-60412	$29.93
0065794	6/13/2018	Purolator Courier Service	Courier Expense 01-130-099-60305	$30.91
0065796	6/13/2018	Queens Auto Supply	Bulk Liquid Penetrate 01-130-099-60335	$32.64
0065796	6/13/2018	Queens Auto Supply	00-03 Cable and Fuses 01-130-099-60316	$23.77
0065796	6/13/2018	Queens Auto Supply	18-01 Floor Mats 01-130-360-71833	$387.11
0065796	6/13/2018	Queens Auto Supply	Grader - Trans Fluid 01-130-099-60316	$65.91
0065796	6/13/2018	Queens Auto Supply	00-03 Service 01-130-099-60316	$72.90
0065810	6/13/2018	Security One Alarm Systems	Monitoring 6/1/2018-8/31/2018 01-130-099-60327	$51.87
0065814	6/13/2018	Shilson Excavation & Trucking I	Repair Ditch - Lagoon 01-130-141-60429	$5,062.56
0065816	6/13/2018	Sims Publications Incorporated	Notice to Destroy Weeds 01-130-118-60416	$121.17
0065819	6/13/2018	Southwestern Sales Corp. Ltd.	Ditch Repair - Road 2 01-130-099-60452	$102.90
0065823	6/13/2018	Strongco Limited Partnership	Freight for Grader Repair 01-130-099-60316	$20.35
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-130-099-60327	$45.79
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-130-099-60327	$454.53
0065840	6/13/2018	Vehicle Venture	17-01 Side Steps 01-130-099-60316	$444.69
0065841	6/13/2018	Verhaegen Stubberfield	McCallum Drive 01-130-360-71828	$1,087.69
0065844	6/13/2018	Waddick Fuels	UNLD Gas 01-130-099-60340	$1,164.27
0065844	6/13/2018	Waddick Fuels	Dyed ULS 01-130-099-60340	$171.76
0065844	6/13/2018	Waddick Fuels	Clear ULS 01-130-099-60340	$1,839.72

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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065844	6/13/2018	Waddick Fuels	UNLD Gas 01-130-099-60340	$1,065.35
0065880	6/21/2018	E.R.(Bill) Vollans Ltd.	00-03 Valmet - Parts 01-130-099-60316	$63.05
0065880	6/21/2018	E.R.(Bill) Vollans Ltd.	00-03 Valmet - Service 01-130-099-60316	$581.29
0065884	6/21/2018	Fluid Basics Inc	14-05 - Install Sensors 01-130-360-71835	$1,738.20
0065898	6/21/2018	Kingsville Home Hardware	Patio Install Downtown 01-130-099-60456	$10.45
0065898	6/21/2018	Kingsville Home Hardware	Patio Install Downtown 01-130-099-60456	$25.14
0065898	6/21/2018	Kingsville Home Hardware	CB Repair @ Mettawas 01-130-141-60439	$4.37
0065898	6/21/2018	Kingsville Home Hardware	Bits for Patio Install 01-130-099-60456	$20.22
0065898	6/21/2018	Kingsville Home Hardware	Battery for Traffic Counter 01-130-099-60357	$22.37
0065898	6/21/2018	Kingsville Home Hardware	Paint for Snow Plow 01-130-122-60420	$15.24
0065898	6/21/2018	Kingsville Home Hardware	12-03-Hydraulic Hose Fitting 01-130-099-60316	$6.09
0065898	6/21/2018	Kingsville Home Hardware	Sprayer for Weed Control 01-130-118-60416	$36.62
0065900	6/21/2018	Leamington Int. Trucks	12-03 New Rad 01-130-099-60316	$5,128.80
0065901	6/21/2018	Linde Canada Limited 15687	Rental Charges 01-130-099-60335	$90.53
0065903	6/21/2018	LSI Supply Inc	12-01 Hose3 01-130-099-60316	$64.92
0065917	6/21/2018	Phasor Industrial	Fix Broken Wire 01-130-114-60413	$2,562.58
0065919	6/21/2018	Queens Auto Supply	17-01 - Floor Liner 01-130-099-60316	$168.82
0065919	6/21/2018	Queens Auto Supply	11-03 - Refrigerant 01-130-099-60316	$16.26
0065919	6/21/2018	Queens Auto Supply	Hand Soap for Shop 01-130-099-60335	$21.53
0065919	6/21/2018	Queens Auto Supply	Soap & Degreaser 01-130-099-60335	$169.57
0065919	6/21/2018	Queens Auto Supply	00-03 Valmet - Battery 01-130-099-60316	$161.24
0065921	6/21/2018	Rene Blain Trucking Ltd	Cold Patch Bulk 01-130-110-60418	$2,228.48
0065930	6/21/2018	Southwestern Sales Corp. Ltd.	Drive on Park St 01-130-360-71744	$69.85
0065930	6/21/2018	Southwestern Sales Corp. Ltd.	Gravel Road Mtce 01-130-138-60432	$1,828.81
0065943	6/21/2018	Union Gas Limited	2021 Division Rd - Garage 01-130-099-60314	$36.59
0065943	6/21/2018	Union Gas Limited	2021 Division Rd - PW Garage 01-130-099-60314	$28.22
0065944	6/21/2018	Waddick Fuels	UNLD Gas 01-130-099-60340	$1,384.97
0065944	6/21/2018	Waddick Fuels	Clear ULS 01-130-099-60340	$1,967.87
0065949	6/21/2018	Windsor Factory Supply	00-03 Valmet - Coupler 01-130-099-60316	$11.48

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065949	6/21/2018	Windsor Factory Supply	New Hose for PW Shop 01-130-099-60335	$206.38
0065959	6/26/2018	HYDRO ONE	Combination All Street Lights 01-130-114-60412	$1,771.99
0065959	6/26/2018	HYDRO ONE	PW Garage 01-130-099-60314	$761.33
		Total For Department 130		**$64,799.80**
131				
0065847	6/13/2018	Windsor Disposal Services Ltd.	Waste Collection - Crystal Apt 01-131-400-60380	$231.17
0065847	6/13/2018	Windsor Disposal Services Ltd.	Waste Collection - Cottam Mini 01-131-400-60380	$231.17
0065847	6/13/2018	Windsor Disposal Services Ltd.	Waste Collection - June 2018 01-131-400-60380	$43,416.62
0065881	6/21/2018	Essex-Windsor Solid Waste	Fixed Costs - May 2018 01-131-400-60370	$35,001.00
0065950	6/21/2018	Windsor Disposal Services Ltd.	Yardwaste Collection - May 01-131-400-60382	$8,812.34
0065950	6/21/2018	Windsor Disposal Services Ltd.	Waste Collection - Arena 01-131-400-60380	$35.24
		Total For Department 131		**$87,727.54**
151				
0065731	6/13/2018	Cedar Creek Landscaping	May Grass Cutting - Cemetery 01-151-072-60120	$6,541.00
0065731	6/13/2018	Cedar Creek Landscaping	April Grass Cuttings - Cemeter 01-151-072-60120	$2,175.00
0065746	6/13/2018	E.L.K. Energy Inc	Greenhill Cemetery 01-151-099-60314	$34.74
0065833	6/13/2018	Town of Kingsville (water)	Greenhill Cemetery 01-151-099-60314	$86.42
0065898	6/21/2018	Kingsville Home Hardware	Cemetery Mtce Equipment 01-151-099-60337	$72.95
0065943	6/21/2018	Union Gas Limited	Mill St Cemetery 01-151-099-60314	$25.24
		Total For Department 151		**$8,935.35**
170				
0065701	6/5/2018	HYDRO ONE	Arena Complex 01-170-099-60314	$10,015.96
0065706	6/13/2018	2nd Kingsville Scouts	P2P Form 43 01-170-000-15000	$193.50
0065709	6/13/2018	Accurate Fire Equipment Servic	Arena - Facility Mtce 01-170-099-60315	$120.00

Town of Kingsville
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Cheque Number		Cheque Date	Vendor Name	Description	Cheque Amount
0065710		6/13/2018	Allstream Business Inc	Arena - Fax/Debit 733-2866 01-170-099-60327	$82.00
0065710		6/13/2018	Allstream Business Inc	Arena/Carnegie Elevators 01-170-099-60327	$41.00
0065712	*	6/13/2018	Robert Augustine	P2P Forms 55 56 01-170-000-15000	$701.73
0065724		6/13/2018	BSM Technologies Ltd (formerly	P&R - Fleet Tracking 01-170-099-60327	$47.50
0065725		6/13/2018	Calder Equipment	Arena - Equipment Repair 01-170-099-60316	$1,137.70
0065733		6/13/2018	Cintas Canada Limited	Arena - Mats 01-170-099-60315	$42.10
0065749		6/13/2018	Essex County Locksmiths	Arena - Facility Mtce 01-170-099-60315	$60.00
0065760		6/13/2018	HOODZ of Southwestern Ontari	Clean Hood and Exhaust Fan 01-170-099-60315	$370.00
0065767		6/13/2018	Libby Mfg.	Facility Mtce 01-170-099-60315	$608.00
0065773		6/13/2018	Mark's Commercial	Workboots - T Sundin 01-170-072-60216	$219.96
0065775		6/13/2018	Merchant Paper Company	Arena - Supplies 01-170-099-60335	$390.28
0065779		6/13/2018	Monarch Office Supply	Office Supplies May 2018 01-170-099-60301	$27.16
0065786		6/13/2018	Otis Canada, Inc.	06/01/18 to 08/31/18 01-170-099-60315	$1,157.31
0065809	*	6/13/2018	Sarah Parks Horsemanship	P2P Form 42 01-170-000-15000	$1,520.29
0065828		6/13/2018	Telus Mobility	Cell Phone - May to June 01-170-099-60327	$450.00
0065836		6/13/2018	Tri-County Copiers Plus	Admin/Arena Copies 01-170-099-60301	$57.64
0065837		6/13/2018	Truax Lumber	Arena - Shop Supplies 01-170-099-60335	$14.37
0065837		6/13/2018	Truax Lumber	Safety Respirator Valve 01-170-099-60347	$32.99
0065845		6/13/2018	Warkentin Plumbing	Arena - AC Repair 01-170-099-60315	$101.70
0065848		6/13/2018	KELLY WOLTERS	Mileage 01-170-099-60400	$54.03
0065852	*	6/13/2018	Cindy Zimmer	Refund Pavilion Rental June 5 01-170-006-12063	$200.00
0065856		6/21/2018	AGO Industries Inc.	Arena - Clothing 01-170-072-60216	$238.25
0065856		6/21/2018	AGO Industries Inc.	Arena - Clothing 01-170-072-60216	$116.75
0065856		6/21/2018	AGO Industries Inc.	Arena - Clothing 01-170-072-60216	$176.90
0065869		6/21/2018	Cintas Canada Limited	Arena - Mats 01-170-099-60316	$42.10
0065872		6/21/2018	Cogeco	1741 Jasperson 01-170-099-60327	$104.76
0065873		6/21/2018	Culligan Water	Arena - Water Cooler 01-170-099-60315	$27.95
0065898		6/21/2018	Kingsville Home Hardware	Arena - Reaching Aid 01-170-099-60335	$29.99
0065898		6/21/2018	Kingsville Home Hardware	Arena - Gloves 01-170-099-60335	$8.97

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065898	6/21/2018	Kingsville Home Hardware	Arena - Facility Mtce 01-170-099-60315	$57.42
0065898	6/21/2018	Kingsville Home Hardware	Arena - Facility Mtce 01-170-099-60315	$4.40
0065898	6/21/2018	Kingsville Home Hardware	Arena - Facility Mtce 01-170-099-60315	$75.05
0065898	6/21/2018	Kingsville Home Hardware	Outdoor Women's washroom 01-170-099-60315	$9.99
0065898	6/21/2018	Kingsville Home Hardware	Arena - Batteries 01-170-099-60315	$10.49
0065904	6/21/2018	Mark's Commercial	Workboots - L Rocheleau 01-170-072-60216	$199.12
0065914	6/21/2018	Orkin Canada Corporation	Pest Control 01-170-099-60315	$81.00
0065925	6/21/2018	Royal Benefits Inc	Claims - May 2018 01-170-072-60223	$1,085.88
0065943	6/21/2018	Union Gas Limited	1741 Jasperson Lane 01-170-099-60314	$191.63
0065947	6/21/2018	Warkentin Plumbing	Arena - Shop Supplies 01-170-099-60335	$366.14
0065959	6/26/2018	HYDRO ONE	Arena Complex 01-170-099-60314	$6,283.86

