



**REGULAR MEETING OF COUNCIL
AGENDA**

Tuesday, October 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. PRESENTATIONS/DELEGATIONS

**1. Kim DeYong, Member, Kingsville Municipal Heritage Advisory Committee
Presentation**

1

Presentation recommending designation under the *Ontario Heritage Act* of 30 Main Street East, Kingsville, as a property of heritage value

SEE: Committee Report; Statement explaining the cultural heritage value or interest of the property and Description of the Heritage Attributes of the property; Evaluation Sheet; and Letter of Consent of Property Owners.

Recommended Action

That Council receives correspondence from property owner consenting to have the property municipally known as 30 Main Street East designated by the Town of Kingsville as a heritage building under the *Ontario Heritage Act* and further, that Council authorizes Publication of Notice of Intention to Designate.

F. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Engineer's Report Consideration--3rd Concession-Clifford Drain

17

Tony Peralta, P. Eng. (N. J. Peralta Engineering Ltd.) and Ken Vegh, Drainage Superintendent

- i) Notice of Meeting to Consider the Engineer's Report, dated September 18, 2018;
- ii) Engineer's Report (redacted), dated August 24, 2018;
- iii) Proposed By-law 109-2018, being a by-law to provide for the replacement of a bridge and subsequent maintenance schedules over the 3rd Concession--Clifford Drain (Roll Number 370-07300), in the Town of Kingsville in the County of Essex (N. J. Peralta Engineering Ltd., Consulting Engineers Project No. D-17-030)

Recommended Action

That Council adopt Engineer's Report dated August 24, 2018 for the 3rd Concession - Clifford Drain Improvements (N. J. Peralta Engineering Ltd. Project No. D-17-030); read By-law 109-2018 a first and second time; and schedule a Court of Revision for a future date.

2. PUBLIC MEETING--Application for Zoning By-law ZBA/24/18 by Coppola Farms Inc. 300 Road 2 E, Part of Lot 2, Concession 2 ED

105

R. Brown, Manager of Planning Services

- i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated September 18, 2018;
- ii) Report of R. Brown, dated September 26, 2018;
- iii) Proposed By-law 116-2018, 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 defer zoning amendment application ZBA/24/18 until the merits of the proposed lands use have been reviewed particularly in close proximity to sensitive uses such as recreational or institutional and higher density residential development.

3. PUBLIC MEETING--Application for Zoning By-law Amendment ZBA/21/18 by Great Northern Hydroponics 1270 Road 3 E, Part of Lot 8, Concession 3 ED

119

R. Brown, Manager of Planner Services

- i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated September 18, 2018;
- ii) Report of R. Brown, dated September 25, 2018;
- iii) Proposed By-law 113-2018, 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 ZBA/21/18 to:

permit a medical marihuana production facility on property located at 1270 Road 3 E;

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--Zoning By-law Amendment Application ZBA/22/18 by Domric International Inc. 3069 Graham Side Road, Part of Lot 18, Concession 5

134

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated September 18, 2018;

ii) Report of R. Brown, dated September 25, 2018;

iii) Proposed By-law 114-2018, 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 ZBA/22/18 to:

permit a medical marihuana production facility on property located at 3069 Graham Side Road;

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.

5. PUBLIC MEETING--Application for Zoning By-law ZBA/23/18 by Coppola Farms Inc. 1660 Graham Side Road, Part of Lot 7, Concession 1 ED

152

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated September 18, 2018;

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

iii) Proposed By-law 115-2018, 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 ZBA/23/18 to:

permit a medical marihuana production facility on property located at 1660 Graham Side Road based on the recommended limited zoning footprint;

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

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

adopt the implementing by-law.

6. PUBLIC MEETING II--Zoning By-law Amendment Application ZBA/16/18 by MOS Enterprises Ltd. – 1501, 1521, 1523 & 1527 County Road 34 Part of Lot 20, Concession 4 ED, Parts 1 to 8, RP 12R 14851, Parts 1

166

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated September 18, 2018 (This application was originally heard at the August 13, 2018 meeting of Council and deferred to a later date)

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

iii) Proposed By-law 95-2018 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/16/18 to:

permit a medical marihuana production facility on property located at 1501, 1521, 1523 & 1527 County Road 34;

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.

7. PUBLIC MEETING II--Zoning By-law Amendment Application ZBA/17/18 by Kapital Produce Ltd. – 1506, 1508 & 1526 County Road 34 & 1636 Road 4 E, Part of Lot 21, Concession 4 ED, Parts 1 & 2, RP 12R 15280,

217

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated September 18, 2018 (This application was originally heard at the August 13, 2018 Regular Meeting of Council and was deferred to a later date)

ii) Report of R. Brown, dated July 26, 2018

iii) Proposed By-law 96-2018, 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/17/18 to:

permit a medical marihuana production facility on property located at 1506, 1508 & 1526 County Road 34 & 1632 Road 4 E;

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

add odour provisions as outlined in the attached amendment, and

adopt the implementing by-law.

G. AMENDMENTS TO THE AGENDA

H. ADOPTION OF ACCOUNTS

- | | | |
|----|--|-----|
| 1. | Town of Kingsville Accounts for the monthly period ended September 30, 2018 being TD cheque numbers 0066522 to 0066783 for a grand total of \$1,373,304.04 | 269 |
|----|--|-----|

Recommended Action

That Council approve Town of Kingsville Accounts for the monthly period ended September 30, 2018 being TD cheque numbers 0066522 to 0066783 for a grand total of \$1,373,304.04

I. STAFF REPORTS

- | | | |
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| 1. | Policy Review- Complaint Processing Policy | 295 |
|----|--|-----|

J. Galea, Human Resources Officer

Recommended Action

Council adopt the Complaint Processing Policy.

- | | | |
|----|---|-----|
| 2. | Uncollectable Property Tax Write Off Under Section 354 of the Municipal Act, 2001 | 310 |
|----|---|-----|

L. Brohman, Tax Collector

Recommended Action

It is recommended that Council authorize tax write offs totaling \$404.19.

- | | | |
|----|---|-----|
| 3. | Tax Adjustments Under Sections 357 of the Municipal Act, 2001 | 313 |
|----|---|-----|

L. Brohman, Tax Collector.

Recommended Action

Council authorize tax reductions totaling \$4,028.83 for the 2018 taxation year.

4. Marsh Sideroad – Cost of Surface Treatment 316

T. Del Greco, Manager of Municipal Services

Recommended Action

That Council receives this report regarding surface treatment of Marsh Sideroad from County Road 27 to Road 8 West.

5. Annual Traffic By-Law Amendment (2018) 318

T. Del Greco, Manager of Municipal Services

Recommended Action

That Council approves the following amendments to Kingsville Traffic By-Law 21-2005:

1. Addition of 'No Parking' signs on both sides of Sandybrook Way from Division Street North to 27 Sandybrook Way.
2. Addition of 'No Parking' signs on both sides of Mettawas Lane.
3. Addition of 'No Parking' signs on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters.
4. Addition of 'No Parking' signs on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard.
5. Addition of 'No Parking' signs on the north side of Road 2 East from County Road 45 to 1604 Road 2 East.
6. Addition of 'No Parking' signs on both sides of Malo Street.

6. Signage Honoring Kingsville's Olympians 355

S. Martinho, Public Works Manager

Recommended Action

That council receive the information on the status of signage showing the accomplishments of our local Olympians.

J. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

K. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--September 24, 2018 358

Recommended Action

That Council adopt Regular Meeting of Council Minutes dated September 24, 2018.

L. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Union Water Supply System Joint Board of Management - July 18, 2018 and July 26, 2018 371

Recommended Action

That Council receive Union Water Supply System Joint Board of Management Meeting Minutes dated July 18, 2018 and July 26, 2018

2. Parks, Recreation, Arts and Culture Committee - August 16, 2018 381

Recommended Action

That Council receive Parks, Recreation, Arts and Culture Committee Meeting Minutes dated August 16, 2018 together with Minutes of the following sub-committee:

Older Adults Advisory - July 5, 2018

3. Police Services Board - August 29, 2018 387

Recommended Action

That Council receives Police Services Board Meeting Minutes dated August 29, 2018.

M. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Minister of Health--Copy of correspondence to Ms. Tracey Ramsey, M.P., dated September 13, 2018 390
2. Veterans Memories Project--Correspondence dated September 20, 2018 RE: 200 Veterans and 200 Students Dining Together 391
3. Town of Lakeshore--Correspondence dated September 19, 2018 RE: Allowing municipalities to use flashing traffic signals. 392
4. Township of Montague--Correspondence dated September 19, 2018 RE: Better Local Government Act 395
5. Township of Amaranth--Correspondence dated September 20, 2018 RE: Licensing Process to Take Water for Commercial Water Bottling Facilities 398

Recommended Action

That Council receive Business Correspondence - Informational items 1 to 5.

N. NOTICES OF MOTION

1. Councillor Larry Patterson may move, or cause to have moved:

That Administration be directed to prepare a report regarding a pedestrian crosswalk at Division Street South and Pearl Street due to a safety concern.

2. Deputy Mayor Queen may move, or cause to have moved:

That Council as a whole receive an update as to the new school project as far as may be completed in open session, and further details that may be available as permitted in closed session.

3. Deputy Mayor Queen may move, or cause to have moved:

That Administration review and advise Council of any and all emergency processes and procedures that may exist in regard to, but not limited to, the arena.

O. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

P. BYLAWS

1. By-law 95-2018 399

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/16/18; 1501, 1521, 1523 and 1527 County Road 34)

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

2. By-law 96-2018 402

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/17/18; 1506, 1508, 1526 and 1640 County Road 34)

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

3. By-law 109-2018 405

Being a by-law to provide for the replacement of a bridge and subsequent maintenance schedules over the 3rd Concession--Clifford Drain (Roll number: 370-07300) in the Town of Kingsville, in the County of Essex

To be read a first and second time.

4. By-law 113-2018 414

Being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/21/18; 1270 Road 3 E)

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

5. By-law 114-2018 417

Being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/22/18; 3069 Graham Sideroad)

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

6. By-law 115-2018

420

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/23/18; 1660 Graham Sideroad, Kingsville)

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

Q. CONFIRMATORY BY-LAW

1. By-law 117-2018

423

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

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

R. ADJOURNMENT

The Old Fire Hall

30 Main Street
Kingsville, ON



Description of Property

The Old Fire Hall, Constructed 1939-1942

Chain of Ownership

30 Main Street East				Plan 184/185 Lot 5 Main St E North Side			
Instr #	Type	Date	Registered	From	To	Price	Description/Remarks
	Patent		9 Feb 1824	Crown	John Tufflemire		Lot 1 Con 1 ED - 200 acres
	B & S		28 Jun 1824	John Tofflemire	Richard Herrington		Lot 1 Con 1 ED - 200 acres
184/185	Plan		29 Jan 1850				
G 19 A	Indenture	13 Feb 1850	13 Sep 1853	Richard Herrington & w	James King	£20	Lot No. 5
KV 17 A	Deed	4 Jan 1869	15 May 1882	Thomas Bennet & wife	Daniel B. Grenville	\$500	Lot No. 5
KV 1019 C	Deed	14 Oct 1891	7 Nov 1891	Wm A Grenville & wife	Sidney A. King	\$650	Lot No. 5
KV 1127 C	Deed	16 Oct 1891	12 Dec 1892	Sidney A. King	William A. Grenville	\$650	Lot No. 5
KV 1128 C	Deed	12 Dec 1892	12 Dec 1892	Wm A Grenville & wife	Colin Fox	\$700	Lot No. 5
KV 1798 E	Probate of Will	8 Feb 1878	16 Nov 1900	Daniel B. Grenville	Wm A Grenville		Lot No. 5
KV 1799	Deed	12 Dec 1892	16 Nov 1900	Colin Fox & wife	Wilhelmina Grenville	\$700	Lot No. 5
KT 2408 D	Grant	4 Oct 1915	2 Sep 1920	Wilhelmina Grenville	William Grenville	\$1 & con	Lot No. 5
KT 2409 D	Grant	19 Aug 1920	2 Sep 1920	Wm A Grenville	Orlin Wigle & wife	\$1900	Lot No. 5
KT 2414 D	Grant	31 Aug 1920	4 Sep 1920	Orlin & Catherine Wigle	Bonzano Jasperson	\$2000	Lot No. 5
KT 4394 F	Mort	8 Jun 1931	15 Jul 1931	Bon Jasperson	Bank of Montreal	\$2 & con	Lot No. 5
KT 4697 F	Release of Dower	29 Aug 1934	13 Sep 1934	Gertrude Jasperson	Bank of Montreal	\$1	Lot No. 5
KT 5187 G	QCD	3 Nov 1938	6 Nov 1938	Bonzano Jasperson & w	Bank of Montreal	\$1	Lot No. 5
KT 5270 G	Grant	28 Feb 1939	17 May 1939	Bank of Montreal	Corp of Kingsville	\$500	Lot No. 5

Not the First Fire Hall

In 1925 the original fire hall, where hoses were hung and stored, located at Chestnut and King, was in desperate need of repairs. The building had a leaky roof, smashed windows and Fire Chief Bennett believed the fire hose was in bad condition.¹



With no proper permanent home, the fire truck was sometimes stored at the Hydro Electric Power Commission for a cost of \$5.00 per month,² located on the south side of Main Street East, across from what would become the new fire hall location.

¹ Kingsville Reporter; 12 Mar 1925; pg. 8

² Kingsville Reporter; 19 Nov 1931; pg. 5

Construction 1939-1942

Town council purchased the 30 Main Street E. lot in 1939 for the purposes of constructing a new fire hall. The firemen wanted a site located close to the four corners and their plan was to look for the most modern fire halls in Michigan and Ohio before building Kingsville's new fire hall.³

The plans for the new fire hall were secured by Fire Chief Clinton Fox from a station built in Detroit.⁴ This saved the town money which would be a theme throughout the construction of the fire hall. Fire Chief Fox promised to build a suitable fire hall from "donations, solicitations, entertainments."⁵ Firemen and citizens would provide the bulk of the money and the labour required. The fire department was heralded with providing a "fine building" and for saving the town money while doing so. The money raised kept the cost to the town down to only \$8,000. The design with the apartments located above was expected to provide a return on investment. Being careful with expenses was seen as particularly important during war time.⁶

Fund raising for the new fire hall included such events as a children's pie eating contest.