Total For Department 170 **$26,755.87**

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0065703	6/5/2018	Reliance Home Comfort	24 Mill St - Lions Hall 01-171-159-60314	$24.00
0065704	6/5/2018	Union Gas Limited	315 Queen St 01-171-155-60314	$121.24
0065705	6/13/2018	1797465 Ontario Limited	Rental @ Soccer Fields 01-171-099-60318	$518.98
0065710	6/13/2018	Allstream Business Inc	Park Pavilion 733-8952 01-171-155-60327	$44.30
0065710	6/13/2018	Allstream Business Inc	Lions Hall 733-2573 01-171-159-60327	$41.00
0065710	6/13/2018	Allstream Business Inc	Arena/Carnegie Elevators 01-171-171-60327	$47.98
0065713	6/13/2018	B&T Waechter Holdings Ltd (Cc	P&R - Facility Mtce 01-171-099-60315	$321.53
0065719	6/13/2018	Valerie Benfield	Drivers Abstract 01-171-098-60254	$12.00
0065719	6/13/2018	Valerie Benfield	Police Clearance 01-171-098-60254	$25.00
0065727	6/13/2018	Capogna Flowers Inc.	HS - Carnegie Flowers 01-171-150-60344	$321.56
0065731	6/13/2018	Cedar Creek Landscaping	P&R -Grass Cuttings April 2018 01-171-072-60120	$1,969.05
0065731	6/13/2018	Cedar Creek Landscaping	P&R - Grass Cuttings May 2018 01-171-072-60120	$6,141.21
0065737	6/13/2018	County Wide Tree Service	Limb Removal - Lakeside Park 01-171-099-60339	$162.82
0065737	6/13/2018	County Wide Tree Service	Limb Removal - Rotary Park 01-171-099-60339	$407.04

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065740	6/13/2018	D & L Digging	Catch Basins 01-171-360-71844	$3,780.38
0065740	6/13/2018	D & L Digging	Catch Basins - Cottam Rotary 01-171-099-60337	$2,080.99
0065742	6/13/2018	Tim Del Greco	Point Pelee - Park Amenities 01-171-099-60315	$7.02
0065746	6/13/2018	E.L.K. Energy Inc	Queen St - NE Corner 01-171-099-60314	$15.95
0065746	6/13/2018	E.L.K. Energy Inc	Queen St - NW Corner 01-171-099-60314	$16.82
0065746	6/13/2018	E.L.K. Energy Inc	21 Mill St - Lions Hall 01-171-159-60314	$16.21
0065746	6/13/2018	E.L.K. Energy Inc	28 Division St S 01-171-171-60314	$203.21
0065746	6/13/2018	E.L.K. Energy Inc	315 Queen St - Meter Cab 01-171-099-60314	$15.12
0065746	6/13/2018	E.L.K. Energy Inc	Queen St - Pavilion 01-171-155-60314	$185.12
0065746	6/13/2018	E.L.K. Energy Inc	21 Mill St - Lions Hall 01-171-159-60314	$433.01
0065746	6/13/2018	E.L.K. Energy Inc	37 Beech St (42 Main) 01-171-172-60314	$142.19
0065746	6/13/2018	E.L.K. Energy Inc	124 Fox - Ridgeview Park 01-171-176-60314	$160.76
0065746	6/13/2018	E.L.K. Energy Inc	122 Fox St 01-171-173-60314	$228.65
0065746	6/13/2018	E.L.K. Energy Inc	169 Cty Rd 34 W(Cottam Rotary) 01-171-099-60314	$56.39
0065749	6/13/2018	Essex County Locksmiths	Unico - Facility Mtce 01-171-172-60315	$1,775.00
0065752	6/13/2018	Gillett Sheet Metal Inc.	P&R - Facility Mtce 01-171-099-60315	$81.41
0065755	6/13/2018	Grossi Plumbing & Heating	Carnegie - Facility Mtce 01-171-171-60315	$1,170.24
0065756	6/13/2018	Gyori Farms Inc.	Mulch - Mettawas 01-171-099-60337	$147.55
0065758	6/13/2018	H & A Mastronardi Farms Ltd.	HS - Bedding Plants 01-171-150-60344	$24.42
0065763	6/13/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$17.01
0065767	6/13/2018	Libby Mfg.	Facility Mtce 01-171-176-60315	$228.00
0065771	6/13/2018	Mar-Co Clay Products Inc.	Ridgeview Park - Grounds Mtce 01-171-176-60337	$2,434.08
0065778	6/13/2018	Modular Service Group Inc	Storage Container Rental 01-171-099-60318	$76.32
0065788	6/13/2018	PCS Automation Services Inc	Ridgeview Park - Facility Mtce 01-171-176-60315	$290.00
0065791	6/13/2018	Practica	Pick up Bags 01-171-099-60335	$155.99
0065793	6/13/2018	Proud House Wash Ltd.	Weeds Spraying 01-171-099-60337	$691.97
0065799	6/13/2018	Resurfice Corp	P&R - Equipment Repair 01-171-099-60316	$359.21
0065802	6/13/2018	Larry Rocheleau	Mileage 01-171-099-60400	$53.25
0065803	6/13/2018	Rona Inc	Mettawas Gazebo 01-171-099-60315	$191.28

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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065805	6/13/2018	Ruthven Nursery & Garden Cen	Top Soil - Cottam Rotary Park 01-171-099-60344	$91.58
0065805	6/13/2018	Ruthven Nursery & Garden Cen	Topsoil 01-171-099-60344	$91.58
0065805	6/13/2018	Ruthven Nursery & Garden Cen	Mulch - Mettawas 01-171-099-60344	$300.16
0065805	6/13/2018	Ruthven Nursery & Garden Cen	HS - Kingsville Sign 01-171-150-60344	$107.99
0065807	6/13/2018	Sam's Service Facility	07-01 Repairs 01-171-099-60316	$1,077.44
0065807	6/13/2018	Sam's Service Facility	10-02 Repairs 01-171-099-60316	$112.90
0065815	6/13/2018	Simpson's Fence Ltd.	Fence Repairs 01-171-176-60315	$4,196.03
0065817	6/13/2018	Simplistic Lines Inc.	Field Marking Paint 01-171-176-60337	$504.38
0065817	6/13/2018	Simplistic Lines Inc.	Field Marking Paint 01-171-177-60337	$728.84
0065818	6/13/2018	SMR Engines Inc.	P&R - Equipment Repair 01-171-099-60316	$734.50
0065825	6/13/2018	Sun Parlour Grower Supply	Grass Seed 01-171-177-60337	$137.50
0065825	6/13/2018	Sun Parlour Grower Supply	Water Wand/Fertilizer 01-171-099-60344	$58.00
0065826	6/13/2018	Tamar Building Products	P&R - Facility Mtce 01-171-099-60315	$457.55
0065827	6/13/2018	Technical Standards & Safety	Elevator Licence Renewal 01-171-171-60315	$105.00
0065830	6/13/2018	The Storage Box	P&R - Rental Unit 460 01-171-099-60318	$101.76
0065833	6/13/2018	Town of Kingsville (water)	21 Mill St - Lions Hall 01-171-159-60314	$150.12
0065833	6/13/2018	Town of Kingsville (water)	28 Division St S 01-171-171-60314	$51.18
0065833	6/13/2018	Town of Kingsville (water)	Lakeside Park Washrooms 01-171-099-60314	$68.38
0065833	6/13/2018	Town of Kingsville (water)	Lakeside Park Pavilion 01-171-155-60314	$195.29
0065833	6/13/2018	Town of Kingsville (water)	37 Beech St 01-171-172-60314	$87.75
0065837	6/13/2018	Truax Lumber	P&R - Chalk/Chalk Line 01-171-099-60335	$17.69
0065837	6/13/2018	Truax Lumber	P&R - Wedge Anchor 01-171-099-60315	$17.76
0065837	6/13/2018	Truax Lumber	P&R - Deck Screws 01-171-099-60315	$36.62
0065837	6/13/2018	Truax Lumber	P&R - Mettawas Gazebo 01-171-099-60315	$49.76
0065837	6/13/2018	Truax Lumber	P&R - Mettawas Gazebo 01-171-099-60315	$75.41
0065837	6/13/2018	Truax Lumber	P&R - Mettawas 01-171-099-60335	$46.12
0065837	6/13/2018	Truax Lumber	P&R - Supplies 01-171-099-60335	$17.88
0065842	6/13/2018	Vertechs Elevators Ontario Inc.	Monthly Elevator Mtce 01-171-171-60315	$330.72
0065843	6/13/2018	Vichem Manufacturing	P&R - Shop Supplies 01-171-099-60335	$654.42

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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065844	6/13/2018	Waddick Fuels	P&R - Dyed ULS 01-171-099-60340	$726.81
0065846	6/13/2018	Windsor Factory Supply	P&R - Facility Mtce 01-171-099-60315	$8.95
0065849	6/13/2018	Wolseley Canada Inc	P&R - Facility Mtce 01-171-099-60315	$200.82
0065853	6/21/2018	1797465 Ontario Limited	Soccer Field - eeled line 01-171-099-60337	$295.10
0065854	6/21/2018	Addison Chevrolet Buick GMC L	Delivery of Vehicles 01-171-360-71845	$101.76
0065854	6/21/2018	Addison Chevrolet Buick GMC L	Delivery of Vehicles 01-171-360-71846	$101.76
0065854	6/21/2018	Addison Chevrolet Buick GMC L	18-05-2018 Chevy 1500 Purchase 01-171-360-71847	$33,258.98
0065866	6/21/2018	Chapman Signs	Sign - Fields open/closed 01-171-099-60315	$391.93
0065897	6/21/2018	Kelcom Telemessaging	Emerg Elevator Line 01-171-171-60327	$27.42
0065898	6/21/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$19.29
0065898	6/21/2018	Kingsville Home Hardware	P&R - Blades 01-171-099-60315	$47.81
0065898	6/21/2018	Kingsville Home Hardware	P&R - Sprayer Tank 01-171-099-60316	$17.36
0065898	6/21/2018	Kingsville Home Hardware	P&R - Dog Park 01-171-099-60315	$5.02
0065898	6/21/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$69.03
0065898	6/21/2018	Kingsville Home Hardware	P&R - Primer 01-171-099-60315	$39.66
0065898	6/21/2018	Kingsville Home Hardware	Volleyball Net 01-171-099-60315	$42.73
0065898	6/21/2018	Kingsville Home Hardware	Ridgeview - Facility Mtce 01-171-176-60315	$18.05
0065898	6/21/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$23.05
0065898	6/21/2018	Kingsville Home Hardware	P&R - Shop Supplie 01-171-099-60335	$36.15
0065898	6/21/2018	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	$56.78
0065898	6/21/2018	Kingsville Home Hardware	Skate Park-Anti-Skid Additive 01-171-099-60315	$45.74
0065898	6/21/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$25.42
0065898	6/21/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$2.84
0065898	6/21/2018	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	$27.44
0065898	6/21/2018	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	$16.27
0065898	6/21/2018	Kingsville Home Hardware	P&R - Equipment Repair 01-171-099-60316	$7.27
0065898	6/21/2018	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	$9.14
0065898	6/21/2018	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	$11.18
0065898	6/21/2018	Kingsville Home Hardware	P&R - Tarp 01-171-099-60335	$11.18

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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065898	6/21/2018	Kingsville Home Hardware	Pavilion - FacilityMtce 01-171-155-60315	$61.33
0065898	6/21/2018	Kingsville Home Hardware	Fence Post Cement 01-171-173-60315	$82.18
0065898	6/21/2018	Kingsville Home Hardware	HS - Gloves 01-171-150-60344	$33.51
0065898	6/21/2018	Kingsville Home Hardware	HS - Supplies 01-171-150-60344	$92.52
0065908	6/21/2018	Merchant Paper Company	Carnegie - Janitorial Supplies 01-171-171-60315	$60.95
0065912	6/21/2018	HYDRO ONE	1741 Jasperson Lane 01-171-177-60314	$162.26
0065916	6/21/2018	Peter Milec Painting Ltd.	P&R - Facility Mtce 01-171-099-60315	$52.91
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$112.98
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$29.73
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$29.73
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$0.95
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$75.15
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$4.10
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$11.09
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$21.00
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$178.60
0065919	6/21/2018	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	$20.58
0065923	6/21/2018	R. Moir Cleaning Service	June Cleaning - Unico 01-171-172-60315	$400.00
0065924	6/21/2018	Rotary Club of Cottam	Refund Rent Payment 01-171-061-40607	$875.00
0065939	6/21/2018	Technical Standards & Safety	Carnegie - Elevator Inspection 01-171-171-60315	$198.43
0065943	6/21/2018	Union Gas Limited	124 Fox St 01-171-176-60314	$34.51
0065943	6/21/2018	Union Gas Limited	122 Fox St 01-171-173-60314	$142.47
0065943	6/21/2018	Union Gas Limited	28 Division St S 01-171-171-60314	$21.37
0065943	6/21/2018	Union Gas Limited	21 Mill St - Lions Hall 01-171-159-60314	$37.48
0065943	6/21/2018	Union Gas Limited	37 Beech St 01-171-172-60314	$37.48
0065944	6/21/2018	Waddick Fuels	P&R - Dyed ULS 01-171-099-60340	$708.99
0065944	6/21/2018	Waddick Fuels	P&R - Dyed ULS 01-171-099-60340	$883.87
0065947	6/21/2018	Warkentin Plumbing	Men's bathroom repair 01-171-099-60315	$186.41
0065947	6/21/2018	Warkentin Plumbing	Canegie - Facility Mtce 01-171-171-60315	$1,138.69