This photo courtesy of the *Kingsville Fire Department* in the *Kingsville 1790-2000 A Stroll Through Time* pg. 451



³ Kingsville Reporter; 9 Feb 1939; pg. 1

⁴ Fire hall photo at the top of this report provided by the Kingsville Fire Department as published in Kingsville 1790-2000 A Stroll Through Time Volume 2; pg. 446

⁵ Kingsville Reporter; 9 Feb 1939; pg. 1

⁶ Kingsville Reporter; 13 Nov 1941; pg. 2

Getting it Built

Construction for the new fire hall began in 1939 with cement blocks being manufactured by members of the fire department and community volunteers, in a donated space in the William T. Fox and Son garage.⁷

It took only 30 days to make all the blocks needed for the new fire hall.⁸



1940 saw financing difficulties for the fire hall build and the fire department went to town council on at least three occasions to attempt to get funds to complete the building.⁹ By June 1940 the fire hall building was not yet finished but was far enough along for the fire truck to be stored in it.¹⁰ The truck had been stored across the street in the Hydro plant but that space was to be converted into a shop for gas meter inspection and could no longer house the fire truck.¹¹

The tender to finish the two apartments located above the firehall was given to James Countess in February 1941, he was also hired to do finishing work in the hall itself.¹²¹³ The apartments were to be rented out and provide a return on the town's investment. They would also house young firemen and their families for quick response to calls and ease of dispatching. Firemen's homes were equipped with fire bells that were activated by the dispatcher through the telephone.

⁷ Kingsville Reporter; 16 Mar 1939, pg. 4

⁸ *Kingsville 1790-2000 A Stroll Through Time*, pg. 447

⁹ Kingsville Reporter: 18 Jan 1940, pg. 1; 8 Feb 1940, pg. 1; 4 Apr 1940, pg. 2

¹⁰ Kingsville Reporter; 6 Jun 1940; pg. 1

¹¹ Kingsville Reporter; 6 Jun 1940; pg. 1

¹² Kingsville Reporter; 6 Feb 1941; pg. 1

¹³ Kingsville Reporter; 27 Mar 1941; pg. 1

The final touch of a cement floor was contracted to E.W. Cox in the summer of 1941 and the firehall officially opened in 1942.¹⁴ The iconic setback from the sidewalk allowed room for the fire vehicles to be washed outside.

In May 1989, Kingsville and Gosfield South councils decided that repairs needed to the fire hall were too costly and it was preferred to build an entirely new hall, to be located in an area with less congestion.¹⁵¹⁶ The current fire hall on Division Road North was constructed in 1990.



From Bucket Brigade to Fire Department

Early 19th century fire fighting was done by nearby citizens forming bucket brigades. James King and others sought a grant to purchase fire fighting equipment in 1862, but were denied.¹⁷

¹⁴ Kingsville Reporter; 10 Jul 1941; pg. 1

¹⁵ Photo of firehall in 1989 courtesy of Kingsville Archives

¹⁶ Kingsville Reporter; 16 May 1989; pg. 1

¹⁷ *Kingsville 1790-2000 A Stroll Through Time*, pg. 442

Kingsville's first official organized department came to be on February 9, 1884 and included: Reeve J.S. Middough as Fire Marshal, Captain S.T. Copus, 1st Lieutenant Henry Layman, 2nd Lieutenant Wesley Ulch and firemen Charles Tofflemire, C. Smith, Hugh Scratch, Ed. Grenville and Silas Brundage.¹⁸

"Proper fire fighting could be undertaken" with the installation of a waterworks system by Hiram Walker in 1889 for the Mettawas Hotel and the installation of underground waterlines and 27 fire hydrants in 1894.¹⁹ New volunteers for the Kingsville Fire Brigade were sought later that same year.²⁰ In 1892, Council passed a by-law "defining the fire limits and prohibiting the erection of buildings of inflammable material within said limits." which were Main from Prince Albert to Spruce, Division from Water to Mill and Queen from Main to Pearl.²¹

Kingsville town council formed a Fire and Light Committee.

In March 1919 the committee was authorized to obtain estimates for a fire truck.²²

In December, of that same year, council passed a by-law to issue debentures for \$4,000 to purchase the town's first fire truck and a fire alarm.²³



Bylaw for the newly purchased fire truck. Kingsville Reporter; 18 Dec 1919

¹⁸ *ibid*

¹⁹ *ibid*

²⁰ *Kingsville 1790-2000 A Stroll Through Time*, pg. 443

²¹ *Amherstburg Echo*; 22 Jul 1892; pg. 6

²² *Kingsville Reporter*; 13 Mar 1919; pg. 1

²³ *Kingsville Reporter*; 18 Dec 1919; pg. 1

The first motorized piece of equipment, a Model T Chemical Engine, was added to the department's fire fighting tools in 1920. Eight years later they would get their first pumper truck, a Gotfredson-Bickle which allowed them to reach two and three storey fires.²⁴



The buildings in the background would be torn down for the construction of the new Fire Hall. The equipment shown includes the truck purchased in 1928 on the left and the first motorized vehicle purchased in 1920 and later retrofitted into a ladder truck in 1931. This photo courtesy of the *Kingsville Fire Department* from *Kingsville 1790-2000 A Stroll Through Time* pg. 444

Fire Chief Clinton E. Fox (1919-1967) served as a fire department member for a total of 48 years, all but 10 as the chief. Lead by Fire Chief Fox, the Kingsville fire department was accredited with saving commercial buildings from fire: "on at least two occasions a large part of the town's business section was saved only by our firemen's diligence and their disregard for their personal safety...Fire Chief Fox and his department have contributed further to the town in their work on our Fire Hall. It is a fine building."²⁵

²⁴ ibid

²⁵ ibid



Fire Chief Clinton E. Fox seen here on the far left posing in front of the 1928 Gotfredson-Bickle Fire Truck, Kingsville's first pumper truck. This photo courtesy of the *Kingsville Fire Department* in the *Kingsville 1790-2000 A Stroll Through Time* pg. 447

The Kingsville Fire Department received upgrades to their equipment in and around the same time that they were planning to build their new fire hall, including a number of two-wheeled hose reels carrying hundreds of feet of hose stored in various locations around town. "During large structural fires, the Mettawas Hotel fire hose could also be brought into service."²⁶

In 1944, The Town of Kingsville and the Township of Gosfield South reached their first formal agreement in fire fighting cooperation. the Township of Gosfield South purchased a 1944 Ford truck available to both municipalities. This agreement increased the fire coverage area to 50 square miles from 4. "This resulted in a significant increase in both the number of calls and the distance to travel to alarms."²⁷

²⁶ *Kingsville 1790-2000 A Stroll Through Time*, pg. 445

²⁷ *ibid*

The Cottam and Gosfield North Fire Departments were not initially associated with Kingsville or Gosfield South departments.²⁸ Cottam leased their first fire truck in 1947 to better serve their rural community and throughout the 1960's they made significant improvements and changes. In 1962 Cottam Fire Department amalgamated with the Gosfield North Fire Department.²⁹

On January 1, 1999 the three departments in Kingsville, Gosfield South and Cottam-Gosfield North were amalgamated into one. The Town of Kingsville Fire Department consists of two stations: 1720 Division Road N., Kingsville and 104 Hill Street, Cottam.³⁰

Kingsville's Main Street and Devastating Fires

In 1891, despite the efforts of prompt response from a citizens' bucket brigade, fire consumed seven buildings on Main Street including a hardware store, butcher shop, two barber shops, shoe shop, billiard hall and a stable. The brigade was credited for keeping the fire from being even more disastrous. Several other buildings caught fire but were saved thanks to the brigade's efforts.³¹

In 1894, again on Main Street, fire started in a furniture establishment and spread to a storehouse and office before crossing the street and bring the front of A. Conklin's Implement shop. It continued to the Scratch block where nearly every pane of glass was broken from the heat of the fire. The bucket brigade was, once again, credited with stopping the further spread of the fire.³²

Almost exactly one year later, in 1895, Kingsville's downtown suffered another serious fire on Main Street. It began in a dry goods store and spread to the neighbouring grocery and fancy goods store, the telegraph office, jeweller, barber shop, millinery, shoe shop and meat market. Despite a frozen hydrant, the department was able to save several buildings including the fairly newly built Conklin block.

²⁸ *Kingsville 1790-2000 A Stroll Through Time* pg. 449

²⁹ *Kingsville 1790-2000 A Stroll Through Time* pg. 450

³⁰ *ibid*

³¹ *Amherstburg Echo*; 6 Nov 1891; pg. 4

³² *Amherstburg Echo*; 9 Feb 1894; pg. 4

Despite the formalizing of an established Fire Department, fighting fires was still a community event and relied on citizen volunteers to minimize damage.

“Everybody worked hard and as fast as one man got covered with ice another took his place. the ladies of the town not only took a leading part in helping to rescue the stock from the various stores, but kept large quantities of hot coffee and cake in the M. Brethour’s store, which they dispensed to the tired and freezing firemen...If it were not for the system of waterworks every building on Main street south would have been in ashes.”³³

Later this same year, Main Street North would see a fire consume a bakery and barber shop.³⁴

Fire fighting efforts often went towards saving neighbouring and adjoining properties from catching on fire. In 1889, a bucket brigade consisting of town citizens was accredited with stopping the spread of a fire that consumed frame structures hosting a stable and harness shop located on Main Street West. These were replaced with brick buildings for the Oddfellows and Masons society.³⁵

Main Street got a reprieve from any major fire destruction for the next eight decades until the fall of 1981.

A devastating fire on the South West corner of Main Street and Division Road, displaced 23 people from their homes and destroyed nine businesses.³⁶



1981 Main Street, Kingsville fire devastation. Photo courtesy of the Toronto Star from the Virtual Reference Library.

³³ Amherstburg Echo; 8 Feb 1895; pg. 5

³⁴ Amherstburg Echo; 1 Nov 1895; pg. 5

³⁵ Amherstburg Echo; 22 Mar 1889; pg. 5

³⁶ Kingsville Reporter; 11 Nov 1981; pg. 1

Had it not been for residents, Terry Leng and Tony Carpeneto, there likely would have been loss of life in this 1981 fire. These two gentlemen worked to evacuate all the tenants before police and fire fighters were on scene.³⁷

Leamington, Harrow and Cottam Fire Departments were called in to assist with approximately 60 firefighters responding. Blowing cinders caused small fires as far as two and a half blocks away. Lost in the fire were many apartments, a hardware store, restaurant, law office, shoe store, decorating store, china shop, barber shop and fabric store.³⁸



1917 Fire Insurance Plan showing the location of the Electric Light Station and No. 3 Hose Reel House.

Fire Insurance Plan

Dec 1890: Population 1800, No Appliances

May 1906; Population 1650, 33 Hydrants, 1 Chemical Engine, 2500 ft Hose

April 1913: Population 1900, 35 Hydrants, 1 Chemical Engine, 1500 ft Hose

November 1917; Population 1706, 36 Hydrants, 6 Hose Reels, Ladder Truck, Central Station, 4 Hose Houses, Volunteer Brigade, Chief, 9 men, Patrolmen on duty all night in Business Section, No Clock

No. 3 Hose Reel House: south side of Main St E, near Electric Light Station

No. 3 Hose Reel House: east side of Lansdowne Ave, north of railway, near canning factory and train station

No. 5 Hose Reel House: south of Park, west of road leading to pump house near Mettawas

*couldn't locate 4th Hose Reel House on Fire Insurance Plan; population amounts don't match assessment which shows 1917 pop. of 1633 and 1913 pop. of 1742

³⁷ ibid

³⁸ ibid

The Old Fire Hall Today, 2018



SCHEDULE “A”

30 MAIN STREET EAST, TOWN OF KINGSVILLE

The Old Fire Hall

Description of Property:

The Old Fire Hall, 30 Main Street East, Kingsville. Constructed 1939-1942, the Old Fire Hall is a two-storey brick front and cement block building. It is located on the North East side of Main Street in the Town of Kingsville.

Statement of Cultural Heritage Value or Interest:

The building's cultural heritage value lies in its original use as our town's Fire Hall, providing a permanent home for the town's fire truck and fire fighting equipment. In addition to the Fire Hall being the first location of the official proper Fire Department from early bucket brigades and the connection of the history of large fires that have devastated main street and the downtown Kingsville area.

Early attempts, in 1862, by James King to get grants for fire fighting equipment were denied. The first official organized department came to be in 1884 and in 1889, with the installation of a waterworks system by Hiram Walker for Mettawas Hotel, proper fire fighting could be undertaken. In 1892 Council passed a by-law defining the fire limits and prohibiting the erection of buildings of inflammable material within said limits.

Kingsville had formed a Fire and Light Committee. Two trucks were eventually purchased and were stored at various places around town along with several hose reel carts. Fire hoses were stored at a location at Chestnut and King. The construction of the Fire Hall provided a place for all fire fighting equipment to be housed. The apartments above allowed young fire fighters a home, provided a return on investment to the town and made it easier to dispatch to fire fighters' homes. Bells in their homes were activated through the telephone from the Fire Hall.

Plans for the Fire Hall were obtained by Fire Chief Clinton Fox from a station built in Detroit. The bulk of the Fire Hall was built by the fire fighters and volunteers. Saving funds was a theme throughout the building of this Fire Hall. Fund raisers were held and total construction took 3 years to complete with the town pitching in money at the end to finish up the apartments above the Fire Hall and finishing work inside the hall itself.

Description of Heritage Attributes:

The building is constructed of cement blocks that were made by members of the fire department and community volunteers. A section of the blocks are engraved with the names of the sitting council members from that time.

The buildings symmetry from early garage door entrances are maintained with large window store fronts. There is a bell tower located at the rear of the building.

The iconic setback allowed room for fire trucks to be washed and today serves as a parking area for the businesses located in the building.



**KINGSVILLE MUNICIPAL HERITAGE COMMITTEE
Heritage Resources Evaluation Sheet**

Name of Building, Property or Site: Old Fire Hall	
Municipal Location: 30 Main Street East, Kingsville	
Location Description: LT 5, PL 184-185	Assessment Roll No.: 150-000-02800-0000
Date of Construction: 1939-1942	Date of Additions:
Date of Evaluation: June 10, 2017	Approval by Committee: Aug 23, 2017 Level: 1

This form is to be used in the survey of heritage resources within the limits of the Town of Kingsville in order to provide an objective assessment of their relative heritage value. The higher the number scored, the greater the loss to the community if the building, property, site or cultural heritage resource were to be destroyed. The following Scoring Key is used to determine the heritage value:

- Class 1 Buildings/Properties/Sites/Cultural Heritage Resources: 75-1000 points
- Class 2 Buildings/Properties/ Sites/Cultural Heritage Resources: 50-74 points
- Non-heritage Buildings/Properties/ Sites/ Cultural Heritage Resources: 49 points and below

Circle the number which reflects your interpretation of the criteria listed on the left, then transfer number to box. Below the numbers in each category are the letters E, G, F and P which stand for E-excellent, G-good, F-fair and P-poor. These will help you determine the correct score. After completing the entire evaluation sheet, total the score to determine the heritage significance of the building, property or site.