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065956	6/26/2018	Cogeco	37 Beech St 01-171-172-60327	$54.95
0065959	6/26/2018	HYDRO ONE	ERCA Ticket Booth 01-171-099-60314	$28.84
0065960	6/26/2018	Union Gas Limited	315 Queen St 01-171-155-60314	$29.00

Total For Department 171 **$77,251.57**

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0065710	6/13/2018	Allstream Business Inc	Boat Ramp - 599 Cedar Dr 01-173-099-60327	$44.30
0065730	6/13/2018	Cedar Island Yacht Club	Tugboat Maintenance 01-173-152-60333	$1,467.49
0065844	6/13/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	$1,393.43
0065844	6/13/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	$1,272.59
0065898	6/21/2018	Kingsville Home Hardware	Marina - Facility Mtce 01-173-099-60315	$15.85
0065944	6/21/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	$2,953.79
0065944	6/21/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	$3,211.43
0065955	6/21/2018	XPlornet Communications Inc	Marina - Equipment Rental 01-173-099-60327	$49.99
0065959	6/26/2018	HYDRO ONE	Cedar Beach Marina - West Dock 01-173-099-60314	$50.60
0065959	6/26/2018	HYDRO ONE	Cedar Island Boat Slips 01-173-099-60314	$114.81
0065959	6/26/2018	HYDRO ONE	Boat Ramp Booth - 599 Cedar Dr 01-173-099-60314	$40.33

Total For Department 173 **$10,614.61**

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0065702	6/5/2018	Petty Cash (Arena)	Float - Older Adult Barbecue 01-175-099-60632	$150.00
0065721	6/13/2018	Big Silver Inc	Big Screen Movies 01-175-099-60646	$1,350.79
0065721	6/13/2018	Big Silver Inc	Big Screen Movies 01-175-099-60627	$3,915.28
0065744	6/13/2018	Maggie Durocher	Mileage 01-175-099-60400	$324.81
0065768	6/13/2018	Loblaw Inc.	Kids in the Kitchen 01-175-099-60627	$26.31
0065768	6/13/2018	Loblaw Inc.	Kids in the Kitchen 01-175-099-60627	$7.10
0065768	6/13/2018	Loblaw Inc.	Kids in the Kitchen 01-175-099-60627	$44.22
0065768	6/13/2018	Loblaw Inc.	Bread for Royal Tea 01-175-099-60632	$17.50

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065768	6/13/2018	Loblaw Inc.	Kids in the Kitchen 01-175-099-60627	$33.83
0065768	6/13/2018	Loblaw Inc.	Older Adults Tea 01-175-099-60647	$183.00
0065816	6/13/2018	Sims Publications Incorporated	Royal Tea - Ad 01-175-099-60645	$38.67
0065863	6/21/2018	Bike Windsor Essex	Canada Day Bike Rodeo 01-175-099-60628	$500.00
0065871	6/21/2018	Clowning Is Our Business	Canada Day Events 01-175-099-60628	$500.00
0065877	6/21/2018	Maggie Durocher	Mileage 01-175-099-60400	$508.17
0065888	6/21/2018	Clinton Hammond	Canada Day Events 01-175-099-60628	$600.00
0065899	6/21/2018	Marg Laman	Tea Party Expenses 01-175-099-60632	$69.00
0065899	6/21/2018	Marg Laman	Tea Party 01-175-099-60632	$60.00
0065902	6/21/2018	Loblaw Inc.	Kids in Kitchen/Older Adults 01-175-099-60632	$401.96
0065902	6/21/2018	Loblaw Inc.	Kids in Kitchen/Older Adults 01-175-099-60627	$35.77
0065910	6/21/2018	Mystic Drumz	Canada Day Event 01-175-099-60628	$1,679.04
0065929	6/21/2018	Sims Publications Incorporated	Senior Expo Ad 01-175-099-60645	$268.65
0065929	6/21/2018	Sims Publications Incorporated	Senior Expo Ad 01-175-099-60645	$107.46
0065929	6/21/2018	Sims Publications Incorporated	Drive-in Theater Ad 01-175-099-60645	$185.51
0065929	6/21/2018	Sims Publications Incorporated	Drive-in Theater 01-175-099-60645	$74.20
0065929	6/21/2018	Sims Publications Incorporated	Royal Tea Ad 01-175-099-60645	$96.67
0065929	6/21/2018	Sims Publications Incorporated	Royal Tea Ad 01-175-099-60645	$38.67
0065936	6/21/2018	Sweet Memories Bakery	Canada Day Cupcakes 01-175-099-60628	$427.75
0065946	6/21/2018	Sylvia Ward	Canada Day Event 01-175-099-60628	$180.00
0065951	6/21/2018	Windsor Circus Entertainment	Canada Day Event 01-175-099-60628	$381.60

Total For Department 175 **$12,205.96**

178

0065707	6/13/2018	Aace Home Improvements	Ruthven Library - Deposit 01-178-360-71857	$9,005.31
0065753	6/13/2018	Glos Associates Inc	Kings Landing 01-178-360-71630	$1,200.77
0065947	6/21/2018	Warkentin Plumbing	New Condenser & Coil 01-178-360-71856	$5,072.73
0065957	6/26/2018	Elmara Construction Co. Limite	Grovedale House - PPC #7 01-178-360-71630	$317,805.15

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
		Total For Department 178		**$333,083.96**
180				
0065718 *	6/13/2018	Jason Mark Bell	Rfnd 60% Minor Var App Fee 01-180-062-40684	$300.00
0065723	6/13/2018	Robert Brown (Employee)	OACA 01-180-099-60254	$987.44
0065723	6/13/2018	Robert Brown (Employee)	Mileage 01-180-099-60400	$42.60
0065794	6/13/2018	Purolator Courier Service	Courier Expenses 01-180-099-60305	$56.50
0065822	6/13/2018	Storey Samways Ltd	Mat Leave Coverage 01-180-072-60120	$2,961.21
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 01-180-099-60327	$45.79
0065893	6/21/2018	Infonex Inc	Training re: Cannabis Reg 01-180-099-60254	$1,016.58
0065925	6/21/2018	Royal Benefits Inc	Claims - May 2018 01-180-072-60222	$479.10
0065934	6/21/2018	Storey Samways Ltd	Mat Leave Coverage 01-180-072-60120	$2,961.21
0065953	6/21/2018	WSP Canada Group Limited	5yr OP Review 01-180-360-71742	$2,712.82
		Total For Department 180		**$11,563.25**
181				
0065716	6/13/2018	Christina Bedal	Internet hosting - Annual Fee 01-181-099-60309	$109.78
0065716	6/13/2018	Christina Bedal	Recognition Event Ticket 01-181-099-60317	$29.48
0065717	6/13/2018	Bell Canada	BIA - Phone 01-181-099-60327	$103.05
0065717	6/13/2018	Bell Canada	BIA - Internet 01-181-099-60327	$32.56
0065733	6/13/2018	Cintas Canada Limited	BIA - Mats 01-181-099-60341	$55.42
0065801	6/13/2018	RKM Awards & Promotional Prc	Hero Awards 01-181-099-60306	$14.25
0065870	6/21/2018	Cindy's Home and Garden	BIA - Hanging Baskets 01-181-170-60839	$101.66
0065870	6/21/2018	Cindy's Home and Garden	2018 Flowers #1 01-181-170-60839	$12,211.19
		Total For Department 181		**$12,657.39**
184				

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065757	6/13/2018	Hall Telecommunications Suppl	Textnet Phone Service 01-184-099-63300	$172.99
		Total For Department 184		**$172.99**
185				
0065734	6/13/2018	Natalie Cobby	Staycation Expo 01-185-099-63104	$39.71
0065745	6/13/2018	Elev8 Productions Inc	Business Recognition Awards 01-185-099-63104	$305.28
0065829	6/13/2018	The Trophy Boys	Business Recognition Awards 01-185-099-63104	$274.60
0065832	6/13/2018	Tourism Windsor Essex Pelee I	Wine Route Map 01-185-099-63104	$661.44
0065862	6/21/2018	Bell Canada	BIA Toll Free 01-185-099-60327	$12.62
0065905	6/21/2018	Mastronardi Estate Winery	Business Award Banquet 01-185-099-63104	$2,682.21
0065935 *	6/21/2018	Marian Stranak	Refund - Business Awards 01-185-099-63104	$60.74
		Total For Department 185		**$4,036.60**
186				
0065722	6/13/2018	Veronica Brown	Research Assistant 01-186-099-63200	$420.00
		Total For Department 186		**$420.00**
201				
0065720 *	6/13/2018	Jeremy Bering	Refund on Final 02-201-006-12067	$16.11
0065726	6/13/2018	Canada Post Corporation	Kingsville Water & Arrears 02-201-099-60303	$2,784.03
0065729	6/13/2018	CDW Canada	17-03 Computer Mount 02-201-099-60302	$176.77
0065736	6/13/2018	Corix Water Products LP	Meter Tests 02-201-099-63017	$2,281.35
0065759	6/13/2018	Heaton Sanitation	Curb Stop Repairs 02-201-180-60403	$1,894.77
0065759	6/13/2018	Heaton Sanitation	Curb Stop Repairs 02-201-180-60403	$1,996.53
0065777 *	6/13/2018	Brendon Mitro	Refund on Final 02-201-006-12067	$11.02
0065784	6/13/2018	Ontario One Call	Notifications - May 2018 02-201-099-63020	$283.29
0065792	6/13/2018	Preview Inspections and Consul	Backflow Preventions 02-201-180-60405	$1,831.68

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065795	6/13/2018	QMI-SAI Canada Limited	Accreditation Audit 02-201-099-60326	$1,729.92
0065812	6/13/2018	Sherway Contracting	Road 3E - PPC #3 Final 02-201-360-71448	$6,267.51
0065823	6/13/2018	Strongco Limited Partnership	Part for Grader 02-201-099-60316	$39.01
0065828	6/13/2018	Telus Mobility	Cell Phone - May to June 02-201-099-60327	$320.54
0065835	6/13/2018	Trenchless Utility Equipment Inc	New Leads for Locator 02-201-099-63020	$321.56
0065838	6/13/2018	TSC Stores L.P.	Env - Shop Supplies 02-201-099-60335	$55.96
0065838	6/13/2018	TSC Stores L.P.	Sandcloth Stock 02-201-099-60335	$53.41
0065846	6/13/2018	Windsor Factory Supply	Grease for Hydrant Mtce 02-201-099-63045	$93.90
0065849	6/13/2018	Wolseley Canada Inc	Flared Meter 02-201-099-63015	$784.94
0065849	6/13/2018	Wolseley Canada Inc	Water Service Connection 02-201-099-63025	$1,158.77
0065880	6/21/2018	E.R.(Bill) Vollans Ltd.	13-01 Replace Glass Door 02-201-099-60316	$579.15
0065896	6/21/2018	Jireh Tools	Env - Wrenches 02-201-099-60357	$393.78
0065926	6/21/2018	Adam Sellon	Mileage for Training 02-201-098-60254	$174.34
0065942	6/21/2018	TSC Stores L.P.	Trickle Charger for Vehicles 02-201-099-60357	$25.44
0065952	6/21/2018	Wolseley Canada Inc	Service Saddle 12" 02-201-099-63025	$102.22
0065952	6/21/2018	Wolseley Canada Inc	Meter supplies/Service Saddles 02-201-099-63015	$4,619.68
0065952	6/21/2018	Wolseley Canada Inc	Meter supplies/Service Saddles 02-201-099-63025	$311.60
0065954	6/21/2018	WWOTC	Water/Wastewater Training 02-201-098-60254	$1,131.57

Total For Department 201 **$29,438.85**

242

0065701	6/5/2018	HYDRO ONE	690 Heritage Rd 02-242-099-60314	$14,598.96
0065746	6/13/2018	E.L.K. Energy Inc	98 McCallum Dr 02-242-099-60314	$78.36
0065746	6/13/2018	E.L.K. Energy Inc	Bernath Pump Station 02-242-099-60314	$93.34
0065746	6/13/2018	E.L.K. Energy Inc	67 Heritage Sewage 2 02-242-099-60314	$3,453.37
0065746	6/13/2018	E.L.K. Energy Inc	250 Queen St 02-242-099-60314	$722.63
0065761	6/13/2018	Hurricane SMS Inc	Flush & Clear Cull Drive 02-242-320-64365	$1,424.64
0065782	6/13/2018	Ontario Clean Water Agency	Union Gas (Mar-Apr 2018) 02-242-099-60314	$2,753.66

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0065782	6/13/2018	Ontario Clean Water Agency	CWWF Funded Project 02-242-360-71865	$38,547.00
0065782	6/13/2018	Ontario Clean Water Agency	Operations & Maintenance 02-242-320-64360	$81,052.65
0065783	6/13/2018	HYDRO ONE	18 Hwy Lane Sewage Lagoon 02-242-099-60314	$66.64
0065912	6/21/2018	HYDRO ONE	1460 Road 2E Pump 02-242-099-60314	$515.94
0065959	6/26/2018	HYDRO ONE	Normandy Pump Station 02-242-099-60314	$74.53
0065959	6/26/2018	HYDRO ONE	1562 Heritage Rd Pump 4 02-242-099-60314	$85.19
0065959	6/26/2018	HYDRO ONE	1053 Cedar Dr 02-242-099-60314	$164.70
0065959	6/26/2018	HYDRO ONE	Pump Station Cedar Island 02-242-099-60314	$198.19
0065959	6/26/2018	HYDRO ONE	690 Heritage Rd 02-242-099-60314	$12,668.22
0065959	6/26/2018	HYDRO ONE	1902 Heritage Rd Pump 5 02-242-099-60314	$51.66
0065959	6/26/2018	HYDRO ONE	Forcemain Over Bridge 02-242-099-60314	$26.66
		Total For Department 242		**$156,576.34**
243				
0065746	6/13/2018	E.L.K. Energy Inc	168 County Rd 27 N 02-243-099-60314	$497.33
0065746	6/13/2018	E.L.K. Energy Inc	Rear of 17 Lyle 02-243-099-60314	$54.24
0065746	6/13/2018	E.L.K. Energy Inc	16 Whitewood (Behind) 02-243-328-64365	$59.01
0065746	6/13/2018	E.L.K. Energy Inc	168 Cty Rd 27 N - Lagoon 02-243-099-60314	$479.16
0065754	6/13/2018	Gosfield North Communications	Pump House Alarm 02-243-099-60327	$48.15
0065761	6/13/2018	Hurricane SMS Inc	Cottam INI Study - OCWA 02-243-320-64365	$6,072.52
0065782	6/13/2018	Ontario Clean Water Agency	Operations & Maintenance 02-243-320-64360	$5,924.21
		Total For Department 243		**$13,134.62**

* Note GST Rebate details are omitted, but are included in the totals **$1,090,070.77**

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
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kingsvilleworks@kingsville.ca

Date: **July 03, 208**

To: **Mayor and Council**

Author: **Linda Brohman, Tax Collector**

RE: **Kingsville Historical Park Inc. Exemption By-Law (162 Lansdowne Avenue)**

Report No.: **FS-2018-11**

AIM

Obtain council authorization to exempt 162 Lansdowne Avenue from taxation for municipal and school purposes.

BACKGROUND

On May 28, 2018, Council directed Administration to prepare a by-law, in an effort to satisfy the Municipal Property Assessment Corporation's criteria, to exempt Kingsville Historical Park Inc. from property taxation. Motion 340-2018, moved by G. Queen and seconded by T. Neufeld.

DISCUSSION

The Kingsville Historical Park Inc. (KPHI) currently applies and receives a 40% charity rebate on its property taxes each year. They also apply and receive a grant from the Town of Kingsville for the remainder of their property taxes each year. KPHI has requested that the Town of Kingsville pass a by-law exempting them from property taxation, as they are an “exhibition building”.

Section 3(1)16 of the *Assessment Act*, R.S.O. 1990, c. A. 31 states “The land of every company formed for the erection of exhibition buildings to the extent to which the council of the municipality in which the land situate consents that it shall be exempt.” This section authorizes the council of a municipality to exempt lands formed for the erection of exhibition buildings from property taxation. The section does not provide specific criteria for the exemption; it leaves this discretion to council.

There have been examples of this section of the *Assessment Act* being used in the past. The following "exhibition buildings" have been granted exemptions:

- Textile Museum of Canada (1992)
- Hockey Hall of Fame (1993)
- Bata Shoe Museum (1995)
- Toronto's First Post Office (2000)
- Canadian Canoe Museum (2001)

KPHI is a not for profit registered charity. Its letters patent read as follows:
The establishment and operation of a historical park for the purpose of:

a) Promoting public interest in the history of the Kingsville area and encouraging research there in;
b) Conducting and promoting historical research;
c) Maintaining a library and museum using its facilities for educational purposes.

KPHI also has a General Operating By-Law which states its goals as follows:

- Promote public interest in the history of the Kingsville area
- Conduct and promote historical research
- Collect and preserve artifacts pertinent to Kingsville and Essex County history
- Maintain a library and museum using its facilities for educational purposes
- Instill in the youth of the area, a respect and interest in the past sacrifices made by War Veterans towards the preservation of freedom and peace.

The letters patent, and published goals are relevant factors that council should consider to allow the s. 3(1)16 exemption.

Once municipal council has passed a by-law granting the exemption, the Municipal Property Assessment Corporation (MPAC) will review the by-law, *Assessment Act,* the letters patent, article of incorporation, etc., and an onsite inspection may be conducted. MPAC will take all of this information into consideration when deciding the eligibility for exemption.

The by-law includes the municipal and school portion of taxes, but does not include local improvement rates.

The by-law should be repealed if the property is sold, or the operations or intended uses of the property significantly change or the owners become a for-profit organization.

LINK TO STRATEGIC PLAN

Promote the betterment, self-image and attitude of the community.

FINANCIAL CONSIDERATIONS

The Town of Kingsville has been effectively writing-off the property taxes for KPHI through the annual grant process. If MPAC classifies the property as exempt, the Town will no longer be out-of-pocket for the County and School Board levies associated with this property. This will save the Town approximately $2,850 per year.

Staff are not aware of any other exhibition buildings that would qualify for the property tax exemption under Section 3 (1) 16 of the *Assessment Act.* If any other properties owners come forward seeking this exemption, these will be reviewed on a case by case basis.

CONSULTATIONS

Jennifer Astrologo, Director of Corporate Services
Katherine Gunning, Treasurer, Kingsville Historical Park Inc.
Municipal Property Assessment Corporation

RECOMMENDATION

Council authorize by-law 86-2018 to authorize exempt the lands known municipally as 162 Lansdowne Avenue from taxation for municipal and school purposes.

Linda Brohman
Linda Brohman, BBA
Tax Collector

Ryan McLeod
Ryan McLeod, CPA, CA
Director of Financial Services

Peggy Van Mierlo-West
Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 86-2018

Being a by-law to exempt the lands known municipally as 162 Lansdowne Avenue from taxation for municipal and school purposes

WHEREAS section 3(1)16 of the *Assessment Act,* R.S.O. 1990, c. A. 31 authorizes the council of a municipality to exempt lands formed for the erection of exhibition buildings;

AND WHEREAS The Corporation of the Town of Kingsville deems it expedient to exempt the Kingsville Historical Park Inc. pursuant to the provisions of the *Assessment Act;*

AND WHEREAS The Kingsville Historical Park Inc. is a not for profit registered charity;

AND WHEREAS The Kingsville Historical Park Inc. is operating for the purpose of:

1. Promoting public interest in the history of the Kingsville area and encouraging research therein;
2. Conducting and promoting historical research;
3. Maintaining a library and museum using its facilities for education purposes, which are available to all residents and visitors of Kingsville.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The property occupied by the Kingsville Historical Park Inc., as more particularly described in Schedule “A” attached hereto, is exempt from taxation for municipal and school purposes, pursuant to section 3(1)16 of the *Assessment Act,* R.S.O. 1990, c. A. 31, effective the 10th day of July, 2018.
2. The exemption will remain in place so long as the property is owned, occupied and used by the Kingsville Historical Park Inc. for the purposes set out above and it continues to operate as a non-profit charitable corporation, or until a repealing by-law is passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF July, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule A

Those lands situate, lying and being in the Town of Kingsville, in the County of Essex, Province of Ontario described as follows:

Plan 269 PT Lots 24 and 25 RP 12R16456 Parts 1 and 3

2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: **June 21, 2018**

To: **Mayor and Council**

Author: **M. Durocher**

RE: **Kingsville Pickleball Update**

Report No.: **PR-05-2018**

AIM

To provide Council with an update on the status of The Kingsville Pickleball Association and Kingsville Tennis Association and the current arrangements for shared court usage.

BACKGROUND

At the May 24 2018 meeting of the Parks Recreation Arts and Culture Committee members of Kingsville Pickleball Association and the Kingsville Tennis Association each provided the committee with updates on their current membership levels, organizational structure and program and recreational court usage. Both organizations are currently experiencing increases in membership and program time. Both organizations express the need for more courts to satisfy their growing numbers.

DISCUSSION

Further to the Pickleball and Tennis Associations presentations M. Durocher provided a report to the Parks Recreation Arts and Culture Committee detailing the current issues facing both associations with relation to sharing of the existing four tennis courts. Some of the issues that have been identified include need for more playing time on behalf of both associations, future funding models for Pickleball, percentage of court usage, and contribution levels.

The following motion was tabled

P&R 53-2018 Moved by B. Riddiford and seconded by Councilor T. Gaffan that administration ask for council direction with regard to the creation of short term and long term contract arrangements that will provide a solution for the shortage of courts . Further that this direction include

reasonable expectations, funding models, and contribution agreements for the development of additional courts for Kingsville Pickleball Association.

LINK TO STRATEGIC PLAN

Improve recreational and cultural facilities and opportunities within the Town of Kingsville.

FINANCIAL CONSIDERATIONS

In the short term a contribution agreement for The Pickleball Association for usage of the existing courts would generate funds that could be utilized for expansion of new courts should council wish to pursue that avenue.
The creation of new Pickleball Courts will require a request for tenders to be incorporated in to the 2019 budget, should that be the direction of council.

CONSULTATIONS

Parks Recreation Arts and Culture Committee
Jennifer Astrologo-Director of Corporate Services
Peggy Van Mierlo West-CAO

RECOMMENDATION

That Council approve the following recommendations;

That Administration be directed to draft a user agreement with the Kingsville Pickle Ball for the 2019 Pickleball season for the appropriate use of Kingsville owned recreational facilities

That staff be directed to enter into a fund raising agreement with Kingsville Pickleball Association for the construction of Pickleball courts,

That a consultant be hired to develop more detailed plans regarding the construction of Pickleball courts at the Kingsville Arena.

Maggie Durocher
Maggie Durocher Hons. B.H.K
Manager of Parks and Recreation Programs

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

REGULAR MEETING OF COUNCIL

MINUTES

Monday, June 25, 2018
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor Thomas Neufeld Councillor Larry Patterson Absent: Councillor T. Gaffan (on personal business) Absent: Councillor J. Driedger (on personal business)
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services S. Martinho, Public Works Manager R. McLeod, Director of Financial Services P. Van Mierlo-West, CAO R. Baines, Deputy Clerk - Administrative Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence to be followed by the singing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Mayor Santos reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

E. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Application for Official Plan Amendment (OPA/02/18) & Zoning By-law Amendment (ZBA/06/18) by 2263391 Ontario Ltd. 609 Road 3 E & V/L SS Road 3 E, Part of Lot 4, Concession 2 ED,

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Official Plan Amendment and Zoning By-law Amendment, dated June 4, 2018;

ii) Report dated June 15, 2018;

iii) Proposed By-law 74-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville; and

iv) Proposed Authorizing By-law 75-2018, being a By-law to Amend the Official Plan of the Town of Kingsville (Official Plan Amendment No. 7)

Mr. Brown presented his Report and indicated that several property owners residing near the subject lands had expressed concerns via email regarding odour and lighting. He fielded questions from Council, including an explanation regarding recourse and the appeal process should this not be approved.