H I S T O R Y	Local Development -the building/cultural heritage resource illustrates a significant phase in the development of the community OR - the building illustrates a major change or turning point in the community's history	10 9 8 7 6 5 4 3 2 1 0 E G F P Notes:	SCORE: 8
	Association with Person/Group/Event - the building/cultural heritage resource is associated with the life or activities of a person, group, organization or institution that has made a significant contribution to the community, province or nation -it is associated with an event that has had a significant impact on the community, province or nation	10 9 8 7 6 5 4 3 2 1 0 E G F P Notes:	SCORE: 10
	Age of Structure/Property/Site/Cultural Heritage Resource The following point system is based on the building/property/site's age and rarity within the local context: 1855-1875 1876-1890 1891-1900 1901-1915 10 9 8 7 1916-1930 1931-1945 1946-1960 1961-1970 Post 1971 6 5 4 3 2		SCORE: 5
		HISTORY TOTAL ->	23

A R C H I T E C T U R E	Overall Composition -symmetry and/or balance -good proportions and/or originality in concept	10 9 <u>8</u> 7 6 5 4 3 2 1 0 E G F P Notes:	SCORE 8
	Details -features details inside or outside that show originality, fine craftsmanship or refinement	10 9 8 7 6 <u>5</u> 4 3 2 1 0 E G F P Notes:	5
	Architectural Influences -extent to which it reflects a recognized academic style of the period -regional vernacular style -work of significant architect, designer, or landscape firm (municipal, provincial, national or international)	10 9 8 7 <u>6</u> 5 4 3 2 1 0 E G F P Notes:	6
	Construction Materials -rare or early example of a particular material -rare, special or early construction method -displays work of a recognized builder, craftsman, mason, carver or artist	Notes: 5 4 3 2 1 0 E G F P	5
	State of Preservation -original plan survived -architectural features of the building survived	Notes: 5 <u>4</u> 3 2 1 0 E G F P	4
	Structural Condition -structurally sound -well maintained -foundation in good condition	Notes: 5 4 3 2 1 0 E G F P	5
ARCHITECTURE TOTAL			88
C O N T E X T	Relationship with Streetscape -compatible with the character of surrounding buildings or landscape -a key ingredient in forming the character of said landscape	10 9 8 <u>7</u> 6 5 4 3 2 1 0 E G F P Notes:	7.5
	Integrity of Site -occupies its original site -general character of the site has remained unchanged	Notes: 5 4 3 2 1 0 E G F P	5
	Landmark Status -functions as an important visual object that has acquired for the community a special or sentimental value -usefulness for teaching cultural history and/or tourist promotion	10 <u>9</u> 8 7 6 5 4 3 2 1 0 E G F P Notes:	9.5
CONTEXT TOTAL			22

Notes Re Evaluation: _____

HISTORY-	23
ARCHITECTURE -	33
CONTEXT-	22
GRAND TOTAL -	78

Recommendation: Designate

Evaluator: Lydia Miljan

Signature: [Signature]

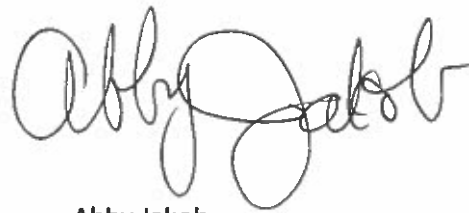
Date: August 23, 2017

Town of Kingsville
2021 Division Road North
Kingsville, ON N9Y 2Y9

August 16, 2018

Attention: Mayor Nelson Santos

I, Abby Jakob, owner of 30 Main Street East, provide consent for designating this property.

A handwritten signature in black ink, appearing to read 'Abby Jakob', with a stylized, cursive script.

Abby Jakob

2534783 Ontario Ltd.



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

NOTICE OF MEETING TO CONSIDER THE ENGINEER'S REPORT

Drainage Act, R.S.O. 1990, c. D.17, s.42

To All Affected Property Owners:

In accordance with section 42 of the *Drainage Act*, you as an owner of land affected by the proposed drainage works for the **3rd Concession - Clifford Drain** are requested to attend a council meeting to consider the final report filed with the Town of Kingsville for this drainage works.

If the share of the project cost assessed to your property is more than \$100, a copy of the report is included with this notice.

This meeting will take place:

Date: Tuesday, October 9th, 2018 @ 7:00 p.m.
Location: Town of Kingsville Municipal Office
Address: 2021 Division Road North, Kingsville

Failure to attend meeting: If you do not attend the meeting, it will proceed in your absence. If you are affected or assessed by this proposed project, you will continue to receive notification as required by the *Drainage Act*.

Activities at the meeting to consider the report:

- Usually the engineer will present a summary of the report to council
- Council must decide whether or not to proceed with the project by provisionally adopting the engineer's report by by-law; they also have the option to refer the report back to the engineer for modifications.
- All property owners affected by the drain will have an opportunity to influence council's decision
- There is no right to appeal assessments or other aspects of the engineer's report at this meeting; these appeal rights will be made available later in the procedure. *Drainage Act*, R.S.O. 1990, c. D. 17, s. 47-54.

Dated this 18th day of September, 2018.

Ken Vegh

Ken Vegh, CRS
Drainage Superintendent
Municipal Services Department
The Corporation of the Town of Kingsville

3RD CONCESSION – CLIFFORD DRAIN IMPROVEMENTS

(Geographic Township of Gosfield South)

TOWN OF KINGSVILLE

N. J. PERALTA ENGINEERING LTD.

Consulting Engineers

45 Division St. N., Kingsville, Ontario N9Y 1E1

Tel. (519) 733-6587

Project No. D-17-030

August 24th, 2018

Mayor and Municipal Council
Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario
N9Y 2Y9

Mayor Santos and Members of Council:

SUBJECT: 3RD CONCESSION - CLIFFORD DRAIN IMPROVEMENTS
(Geographic Township of Gosfield South)
Town of Kingsville, County of Essex
Project No. D-17-030

I. INTRODUCTION

In accordance with the instructions received by letter on April 18th, 2017 from the Drainage Superintendent, Mr. Ken Vegh, we have prepared the following report to provide for the construction of a replacement access bridge along with future maintenance provisions for the 3rd Concession - Clifford Drain. These investigations were initiated by resolution passed by Council for our firm to undertake the preparation of an Engineer's Report for the works within this drain, in accordance with the Drainage Act. The plan showing the 3rd Concession - Clifford Drain alignment, the general location of all access bridges, and the lands affected within the general watershed area of the drain, are included herein as part of this report.

The initial request to provide an Engineer's Report was submitted by Bernard Nelson for the lands of [REDACTED] (370-07300) for the replacement of the existing access bridge, serving their lands.

Our appointment and the works related to the works within the 3rd Concession - Clifford Drain, proposed under this report, is in accordance with Section 78 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010". We have performed all of the necessary survey, investigations, etc., for the replacement access bridge, as well as the 3rd Concession - Clifford Drain, and we report thereon as follows.

Report - 3rd Concession - Clifford Drain Improvements
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II. BACKGROUND AND WATERSHED CHARACTERISTICS

The 3rd Concession - Clifford Drain is an existing open Municipal Drain that encompasses a relatively small watershed. This drain provides drainage to the lands primarily located along Road 3 West, between Lots G through I and within Concession 2 W.D. and Concession 3 W.D. The upper end of the 3rd Concession - Clifford Drain commences near the midpoint of Lot I and along the north side of Road 3 West and continues westerly to its outlet into the Centre Branch of No. 47 Drain, at the McCain Sideroad.

The 3rd Concession - Clifford Drain is predominantly located within the Brookston Clay soil type. This soil is categorized as Hydrological Soil Group D and are described as very low infiltration rate when thoroughly wetted and consists chiefly of clay soils with a claypan or clay layer at or near the surface and shallow soils over nearly impervious material. As a result, these soils require effective artificial drainage to be productive.