Comments from the audience:

Keith Johnson 710 Road 3 E - Expressed concern regarding traffic, speeding and that there are no shoulders on Road 3. He suggested possible security issues, questioned future taxation and assessment values. He stated that traditional farming practices cannot compete with the marihuana greenhouse movement, and expressed concern with protecting land for future generations.

Alex Gruening 749 road 3 E - Expressed concerns with traffic and speeding, and the number of facility workers and bikers on that road. His concerns with the Application are related to assessment values, odour and lighting. He suggested that the greenhouse owner plant cedar hedging around property. Mr. Brown indicated that landscaping screening can be incorporated into the site plan.

Mark Stannard, (481) 523 Road 3 E - Expressed concern with the impact that this Application would have on his family dairy farm business, specifically related to the affect that any light projected at night would have on the animals. He explained that light intensity and hours of darkness disrupt cycles and have a

huge impact on milk production. He indicated any future investment in his dairy farm has been put on hold. He cannot compete with greenhouses and has concerns with tax assessment and property values. Mr. Brown indicated that the site plan agreement will outline the need to control light and odour.

Margaret Laman, 235 Lansdowne - (Farm at 547 Road 3) Inquired if there was flexibility in the site plan to make changes. She is concerned with what will happen to the taste of her vegetables being near a marihuana greenhouse.

Victor Huebert, 26 Robin Court - Inquired whether existing greenhouses were grandfathered in by-law regarding lighting. Mr. Brown responded that older greenhouses proposing any additions will have to comply with new provisions on being dark sky compliant.

Fred Driedger 930 Road 4 E - expressed concern on odour and impact on neighbourhood. He has conducted research on odour elimination and is requesting that greenhouse growers fully disclose products being used for health reasons. He discussed researching CERES, a greenhouse supplier in Colorado that builds energy efficient greenhouses with minimal discharge. His suggested that the municipality hold a 100% performance bond to hold the owner responsible. Mr. Brown indicated that air treatment control can be incorporated into site plan.

Mr. Gruening - Provided an additional comment that no greenhouse operations should be approved until bylaw is in place.

Dave Laman, 71 Golfview Cres - Concerned about the neighbourhood and asked if the greenhouse owners are willing to meet with neighbours. He expressed concerns with building a family home on the farm that will be next door to a marihuana production facility and not sure he wants to do that now.

Comments from applicant:

Bert Mucci - Stated that the facility will have all the features to deal with lighting, odour and security. He appreciated the comments received and will address light pollution. He stated that they aim to have a 100% blackout for this facility and are exploring all options. He advised that a new facility would have solid walls with a glass ceiling.

Mr. Dreidger - Added comment that charcoal filtering works and would like the greenhouse owner to consider it.

There were no further questions or comments from anyone else in attendance in the audience.

384-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council deny the application for an Official Plan Amendment (OPA/02/18) and the application for a Zoning By-law Amendment (ZBA/06/18).

Recorded	**For**	**Against**
Mayor Nelson Santos		X
Deputy Mayor Gord Queen	X	
Councillor Susanne Coghill		X
Councillor Thomas Neufeld		X
Councillor Larry Patterson	X	
Results	**2**	**3**

LOST (2 to 3)

385-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

It is recommended that Council:

Adopt Official Plan Amendment No. 7 (OPA 7) to establish a site-specific policy area to permit a new build greenhouse for the establishment of a Medical Marihuana Production Facility on the property currently known as 609 Road 3 E and V/L SS Road 3 E, Part of Lot 4, Concession 2 ED, Part 1, RP 12R 11488 and Part 1 RP 12R 22191, in the Town of Kingsville and direct administration to forward the policies to the County of Essex for final approval.

Approve Zoning By-law amendment application ZBA/06/18, to implement OPA 7 once final approval is granted by the County of Essex, permit a medical

marihuana production facility and establish site-specific regulations for said medical marihuana production facility and adopt the implementing by-law, subject to the inclusion of a provision that only Health Canada approved odour control agents are used.

CARRIED

2. PUBLIC MEETING-Application for Removal of the H-Holding Symbol ZBA/15/18 by 2496186 Ontario Ltd. & Colasanti Orchards Ltd. Lots 1 to 33 & Block 34, Plan 12M 609 3, 7, 11, 15, 19, 23, 27, 31, 4, 8

R. Brown, Manager of Planning Services

i) Notice of an Intention to Pass an Amending By-law to Remove a Holding Symbol dated June 4, 2018;

ii) Staff Report, dated June 13, 2018;

iii) Proposed by-law 73-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

There were no comments from anyone in attendance in the audience.

386-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

It is recommended that Council approve zoning by-law amendment application ZBA/15/18 for removal of the H-Holding symbol on lands known as Lots 1 to 33 and Block 34, inclusive, Plan 12M 609 in the Town of Kingsville and adopt the implementing by-law.

CARRIED

F. AMENDMENTS TO THE AGENDA

Councillor Neufeld added one announcement.

G. STAFF REPORTS

1. Items in Municipal Cemeteries

387-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Thomas Neufeld

That Municipal Services continues to review cemetery damage complaints on a case-by-case basis and provide relief to families when the damage is caused by Town staff or one of the Town's sub-contractors.

CARRIED

2. Cemetery By-law 90-2012 Amendment

388-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That council adopt the proposed Cemetery By-Law 67-2018 and repeal the existing by-law, By-law 90-2012, subject to amendments.

CARRIED

3. Appointment of Members to the Compliance Audit Committee

389-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That Council adopts By-law 79-2018, appointing members to the Compliance Audit Committee for the 2018-2022 Council Term, at this Regular Meeting.

CARRIED

4. Restricted Acts of Council after Nomination Day - Lame Duck Period

390-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council receives this report regarding Section 275 of the *Municipal Act, 2001*.

That Council delegate to the Chief Administrative Officer, for the period of time during which section 275 of the *Municipal Act, 2001* is in effect (the Lame Duck period), the following authority:

- Hiring or dismissing any employee, save and except those officers of the municipality whose appointment is required under the *Municipal Act, 2001,*
- Disposing of any real or personal property of the municipality which has a value exceeding $50,000 at the time of disposal, unless provided for in the current budget, and
- Making any expenditure or incurring any other liability which exceeds $50,000, unless provided for in the current budget.

That prior to the exercise of the delegation of authority, the Chief Administrative Officer consult with the Director of Financial Services on those matters involving the disposition of property and unbudgeted expenditures and consult with the Director of Corporate Services on employee matters.

That prior to the exercise of the delegation of authority, the Chief Administrative Officer advise Council in writing of the exercise of the authority.

That By-law 78-2018, being a by-law to authorize the delegated authority for restricted acts during the “lame duck” period be adopted.

CARRIED

5. BIA Request Regarding Pop Up Shops

391-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Thomas Neufeld

That this report be forwarded onto the BIA Board for informational purposes and that the Town’s current practices regarding business registration and inspection be maintained and that when a business is registered that the BIA is informed.

CARRIED

6. Cottam Rotary – Bus Shelter Donation

392-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council approve the Cottam Bus Shelter Project in principle and that Administration continue to work with the Cottam Rotary on an encroachment agreement, and that this agreement be presented to Council.

CARRIED

H. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Petition, dated May 29, 2018 RE: Bocce Courts

393-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council receives the Petition dated May 29, 2018, and that the petition be included in the next Parks, Recreation, Arts and Culture Committee (PRAC) Agenda for discussion and action.

CARRIED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--June 11, 2018

2. Regular 'Closed Session' Meeting of Council--June 11, 2018

394-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That Council adopts Regular Meeting of Council Minutes dated May 28, 2018 and Regular 'Closed Session' Meeting of Council Minutes dated May 28, 2018

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Parks, Recreation, Arts and Culture Committee - March 29, 2018

395-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated March 29, 2018 together with Minutes of the following sub-committees:

Migration Festival - February 6, 2018

Communities in Bloom - February 21, 2018

55+ Advisory - February 22, 2018

CARRIED

2. Parks, Recreation, Arts and Culture Committee - April 25, 2018

396-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated April 25, 2018 together with Minutes of the following sub-committees:

Migration Festival - March 6, 2018

Communities in Bloom - March 13, 2018

55+ Advisory - March 29, 2018

CARRIED

3. Kingsville Accessibility Advisory - April 17, 2018

397-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council receives Kingsville Accessibility Advisory Meeting Minutes dated April 17, 2018

CARRIED

4. Police Services Board - April 25, 2018

398-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That Council receives Police Services Board Meeting Minutes dated April 25, 2018

CARRIED

5. Kingsville B.I.A. - May 8, 2018

399-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council receives Kingsville B.I.A. Meeting Minutes dated May 8, 2018

CARRIED

6. Tourism and Economic Development Committee-May 10, 2018

400-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That Council receives Tourism and Economic Development Committee Meeting Minutes dated May 10, 2018

CARRIED

7. Kingsville Municipal Heritage Advisory Committee - May 22, 2018

401-2018
Moved By Councillor Larry Patterson
Seconded By Deputy Mayor Gord Queen

That Council receives Kingsville Municipal Heritage Advisory Meeting Minutes dated May 22, 2018

CARRIED

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Courageous Companions--Email Request for sponsorship advertisement or message of support in the upcoming annual edition of Courageous K9 Magazine

2. Windsor-Essex Humane Society--Correspondence from E. Amlin, Events and Community Relations Coordinator, notifying of fundraising campaign to be held July 12 through July 14

3. Windsor-Essex County Health Unit--Correspondence from T. Marentette, Acting CEO, dated June 12, 2018 RE: Smoke-Free Ontario Act, 2017

402-2018
Moved By Councillor Thomas Neufeld
Seconded By Deputy Mayor Gord Queen

That Council receives Business Correspondence-Informational items 1 through 3 as outlined.

CARRIED

L. NOTICES OF MOTION

1. Councillor Neufeld may move, or cause to have moved:

403-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That this Council formally request through our County representatives that the intersection of County Road 34 and County Road 27 in downtown Cottam, otherwise known as Old Highway 3 and Belle River Road, be changed to a four-way stop

Amendment:

404-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council defer the motion pending receipt of further information to support the four-way stop at the intersection of County Road 34 and County Road 27.

CARRIED

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Council Coghill requested an update regarding the gate request for the private parking lot on Main St W. Mr. Brown indicated that the gate is contrary to the site plan agreement. Ms. Van Mierlo-West reported that they are working on possible solutions and a mutual agreement with the owner.

Councillor Neufeld announced that Communities in Bloom will be in Cottam Rotary Park for clean up on June 27, 2018 from 6:00 to 7:00 p.m. and everyone is welcome.

N. BYLAWS

1. By-law 25-2018

405-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council reads By-law 25-2018, being a by-law to provide for the construction of a replacement bridge over the Loyst Drain, in the Town of Kingsville, in the County of Essex, a third and final time.

CARRIED

2. By-law 73-2018

406-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council reads By-law 73-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/15/18; Part of Lot 10, Conc. 2 ED), a first, second and third and final time.

CARRIED

3. By-law 74-2018

407-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That Council reads By-law 74-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/06/18; 609 Road 3 East and V/L SS Road 3 East), a first, second, third and final time.

CARRIED

4. By-law 75-2018

408-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council reads By-law 75-2018, being a By-law to amend the Official Plan of the Town of Kingsville (Official Plan Amendment No. 7; 2623391 Ontario Limited), a first, second and third and final time.

CARRIED

5. By-law 77-2018

409-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That Council reads By-law 77-2018, being a by-law to provide for the collection of the costs incurred for drainage works completed for numerous drains all in the Town of Kingsville, a first, second and third and final time.

CARRIED

6. By-law 78-2018

410-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council reads By-law 78-2018, being a By-law to authorize the delegation of authority to the Chief Administrative Officer for certain acts during a "lame duck" period, a first, second and third and final time.

CARRIED

7. By-law 79-2018

411-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council reads By-law 79-2018, being a by-law to establish a Compliance Audit Committee and appoint members thereto, a first, second and third and final time.

CARRIED

8. By-law 80-2018

412-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council reads By-law 80-2018, being a by-law authorizing the entering into of an Agreement with Sherway Contracting (Windsor) Limited for the construction of Road 11 East Watermain (RC Spencer Associates Inc. Project No. MS17-201) (full contract document available for review in Department of Corporate Services), a first, second and third and final time.

CARRIED

O. CLOSED SESSION

413-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That at 9:56 p.m. Council enter into Closed Session to address the following items:

CARRIED

1. **Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being an update report of CAO P. Van Mierlo-West regarding a proposed purchase of land by the municipality**
2. **Section 239(2)(d) labour relations or employee negotiations, being an update regarding the part-time collective agreement**
3. **Section 239(2)(e) litigation or potential litigation; being update from Director of Corporate Services regarding the status of an application for expropriation of a portion of waterfront lands for park purposes**

P. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 10:24 p.m., Mayor Santos reported that the Town reviewed the terms of the Memorandum of Settlement between the Town and IBEW Local Union 636 Unit 26.

414-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That Council endorse the Memorandum of Settlement as presented between Local Union 636, Unit 26 of the International Brotherhood of Electrical Workers and The Corporation of the Town of Kingsville.

CARRIED

Q. CONFIRMATORY BY-LAW

1. By-law 81-2018

415-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council reads By-law 81-2018, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its June 25, 2018 Regular Meeting, a first, second and third and final time.

CARRIED

R. ADJOURNMENT

416-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council adjourn this Regular Meeting at 10:26 p.m.

CARRIED

Sandy Kitchen

From: Sandy Kitchen
Sent: Thursday, July 5, 2018 11:40 AM
To: Sandy Kitchen
Subject: FW: Policy Update - AMO Stands with Canada and Ontario on NAFTA

From: AMO Communications <communicate@amo.on.ca>
Sent: June-25-18 3:14 PM
To: Jennifer Astrologo <jastrologo@kingsville.ca>
Subject: Policy Update - AMO Stands with Canada and Ontario on NAFTA

June 25, 2018

AMO Stands with Canada and Ontario on NAFTA

At its June 21st meeting AMO's Board of Directors passed a resolution in support of the Governments of Canada and Ontario successfully resolving the North American Free Trade Agreement (NAFTA) renegotiation. The Board calls on member municipalities to consider the resolution (below) to express local support.

Fair trade with the United States of America and Mexico has been the cornerstone of Canada's and Ontario's economy for many years. Since the Canada-US Free Trade Agreement (FTA) came into force in 1989 and NAFTA in 1993, Ontario's economy has become more integrated with the US and Mexico to the mutual benefit of residents and businesses. These relationships reinforce our prosperity and openness.

Changes to NAFTA could have major repercussions on the prosperity of Canada's local, regional and national economies. In passing this resolution AMO, and municipal governments across Ontario, are sending a strong message that municipal leaders stand with and support our provincial and federal governments in ensuring fairness and prosperity for Canadians.

Municipal Councils are encouraged to consider and pass this resolution copying Prime Minister Trudeau, Premier Designate Doug Ford, AMO and the Federation of Canadian Municipalities.

AMO Contact:

Craig Reid, Senior Policy Advisor, creid@amo.on.ca, 416-971-9856 ext. 334.

NAFTA RESOLUTION

That the AMO board approve the proposed NAFTA resolution to be shared with members, the Federal Government, the Provincial Government, and Federation of Canadian Municipalities (FCM).

WHEREAS, the North American Free Trade Agreement (NAFTA) governs nearly every aspect of Canada and the United States economic relationship including manufacturing, agriculture, resources industries, and services;

WHEREAS, about 80% of all of Ontario's exports go to the United States and Ontario is the top trading partner of half of all American States;

WHEREAS, even minor changes to the established trade relationship between Canada and the United States could have significant consequences for workers, consumers, and governments on both sides of the border;

WHEREAS, Canada's and Ontario's economic future and the continued well-being of communities and their local economies depend on free and fair trading relationships based in current future trade agreements;

Therefore, be it:

resolved that Ontario municipal governments, represented by the Association of Municipalities of Ontario (AMO), stand together with the Federal and Ontario governments in their efforts to protect Canadian jobs and local economies;

RESOLVED that AMO will work with the Province of Ontario to support the interests of municipalities and communities affected by trade disputes and during ongoing trade agreement negotiations;

RESOLVED that AMO will work with the Federation of Canadian Municipalities to ensure that Canada understands the municipal impacts affected by trade disputes and during ongoing trade agreement negotiations; and be it further

RESOLVED that _____ supports AMO's resolution.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

OPT-OUT: If you wish to opt-out of email communications from AMO, please click here.

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 55 - 2018

Being a By-law to accept and assume Mettawas Lane in the Mettawas Lane Development

WHEREAS by By-law 26-2011 (registered as Instrument Number CE464558 on March 31, 2011) Mettawas Lane, located in the Mettawas Lane Development, was duly established as a highway in the Town of Kingsville;

AND WHEREAS the Director of Municipal Services of The Corporation of the Town of Kingsville has certified that the roadway and municipal services have been constructed in accordance with the intent of the plans and specifiations approved by Council;

AND WHEREAS the Town had acquired the following lands, being the roadway now known as Mettawas Lane, on February 4, 2011 by Transfer registered as Instrument number CE4583634:

> Part of water lot in front of Lot 1, Concession 1, Lot 5, Part Lots 4, 6, 28, 29, 30, Part Block D, Part Private Drive, Part Walkway, Plan 965, designated as Parts 33, 34 and 37, 12R-22847; Subject to an easement over Part 34 12R-22847 as in R387279, Town of Kingsville;

AND WHEREAS the Town had acquired the following lands (being part of the water lot conveyed to the Town) on February 4, 2011 by Transfer registered as Instrument Number CE458635:

> Part of the Water Lot in Front of Lot 1, Concession 1, designated as Part 1, 12R-24277.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. **THAT** Mettawas Lane (Parts 33, 34 and 37, Plan 12R-22847) be accepted and assumed by The Corporation of the Town of Kingsville and included in the municipal road system;

2. **THAT** the sanitary sewers, storm sewers and watermain construction on Mettawas Lane be assumed by The Corporation of the Town of Kingsville;

3. **THAT** the sanitary sewers, storm sewers and watermain construction on the Water Lot in Front of Lot 1, Concession 1, designated as Part 1, 12R-24277 be assumed by The Corporation of the Town of Kingsville; and

4. **THAT** this by-law shall come into full force and effect upon third reading and being finally passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th day of July, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 60-2018

Being a by-law to provide for the construction to replace and improve the Road 10 Crossing Over the Patterson Drain in the Town of Kingsville, in the County of Essex

WHEREAS the Council of the Town of Kingsville, in the County of Essex, has procured a report under section 78 of the *Drainage Act* for the bridge construction over the Patterson Drain;

AND WHEREAS the report dated April 23rd, 2018 has been authored by Antonio B. Peralta, P. Eng. and the attached report forms part of this by-law;

AND WHEREAS $267,294.00 is the amount to be contributed by the Town of Kingsville for the drainage works;

AND WHEREAS Council is of the opinion that the report of the area is desirable;

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE, PURSUANT TO THE DRAINAGE ACT ENACTS AS FOLLOWS:

1. **AUTHORIZATION**
   The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report.

2. **BORROWING**
   The Corporation of the Town of Kingsville may borrow on the credit of the Corporation the amount of $267,294.00 being the amount necessary for the completion of the drainage works.

3. **DEBENTURES**
   The Corporation may arrange for the issue of debenture(s) on its behalf for the amount borrowed less the total amount of:

   a) Grants received under section 85 of the *Drainage Act*;
   b) Monies paid as allowances;
   c) Commuted payments made in respect of lands and roads assessed with the municipality;
   d) Money paid under subsection 61(3) of the *Drainage Act*; and
   e) Money assessed in and payable by another municipality.

4. **PAYMENT**
   Such debenture(s) shall be made payable within 2 (two) or 5 (five) years (as determined by the Director of Financial Services or designate) from the date of the debenture(s) and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s).

   1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for 2 (two) or 5 (five) years (as determined by the Director of Financial Services or designate) after the passing of this by-law.

   2) For paying the amount $267,294.00 being the amount assessed upon the lands and roads belonging to or controlled by the municipality a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Town of Kingsville in each year for 2 (two) or 5 (five) years (as determined

by the Director of Financial Services or designate) after the passing of this by-law to be collected in the same manner and at the same time as other taxes collected.

3) All assessments of $100.00 or less are payable in the first year in which the assessments are imposed.

5. SCHEDULE OF ASSESSMENTS OF LAND AND ROADS

CONSTRUCTION SCHEDULE OF ASSESSMENT

ROAD 10 CROSSING OVER THE PATTERSON DRAIN

TOWN OF KINGSVILLE

6. SPECIAL NON PRO-RATEABLE ASSESSMENTS (non-agricultural (Sec.26)):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Kingsville Roads Department					Town of Kingsville	$ 267,294.00	$ -	$ -	$ 267,294.00
Total on Special Non Pro-Rateable Assessments (non-agricultural (Sec.26))						**$ 267,294.00**	**$ -**	**$ -**	**$ 267,294.00**
TOTAL ASSESSMENT						**$ 267,294.00**	**$ -**	**$ -**	**$ 267,294.00**

1 Hectare = 2.471 Acres
D-17-029
April 23rd, 2018

6. **CITATION**
This by-law comes into force on the passing thereof and may be cited as the "Road 10 Crossing over the Patterson Drain" by-law.

READ A FIRST AND SECOND TIME AND PROVISIONALLY ADOPTED THIS 28th DAY OF MAY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

READ A THIRD TIME AND FINALLY PASSED ON THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 63-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan**;**

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.65 'AGRICULTURE *ZONE* 1 EXCEPTION 66 (A1-66)'

a) For lands shown as A1-66 on Map 53 Schedule "A" of this By-law.

b) **Permitted Uses**
   i) Those uses permitted under Section 7.1;
   ii) A medical marihuana production facility (MMPF)

c) **Permitted Buildings and Structures**

   i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
   ii) Buildings and structures accessory to the permitted uses.

d) **Zone Provisions**
   All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-66 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the following shall apply:

i) Item c) is deleted and replaced as follows: A residential use accessory to or supportive of the agricultural uses on-site, including a MMPF is permitted
ii) Items d), e) and i) are not applicable to lands zoned A1-66;
iii) Item g) shall not be applicable to on-site residential uses including a bunkhouse on the lands zoned A1-66.

All other items listed under Section 4.46 remain applicable to lands zoned A1-66.

2. Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as, Part of Lot 9, Concession 2 ED, and locally known as 1507 Road 3 E as shown on Schedule 'A' cross-hatched attached hereto from ‘Agriculture Zone 1 (A1)’ to 'Agriculture Zone 1 Exception 66 (A1-66)'.