III. DRAINAGE HISTORY

A review of the Town of Kingsville's drainage records indicate that the 3rd Concession - Clifford Drain is an existing open Municipal Drain that has been repaired and improved through the auspicious of the Drainage Act.

From our review, we have found Engineer's Reports prepared through the provisions of the Drainage Act for the 3rd Concession - Clifford Drain and they are as follows:

- a) **February 25th, 1983** Reconsidered Engineer's Report for the "3rd Concession - Clifford Drain", prepared by William J. Setterington, P.Eng., and was carried out under Gosfield South Drainage By-Law No. 472. This report serves as the initial by-law as petitioned for through the provisions of the Drainage Act. The works conducted under this report generally provided for the conversion of an existing road side drain into a Municipal Drain, including the excavation for deepening and widening, the removal and replacement of several access bridges, the installation of a steel retaining wall at the outlet end of the open drain, together with the seeding of the entire length of the open drain. This report also included the necessary allowance and compensation for the value of the existing drain and land taken for the widening of said drain.

This report serves as the last major work of repair and improvement to the entire length of the 3rd Concession - Clifford Drain. It should be noted that **Bridge ①**, **Bridge ④** and **Bridge ⑤**, as identified within this report, were either constructed or referred to within this report and/or accompanying drawings.

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- b) **April 30th, 2004** Engineer's Report for the "3rd Concession - Clifford Drain", prepared by Bruce D. Crozier, P.Eng., and was carried out under Town of Kingsville Drainage By-Law No. 39-2004. The works conducted under this report generally provided for the installation of a new access bridge located within Lot H, Concession 3 W.D., serving the lands of [REDACTED] (370-07200).

The access bridge identified within the above mentioned report provides for the initial construction of **Bridge ③**, as identified within this report.

From our detailed research of the above listed Engineer's Reports we have determined that generally speaking, the 1983 Report serves as the current governing By-Law for the entire length of the open drain. This Engineer's Report governs the design provisions for any future maintenance works on this open channel. Currently, the costs for such maintenance works are to be assessed against the lands and roads outlined within this report. **Bridges ①, ③, ④ and ⑤** within the 3rd Concession - Clifford Drain have been constructed and/or have been referred to under the above mentioned By-Laws. Therefore, these access bridges are considered legal entities with respect to this Municipal Drain. As a result, the identified access bridge structures are currently eligible to have the costs for their replacement and/or improvements shared with the lands and roads within the drains watershed contributing their runoff into the drain, upstream of said structures.

IV. PRELIMINARY INVESTIGATIONS AND ON-SITE MEETING

After reviewing all of the available drainage information and documentation provided by the Drainage Superintendent, we arranged for an On-Site Meeting to be scheduled for July 27th, 2017. The following people were in attendance at said meeting:

Kim Stannard (landowner)
Irene Finaldi (landowner)
Bernard Nelson (Owner of L.R.F. Nelson Holdings Inc.)
Bruce Goosen (Site Contractor for L.R.F. Nelson Holdings Inc.)
Ken Vegh (Town of Kingsville's Drainage Superintendent)
Tony Peralta (N.J. Peralta Engineering Ltd.)

Mr. Vegh introduced himself, as well as others, and generally advised that a written notice has been submitted by Bernard Nelson for [REDACTED] (370-07300), for the replacement of the existing agricultural access bridge to the subject lands. It was further confirmed that the existing access bridge shall be replaced to accommodate the future development of the proposed dairy farm expansion on this property.

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The Landowners were advised that the minimum standard top width of driveway is 6.10 metres (20.00 ft.). The Owners were further advised that if this access bridge is a legal entity within this drain, the replacement of this access bridge would be subject to cost sharing with upstream lands and roads. Furthermore, if the Owner wishes to provide a top width wider than the standard 6.10 metres (20.00 ft.), the additional cost for providing a wider top width, shall be assessed 100% to the abutting Owner. Mr. Nelson identified that the Dairy Farmers of Ontario has specific requirements for Farm Lane Entrances outlined within the "Quota and Milk Transportation Policies", and requested that the design of the replacement structure coincide with these minimum requirements. Based on these requirements, Mr. Nelson was of the opinion that the access top width shall maintain a minimum 50 feet. (15.24 metre), but would like to make sure that the access is large enough to accept larger milk trucks that utilize this access. Mr. Goosen suggested that we consider a top width of approximately 60.00 feet (18.00 metres). The Owner was advised that in addition to reviewing the "Quota and Milk Transportation Policies", we can analyse the truck turning radii of large tractor trailers and refer to the M.T.O. Commercial Site Access Policy and Standard Designs for an Entrance to Small Business, to ensure that the proposed access bridge will have sufficient top width to accept these types of vehicles. Mr. Nelson also identified that the access bridge shall be centred on the new access laneway, adjacent to the existing bridge location and located west of the existing hydro pole.

There were considerable discussions regarding the options of sloped quarried limestone end treatments versus a vertical headwall. It was further established that due to the overall length required to accommodate the larger access, the final design length of the culvert may be governed by the general recommendations of the Department of Fisheries and Oceans (D.F.O.). With the extended length required to accommodate an access for truck traffic, it would very be likely that a vertical headwall system would be required for this application. We further discussed the various options for vertical end treatments and established that once a preliminary design has been completed, we can determine the most appropriate end treatment options.

Upon review of the governing report, the subject access bridge was identified in the previous By-Law and would be considered a legal entity with respect to this Municipal Drain. The condition of the existing structure was reviewed and it was found to be in poor condition with the bottom half of the culvert completely rotted throughout. Therefore, we found that the existing access bridge culvert has exceeded its useful life span.

The Landowners were advised that this replacement access bridge installation would be subject to further approvals and mitigation measures of the Department of Fisheries and Oceans (D.F.O.), Essex

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Region Conservation Authority (E.R.C.A), and the Ministry of Natural Resources and Forestry (M.N.R.F.).

The overall Drainage Report and future maintenance processes, along with cost sharing and grant eligibility were generally reviewed with the landowners present. They were also advised that it would be likely that the works in this drain were not to be undertaken between March 15th and June 30th, unless otherwise permitted by D.F.O., E.R.C.A. and the M.N.R.F.

Landowners present at this meeting questioned the affected area that contribute to the drainage system. As a result, the Landowners requested that, if it was cost effective, that we review the watershed and determine if amendments should be made to the Schedule of Assessment for this Municipal Drain. Furthermore, it was discussed that future maintenance provisions for all access bridges within the 3rd Concession - Clifford Drain were not provided as part of the governing report. Therefore, the Landowners requested that each of the access bridges within this Municipal Drain be reviewed and Future Cost Sharing provisions be considered as part of this report.

At the conclusion of our discussions, we advised the Landowners that, in addition to replacing the subject access bridge, we will also review the watershed and provide a mechanism for Future Cost Sharing and provisions for all structures within the 3rd Concession - Clifford Drain. We further advised that we would contact Mr. Nelson, prior to the preparation of our Engineer's Report, to review the details of the replacement access bridge.

V. FIELD SURVEY AND INVESTIGATIONS

Following the On-Site Meeting and discussions with the Owners, we arranged for our Survey Crew to attend the site and perform a topographic survey, including taking the necessary levels and details, to establish the design parameters for the installation of the replacement bridge. Benchmarks were looped from previous work carried out on the drain and were utilized in establishing a site benchmark near the location of the bridge replacement. The survey work included picking up all of the details in the vicinity of the existing access bridge. We also surveyed the drain for a considerable distance both upstream and downstream of the subject access bridge, in order to establish a design grade profile for the installation of same. We also took cross-sections of the 3rd Concession - Clifford Drain at the general location of the proposed bridge, as necessary, for us to complete our design calculations, estimates and specifications.