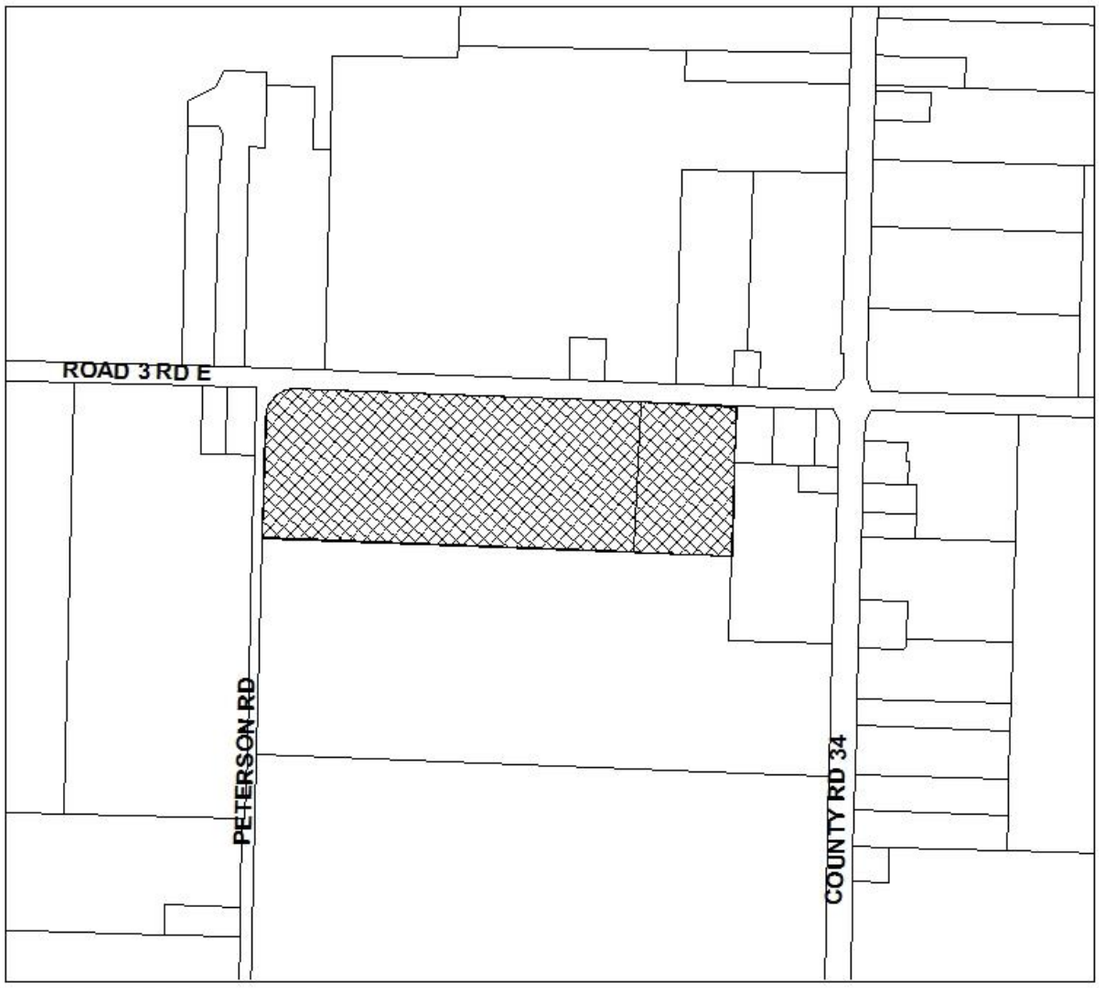
3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 9, Concession 2 ED
1507 Road 3 E
Zoning By-law Amendment ZBA/08/18

N

0 37.5 75 150 225 300 Meters

Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 66 (A1-66)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 65-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan**;**

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.65 'AGRICULTURE *ZONE* 1 EXCEPTION 68 (A1-68)'

a) For lands shown as A1-68 on Map 47 Schedule "A" of this By-law.

b) **Permitted Uses**
   i) Those uses permitted under Section 7.1;
   ii) A medical marihuana production facility (MMPF)

c) **Permitted Buildings and Structures**

   i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
   ii) Buildings and structures accessory to the permitted uses.

d) **Zone Provisions**
   All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-68 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the following shall apply:

i) Item c) is deleted and replaced as follows: A residential use accessory to or supportive of the agricultural uses on-site, including a MMPF is permitted
ii) Items d), e) and i) are not applicable to lands zoned A1-68;
iii) Item g) shall not be applicable to on-site residential uses including a bunkhouse on the lands zoned A1-68.

All other items listed under Section 4.46 remain applicable to lands zoned A1-68.

2. Schedule "A", Map 47 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as, Part of Lot 6, Concession 3 ED, and locally known as 2415-2495 Graham Sideroad as shown on Schedule 'A' cross-hatched attached hereto from ‘Agriculture Zone 1 (A1)’ to 'Agriculture Zone 1 Exception 68 (A1-68)'.

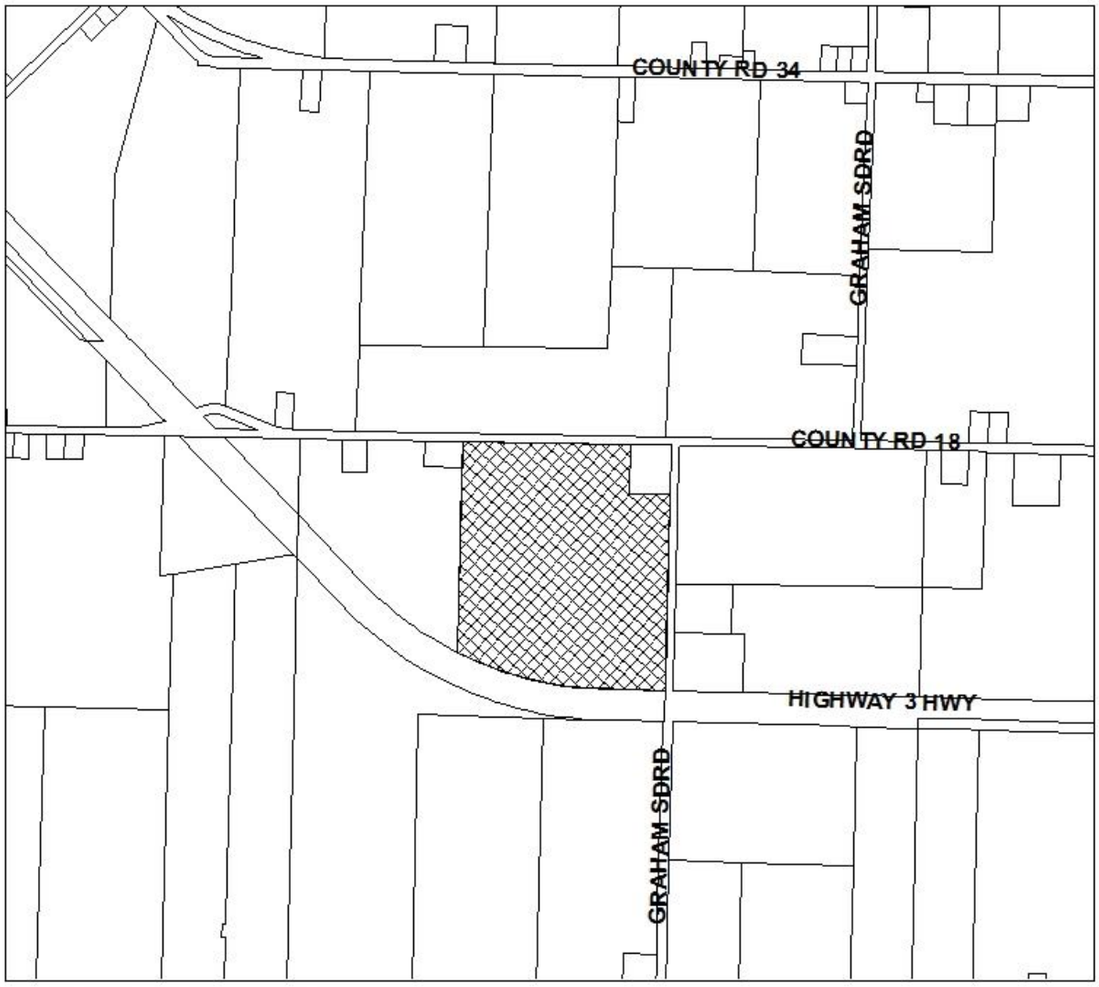
3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 6, Concession 3 ED
2415-2495 County Road 18 - Road 4 E
Zoning By-law Amendment ZBA/10/18

N

0 90 180 360 540 720 Meters

Schedule "A", Map 47 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 68 (A1-68)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 76-2018

Being a by-law to regulate election signs in the Town of Kingsville

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. c. 25, as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS paragraph 7 of subsection 11(3) of the *Municipal Act, 2001*, S.O. c. 25, as amended, permit a municipality to pass by-laws respecting signs;

AND WHEREAS section 99 of the *Municipal Act, 2001*, S.O. c. 25, as amended, sets out rules that apply to a by-law of the municipality respecting advertising devices, including signs;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it necessary to regulate election signs within the Town of Kingsville;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. Definitions

1.1 In this By-law,

"Ballot Return Station" means a place where electors can return their completed ballots rather than returning them to the Town by mail, and includes the Street abutting;

"By-law" means by-law XX-2018, being a by-law to regulate election signs in the Town of Kingsville;

"Enforcement Officer" means any person responsible for by-law enforcement in the Town, including the Police, or persons that have been appointed as a by-law enforcement officer by the Council of the Town;

"Campaign Office" means a building or structure, or part of a building or structure, used by a Candidate to conduct an election campaign;

"Candidate" means a Candidate within the meaning of the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996,* as amended, and shall be deemed to include a Registered Third Party and any Person registered pursuant to any of the above-noted statutes, or an agent for that registered Person, who is seeking to influence how another person votes in an Election;

"Clerk" means the Clerk of the Town, or a person delegated by them for the purposes of this By-law;

"Council" means the municipal council for the Town;

“Election” means any federal, provincial or municipal election, including any by-election, and any question or by-law submitted to the electors and includes an election to a local board or commission;

“Election Sign” means any sign, including posters, promoting, opposing or taking a position with respect to:

(i) any Candidate or political party in an election under the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996*;

(ii) an issue associated with a person or political party in an election under the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996*; or

(iii) a question, law or by-law submitted to the electors under the *Canada Elections Act,* the *Election Act* (Ontario), or the *Municipal Elections Act, 1996*;

“Median Strip” means the promotion of a Road so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement and includes a central island in a roundabout;

“Park” means any land and land covered by water, and all portions thereof under the control, management, or joint management of the Town, that is or hereafter may be established, dedicated, set apart, or made available for use as public open space, including a natural park area and any environmentally significant area as defined in this By-law, including any buildings, structures, erections, facilities, and improvements located in or on such land;

“Person” includes, but is not limited to an individual, firm, corporation, association, or partnership;

“Place” means attach, install, erect, build, construct, reconstruct, move, display or affix;

“Public Property” means any real property, including a Park, owned by or under the control of the Town, or any of its agencies, local boards, commissions, or corporations but, for the purposes of this by-law, does not include a Street;

“Registered Third Party” means, in relation to an election in a municipality, an individual, corporation, or trade union that is registered under section 88.6;

“Roadway” means the part of a Street that is improved, designed or ordinarily used for vehicular traffic and includes a shoulder;

“Sidewalk” means any municipal walkway, or that portion of the Street between the Roadway and the adjacent property line, primarily intended for the use of pedestrians;

“Street” means a highway, road allowance, street, avenue, boulevard, parkway, driveway, land, square, place, bridge, viaduct, trestle or other public way under the jurisdiction of the Town and this term includes all road works and appurtenant to municipal land;

“Town” means The Corporation of the Town of Kingsville;

“Vehicle Sign” means any form of Election Sign Placed on or in a vehicle or trailer;

“Voting Day” means the day on which the final vote is to be taken in an election;

“Voting Place” means a place where electors cast their ballots and, regardless of whether the Voting Place is located on Public Property, includes the Street abutting;

“Writ of Election” means the date as defined in the *Canada Elections Act* and the *Election Act* (Ontario).

1.2 This By-law applies to all Election Signs displayed within the boundaries of the Town.

1.3 References to items in the plural include the singular, as applicable.

2. Prohibitions

2.1 No Person shall Place or permit to be Placed an Election Sign in the Town except in accordance with this By-law and any other applicable legislation.

2.2 No Person shall Place or permit to be Placed an Election Sign on or in any premises used as a Voting Place, Ballot Return Station, or where the administration of election processes are conducted.

2.3 No Person shall display on any Election Sign a logo, brand, trademark, slogan or official mark, in whole or in part, owned or licensed by the Town.

2.4 No person shall Place or permit to be Placed an Election Sign on Public Property.

2.5 No person shall Place or permit to be Placed an Election Sign in a Park.

2.6 No Person shall Place or permit to be Placed an Election Sign that:

2.6.1 is illuminated;

2.6.2 has a sign area of more than 1.5 square metres;

2.6.3 interferes with the safe operation of vehicular traffic or the safety of pedestrians; or

2.6.4 impedes or obstructs the Town’s maintenance operations.

2.7 Subsections 2.6.1 and 2.6.1 do not apply to Election Signs promoting a Candidate on a Campaign Office.

2.8 No Person shall Place or permit to be Placed an Election Sign that is in contravention of the *Election Act*, *Canada Elections Act*, or the *Municipal Elections Act, 1996*.

2.9 No Person shall remove a lawfully Placed Election Sign, except in accordance with this By-law, or with the permission of the owner.

2.10 No person shall deface or willfully cause damage to an Election Sign.

2.11 No person shall hinder or obstruct an Enforcement Officer in the enforcement of this By-law.

3. Timing of Placement

3.1 No person shall Place, or permit to be Placed, an Election Sign for a federal or provincial election or by-election earlier than the day the Writ of Election or by-election is issued.

3.2 No person shall Place, or permit to be Placed, an Election Sign for a municipal election, except an Election Sign which is Placed on a Campaign Office, earlier than 45 days prior to Voting Day in the year of a regular election or a by-election.