The Ministry of Natural Resources and Forestry (M.N.R.F.) Endangered Species Act Municipal Drain agreements, under Section 23 of the Act, with the Municipality had expired as of June 30th, 2015. New regulation provisions have replaced these existing drain

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agreements under Ontario Regulation 242/08, Section 23.9 which allows the Municipality to conduct repairs, maintenance, and improvements, within existing Municipal Drains, under the Drainage Act to be exempt from Section 9 and 10 of the Endangered Species Act, so long as the rules in the regulation are followed. If eligible, the regulatory provision allows Municipalities to give notice to the Ministry by registering their drainage activities through an online registry system.

Following the On-Site Meeting, we engaged in email correspondence with the E.R.C.A., regarding their preliminary comments which pertain to this project.

For the purpose of establishing the watershed area upstream of the subject access bridge location, and determining the pipe size required for same, we investigated and reviewed the Engineer's Report on the 3rd Concession - Clifford Drain prepared by William J. Setterington, P.Eng., dated February 25th, 1983. We also carried out a review of the watershed limits utilizing the most recent Engineer's Reports for the Centre Branch of the No. 47 Drain, East Branch of the No. 47 Drain and the Dalton Drain, and further conducted a site visit to review the adjacent lands to verify the contributing watershed area into the 3rd Concession - Clifford Drain. As part of our review, we had also reviewed all access bridges within the 3rd Concession - Clifford Drain. All of the above investigations not only provided us with the correct watershed area affecting the size of the subject access bridge, but also provided us with the accurate information to assist us with the evaluation of each access bridge, together with the preparation of our Construction Schedule of Assessment and Future Maintenance Schedule of Assessment for this project.

VI. FINDINGS AND RECOMMENDATIONS

E.R.C.A., D.F.O. AND M.N.R.F. CONSIDERATIONS

During the course of our investigations, this drainage project was discussed and reviewed in detail with Ms. Cynthia Casagrande, of the E.R.C.A., to address any E.R.C.A. issues and comments related to this Municipal Drain. The 3rd Concession - Clifford Drain is located within the regulated area and is under the jurisdiction of the E.R.C.A., and therefore an E.R.C.A. Permit is required for the improvements to this Municipal Drain. Upon their request, a design proposal was submitted to the E.R.C.A. for their review and consideration. Further to the above, the E.R.C.A. provided us with their comments and concerns through email correspondence, and said email is included herein as Appendix "A".

As outlined in our discussions with the E.R.C.A., and with respect to the Department of Fisheries and Oceans (D.F.O.) concerns and comments, due to the amendments to the Fisheries Act that came into effect, the partnership agreement between the D.F.O. and the

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E.R.C.A. has lapsed as of November 25th, 2013. As a result, the proposed works in the 3rd Concession - Clifford Drain was "Self-Assessed" by the Engineer, through the D.F.O. website to determine whether this project shall be reviewed by D.F.O. Based on the D.F.O. Self-Assessment website, we have determined that the project activities would not require a D.F.O. review for the works proposed under this project, so long as standard measures for fish habitat and migration are implemented. A copy of the D.F.O. "Best Management Practices - Culvert Replacements in Municipal Drains" document is included within Appendix "A".

Under the Species at Risk Provincial Legislation, set in place with the Ministry of Natural Resources and Forestry (M.N.R.F.), Section 23.9 of the Endangered Species Act, 2007, allows the Municipality to conduct eligible repair, maintenance, and improvement work under the Drainage Act that exempts these works from Sections 9 and 10 of this Act, so long as they follow the rules within Ontario Regulation 242/08.

In recognition of impact that these species may experience as a result of the subject works, the Town of Kingsville has provided comprehensive mitigation measures as well as species identification guides for reference. These references shall be provided to the successful Tenderer and shall be available for viewing at the Municipal Office for those interested.

Through correspondence with Cynthia Casagrande, of the E.R.C.A., the Self-Assessment and the Best Management Practices document through the D.F.O., along with the mitigation measures through the Endangered Species Act, we have provided for all of the E.R.C.A., D.F.O., and M.N.R.F. concerns and issues in our design and recommend that this drainage works be constructed in total compliance with all of the above.

3rd Concession - Clifford Drain Bridge Improvements

As part our discussions and instructions established at the On-Site Meeting, we have reviewed all of the structures within the 3rd Concession - Clifford Drain, and we report as follows:

Bridge ① ([REDACTED], 370-07300)

The existing access bridge extending from Station 1+082.0 to Station 1+096.0, serving as the primary access to the agricultural lands of [REDACTED] (370-07300), within Lot G, Concession 3 W.D., was identified under the February 25th, 1983 Engineer's Report prepared by William J. Setterington, P.Eng., and is therefore, considered a legal entity with respect to the 3rd Concession - Clifford Drain. This existing access bridge consists of approximately 14.00 metres of 1200mm diameter corrugated steel pipe with bevelled ends and sloped quarried limestone end

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protection. The driveway top width is approximately 6.50 metres (21.33 ft.). We find the existing access structure to be in poor physical condition and has reached the end of its service life. Further to the request at the On-Site Meeting, we have made provisions for improvements to this structure to accommodate the proposed development on the dairy farm entrance. This structure has been labelled herein as **Bridge ①**.

Prior to the preparation of our report, we discussed and further reviewed the details of the bridge replacement with Mr. Bernard Nelson. As part of our preliminary design, we found that in order to keep the culvert to an acceptable length, the new access bridge shall be installed utilizing vertical headwalls. As part of our review, we had investigated various headwall options for the proposed structure. We found that the most cost effective vertical headwall option for this application would be concrete filled jute bag headwalls. However, we also provided Mr. Nelson with the option of Interlocking Concrete Block Headwall System. After reviewing details of these options together with their associated costs, Mr. Nelson decided to proceed with Interlocking Concrete Block Headwall System, based on its appearance and long-term advantages.

We confirmed that the replacement access bridge shall be centred on the new access laneway, adjacent to the existing bridge location and located west of the existing hydro pole. Based on our evaluation of the existing watershed, drain grades, and embedment requirements, we determined that the replacement access bridge culvert shall require a slight increase in culvert size. Mr. Nelson accepted our recommendations and confirmed that they wished to proceed with the installation of the new access bridge as per our discussions. This report and the works proposed herein have been prepared on that basis.

As a legal entity with respect to the 3rd Concession - Clifford Drain, we further recommend that the cost for the equivalent standard access bridge be shared by the bridge user and all lands and roads within the drain watershed, upstream of this structure. It shall be noted that the requested additional length shall be assessed entirely to the benefitting Bridge Owner. All of same has been provided for within the Construction Schedule of Assessment included within this report.

Based on our detailed survey, investigations, examinations, and discussions with the affected property Owner, we recommend that the existing access bridge be replaced with a new structure, in the 3rd Concession - Clifford Drain, between Station 1+093.0 and Station 1+113.0 and to the general parameters established in our design drawings attached herein. As a result, the existing access bridge will be replaced with approximately 20.00 metres of 1400mm diameter, aluminized steel corrugated pipe, with Interlocking Concrete Block headwalls. This application will result in travelled driveway width of 18.80 metres (61.68 ft.).

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Bridge ② ([REDACTED], 370-07300)

The existing access bridge extending from Station 0+787.8 to Station 0+797.8, serving as an access to an existing residence within the agricultural lands of [REDACTED] (370-07300). It shall be noted that this access bridge has not been identified within any of the governing By-Laws and is therefore, the existing access bridge is currently not considered a legal entity with respect to the 3rd Concession - Clifford Drain. This existing access bridge currently consists of approximately 10.00 metres of 900mm diameter corrugated steel pipe with bevelled ends and sloped quarried limestone end protection. The driveway top width is approximately 4.00 metres (13.12 ft.), with an asphalt surface topping. We find the existing access structure to be in fair to poor physical condition. However, it appears that this structure may have a few more years of life remaining. Based on our evaluation, we recommend that no improvements are required to this structure as part of this report. This structure has been labelled herein as **Bridge ②**.

Although the existing access bridge which serves these lands is currently considered to be a private entity within the 3rd Concession - Clifford Drain, we find that due to the general condition of this access bridge, we can now incorporate this access bridge as a legal entity with respect to the 3rd Concession - Clifford Drain. However, with this structure being a secondary access to the subject property, when future maintenance or replacement of this structure is required, the costs for same shall be assessed entirely to the subject property.

Bridge ③ ([REDACTED], 370-07200)

The existing access bridge extending from Station 0+627.2 to Station 0+641.2, serving as the primary access to the agricultural lands of [REDACTED] (370-07300), within Lot H, Concession 3 W.D., was identified under the April 30th, 2004 Engineer's Report prepared by Bruce D. Crozier, P.Eng., and is therefore, considered a legal entity with respect to the 3rd Concession - Clifford Drain. This existing access bridge consists of approximately 14.00 metres of 900mm diameter corrugated steel pipe with sloped quarried limestone end protection. The driveway top width is approximately 9.10 metres (30.00 ft.). We find the existing access structure to be in fair physical condition and has plenty of life remaining within this structure. Based on our evaluation, we recommend that no improvements are required to this structure as part of this report. This structure has been labelled herein as **Bridge ③**.

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Bridge ④ ([REDACTED], 370-07210)

The existing access bridge extending from Station 0+523.5 to Station 0+536.3, serving as the primary access to the residential lands of [REDACTED] (370-07210), within Lot H, Concession 3 W.D., was identified under the February 25th, 1983 Engineer's Report prepared by William J. Settingington, P.Eng., and is therefore, considered a legal entity with respect to the 3rd Concession - Clifford Drain. This existing access bridge consists of approximately 12.80 metres of 900mm diameter corrugated steel pipe with bevelled ends and sloped quarried limestone end protection. The driveway top width is approximately 5.60 metres (18.37 ft.). We find the existing access structure to be in fair to poor physical condition. However, it appears that this structure may have a few more years of life remaining. Based on our evaluation, we recommend that no improvements are required to this structure as part of this report. This structure has been labelled herein as **Bridge ④**.

Bridge ⑤ ([REDACTED] 370-07100)

The existing access bridge extending from Station 0+334.0 to Station 0+346.8, serving as the primary access to the agricultural lands of [REDACTED] (370-07100), within Lot H, Concession 3 W.D., was identified under the February 25th, 1983 Engineer's Report prepared by William J. Settingington, P.Eng., and is therefore, considered a legal entity with respect to the 3rd Concession - Clifford Drain. This existing access bridge consists of approximately 12.80 metres of 900mm diameter corrugated steel pipe with bevelled ends and sloped quarried limestone end protection. The driveway top width is approximately 6.00 metres (19.69 ft.). We find the existing access structure to be in fair to poor physical condition. However, it appears that this structure may have a few more years of life remaining. Based on our evaluation, we recommend that no improvements are required to this structure as part of this report. This structure has been labelled herein as **Bridge ⑤**.

In summary, we recommend that the replacement of **Bridge ①** to be constructed in the 3rd Concession - Clifford Drain is to serve as the primary access for the existing agricultural lands owned by [REDACTED] (370-07300), within Lot H, Concession 3 W.D., in accordance with this report, the attached specifications and the accompanying drawings, and that all works associated with same be carried out in accordance with Section 78 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010".

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VII. ALLOWANCES AND COMPENSATION

All of the work under this project shall be carried out along the north limit of Road 3 West. All areas disturbed by this work are specified for full restoration; therefore, these works shall not result in any loss of production of agricultural property, or any indirect damages to the non-agricultural areas. Therefore, no allowances or compensation has been provided for under this report.

VIII. ESTIMATE OF COST

Our estimate of the total cost of this work including all incidental expenses is the sum of **SIXTY NINE THOUSAND EIGHT HUNDRED FIFTY FIVE DOLLARS (\$69,855.00)**, made up as follows:

CONSTRUCTION

Item 1)	Excavate, completely remove and dispose of the existing access bridge culvert and endwalls; provide all labour, equipment and materials to construct a new access bridge consisting of 20.0 metres (65.62 ft.) of 1400mm diameter, 2.8mm thick, Aluminized Steel Type II Corrugated Hel-Cor pipe with annular ends and 125mm x 25mm corrugation profile, including interlocking concrete block headwalls with daylighting and concrete footings, sloped quarried limestone erosion protection, granular bedding and backfill, granular driveway approach, excavation, compaction, cleanup and restoration, complete.	
	Lump Sum	\$ 49,000.00
Item 2)	Net H.S.T. for above item. (1.76%)	\$ 862.00
TOTAL FOR CONSTRUCTION		\$ 49,862.00

INCIDENTALS

1)	Report, Estimate, and Specifications	\$ 7,600.00
2)	Survey, Assistants, Expenses, and Drawings	\$ 5,100.00
3)	Cost of Preparing new Maintenance Schedule of Assessment	\$ 2,500.00

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4)	Duplication Cost of Report and Drawings	\$ 600.00
5)	Estimated Cost of Preparing Tender Documents, and Tender Process on an Invitation Basis, and Tender Review	\$ 900.00
6)	Estimated Cost of Providing Supervision and Full-Time Inspection During Construction (Based on a 3 Day Duration)	\$ 2,800.00
7)	Estimated Net H.S.T. on above items (1.76%)	\$ 343.00
8)	Estimated Cost for E.R.C.A. Permit	\$ 150.00
TOTAL FOR INCIDENTALS		\$ 19,993.00
TOTAL FOR CONSTRUCTION (brought forward)		\$ 49,862.00
TOTAL ESTIMATE		\$ 69,855.00

IX. DRAWINGS AND SPECIFICATIONS

As part of this report, we have attached a design drawing for the replacement of the existing access bridge in the 3rd Concession - Clifford Drain. The design drawing shows the alignment of the 3rd Concession - Clifford Drain, and the approximate location of the various access bridges within this drain. The drawings also illustrate the affected landowners, the approximate limit of the drain watershed, and the details relative to the replacement and improvements of the subject access bridge, where applicable.

The design drawings are attached to the back of this report and are labelled **Appendix "C"**.

Also attached, we have prepared Specifications which set out the required construction details for the proposed bridge installation, which also include Standard Specifications labelled therein as **Appendix "B"**.

X. CONSTRUCTION SCHEDULE OF ASSESSMENT

We would assess the above estimated costs for the works proposed under this report against the affected lands and road as shown in the attached **Construction Schedule of Assessment**. In general terms, the lands and roads included in the Construction Schedule of Assessment are those that exist upstream of the access bridge site and use the 3rd Concession - Clifford Drain for drainage purposes.

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Assessment Components

The total individual assessments within the Construction Schedule of Assessment, comprises of three (3) separate assessment components, including:

- i) **