3.3 No person shall Place, or permit to be Placed, an Election Sign for a municipal election on a Campaign Office earlier than the day that Candidate has filed their nomination with the Clerk.

3.4 No person shall fail to remove an Election Sign more than 2 days after the last Voting Day for the Election.

4. General Provisions

4.1 No person shall Place or permit to be Placed an Election Sign on private property without the permission or consent of the owner or occupant of the property.

4.2 Every Election Sign must be maintained in a proper state of repair.

4.3 No person shall Place or permit to be Placed an Election Sign:

4.3.1 in a Roadway;

4.3.2 within 3 metres of a Roadway;

4.3.3 between a Roadway and a Sidewalk;

4.3.4 that impedes or obstructs the passage of pedestrians on a Sidewalk;

4.3.5 in a Median Strip;

4.3.6 less than 3 metres from a Crosswalk;

4.3.7 on a tree, fence, wall, pole or gate located on Public Property or on a Street;

4.3.8 on public utility poles;

4.3.9 in a boulevard that abuts a Park;

4.3.10 within 10 metres of another Election Sign of the same Candidate.

4.4 No Person shall Place or permit to be Placed an Election Sign that has a Sign Height:

4.4.1 of more than 0.8 metres if located within an intersection site visibility triangle;

4.4.2 of more than 2 metres when Placed within 3 to 8 metres of the Roadway;

4.4.3 of more than 4 metres when Placed beyond 8 metres of the Roadway.

4.5 No Person shall injure or foul a Street or permit the injuring or fouling of a Street when Placing an Election Sign.

4.6 The Town shall not be liable for any damage or loss to an Election Sign that was Placed in accordance with this By-law or that was removed pursuant to the provisions of this By-law.

5. Vehicle Signs

5.1 No Person shall Place or permit to be Placed a Vehicle Sign except in accordance with this By-law.

5.2 The total area of the Vehicle Sign(s) Placed on or in any one vehicle shall not exceed 1.5 square metres.

6. Election Sign Security Deposit

6.1 A refundable security deposit in the amount of $140.00 shall be paid to the Town prior to the Placement of any Election Sign for a Municipal Election.

6.2 A refundable security deposit in the amount of $300.00 shall be paid to the Town prior to the Placement of any Election Sign for a Federal or Provincial Election.

6.3 Election Signs removed in accordance with this By-law shall be subject to a sign removal fee of $20.00 per sign.

6.4 Election Sign removed in accordance with this By-law, the Candidate to whom the Election Sign belongs will be charged the amount outlined in provision 6.3, and such charges will be deducted from the security deposit.

6.5 If the costs incurred by the Town in removing a Candidate's Election Sign exceed the deposit paid to the Town by that Candidate, the Town shall notify the Candidate, who shall have five (5) days after the notice is received to pay the outstanding balance.

6.6 Subject to any deductions made pursuant to this By-law, a Candidate is entitled to have their security deposit refunded no later than ninety (90) days after Voting Day.

7. Administration and Enforcement

7.1 Where an Election Sign has been Placed contrary to this By-law, the Clerk or By-law Enforcement Officer may authorize the removal of the Election Sign without notice or compensation.

7.2 Election Signs that have been removed in accordance with provision 7.1, shall be stored for a period of not less than 14 days, during which time the Candidate or Candidate's agent may retrieve the sign, provided the Town receives full payment of the sign removal fee outlined in section 6.3.

7.3 Any Election Sign that has been stored for at least 14 days and has not been retrieved may be destroyed or otherwise disposed of without notice and without compensation.

7.4 Notwithstanding any other provision in this By-law, the Clerk or By-law Enforcement Officer is not required to store Election Signs made entirely of paper material and may authorize immediate disposal of such signs upon removal.

7.5 Where an Enforcement Officer has reasonable grounds to believe that an offence has been committed by a person under this By-law, the officer may require the name, address and proof of identity of that person, and the person shall supply the requested information.

8. Conflict and Severability

8.1 In the event of any conflict between this By-law and any County of Essex by-law, the County of Essex by-law shall prevail.

8.2 Each section of this By-law is an independent section, and the holding of any section or part of any section of this By-law to be void or

ineffective for any reason shall not be deemed to affect the validity of any other sections of this By-law.

9. Offence and Penalties

9.1 Every Person who contravenes any provision in this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act,* R.S.O. 1990, c, P.33.

9.2 No Person shall prevent, hinder or interfere or attempt to prevent, hinder or interfere with an officer enforcing the provisions of this By-law.

10. Coming into Force

10.1 This by-law shall come into force upon third reading and being finally passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 84-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1.62 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-62 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

2. That Subsection 7.1.63 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-63 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

3. That Subsection 7.1.64 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-64 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

4. That Subsection 7.1.65 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-65 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used, as part of an Air Treatment Control system, must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

5. That Subsection 7.1.67 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-67 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

   Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

6. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 85-2018

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.70 'AGRICULTURE *ZONE* 1 EXCEPTION 70 (A1-70)'

a) For lands shown as A1-70 on Map 53 Schedule "A" of this By-law.

b) **Permitted Uses**
   i) Those uses permitted under Section 7.1;
   ii) A medical marihuana production facility (MMPF)

c) **Permitted Buildings and Structures**

   i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
   ii) Buildings and structures accessory to the permitted uses.

d) **Zone Provisions**

   All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

   Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-70 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the following shall apply:

i) Item c) is deleted and replaced as follows: An existing residential use accessory to or supportive of the agricultural uses on-site, including a MMPF, is permitted

ii) Items d), e) and i) are not applicable to lands zoned A1-70;

iii) Item g) is deleted and replaced as follows:

a. an MMPF growing area shall be located a minimum of 100 m from an existing off-site residential use or institutional use;

b. item g) shall not be applicable to an on-site bunkhouse or off-site dwelling under the same ownership as the lands zoned A1-70.

All other items listed under Section 4.46 remain applicable to lands zoned A1-70.

2. Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 8, Concession 2 ED, Part 1, RP 12R 11577 & Parts 3 & 4 RP 12R 23455 and locally known as 1851 Peterson Lane as shown on Schedule 'A' cross-hatched attached hereto from ‘Agriculture Zone 1 (A1)’ to 'Agriculture Zone 1 Exception 70 (A1-70)'.

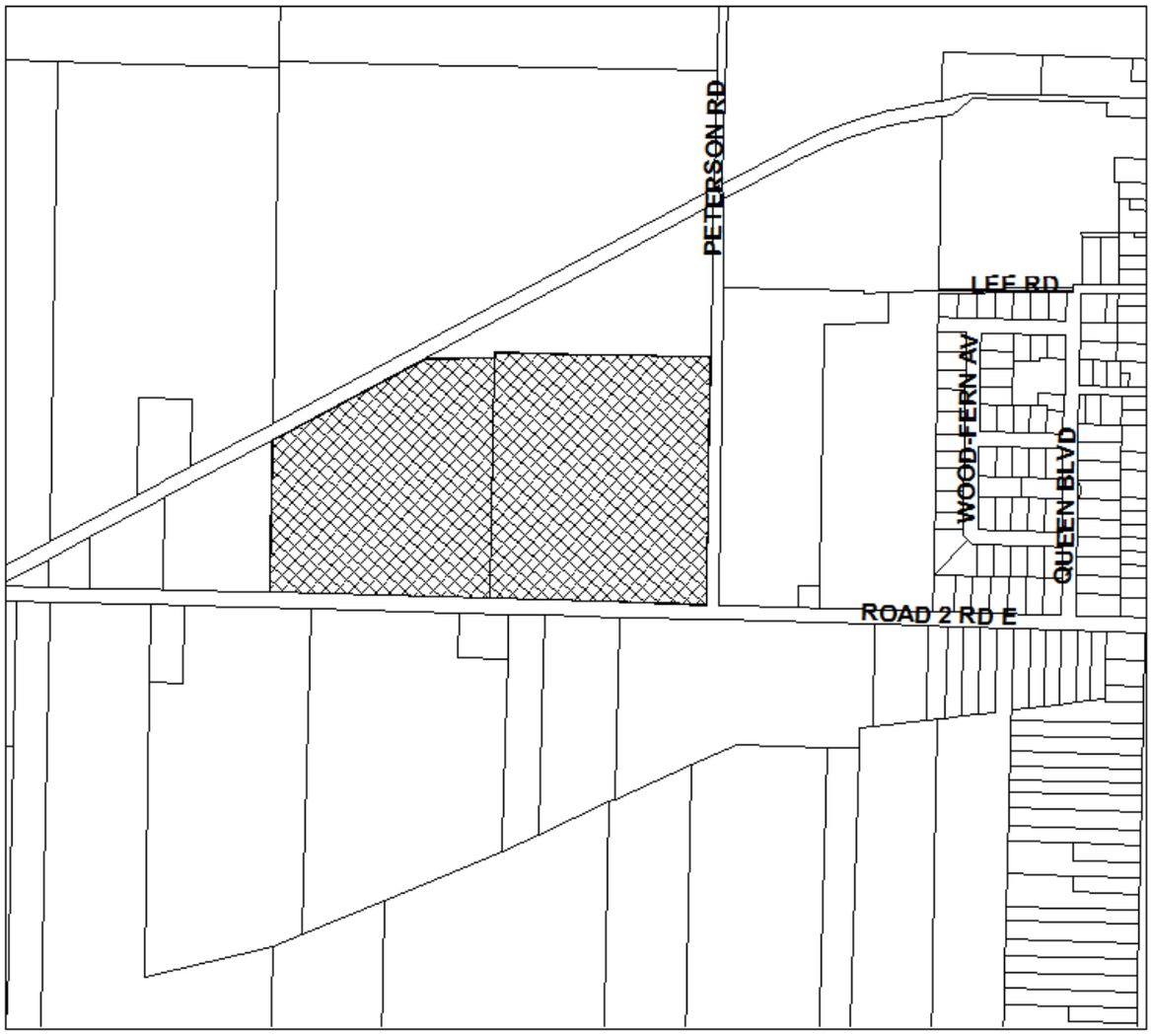
3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 8, Concession 2 ED
1851 Peterson Lane
Zoning By-law Amendment ZBA/14/18

N

0 55 110 220 330 440 Meters

Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 70 (A1-70)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 86-2018

Being a by-law to exempt the lands known municipally as 162 Lansdowne Avenue from taxation for municipal and school purposes

WHEREAS section 3(1)16 of the *Assessment Act,* R.S.O. 1990, c. A. 31 authorizes the council of a municipality to exempt lands formed for the erection of exhibition buildings;

AND WHEREAS The Corporation of the Town of Kingsville deems it expedient to exempt the Kingsville Historical Park Inc. pursuant to the provisions of the *Assessment Act;*

AND WHEREAS The Kingsville Historical Park Inc. is a not for profit registered charity;

AND WHEREAS The Kingsville Historical Park Inc. is operating for the purpose of:

1. Promoting public interest in the history of the Kingsville area and encouraging research therein;
2. Conducting and promoting historical research;
3. Maintaining a library and museum using its facilities for education purposes, which are available to all residents and visitors of Kingsville.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The property occupied by the Kingsville Historical Park Inc., as more particularly described in Schedule “A” attached hereto, is exempt from taxation for municipal and school purposes, pursuant to section 3(1)16 of the *Assessment Act,* R.S.O. 1990, c. A. 31, effective the 10th day of July, 2018.
2. The exemption will remain in place so long as the property is owned, occupied and used by the Kingsville Historical Park Inc. for the purposes set out above and it continues to operate as a non-profit charitable corporation, or until a repealing by-law is passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF July, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule A

Those lands situate, lying and being in the Town of Kingsville, in the County of Essex, Province of Ontario described as follows:

Plan 269 PT Lots 24 and 25 RP 12R16456 Parts 1 and 3

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 87-2018

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 9, 2018 Regular Meeting

WHEREAS sections 8 and 9 of the *Municipal Act, 2001* S.O. 2001 c. 25, as amended, (the "Act") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority conferred upon a municipality to govern its affairs as it considers appropriate.

AND WHEREAS section 5(3) of the Act provides that such power shall be exercised by by-law, unless the municipality is specifically authorized to do so otherwise.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Kingsville (the "Town") be confirmed and adopted by by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The actions of the Council at its July 9, 2018 Regular Meeting in respect of each report, motion, resolution or other action taken or direction given by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.

2. The Chief Administrative Officer and/or the appropriate officers of the Town are hereby authorized and directed to do all things necessary to give effect to the actions set out in paragraph 1, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary and to affix the corporate seal to all such documents.

3. This By-Law comes into force and takes effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo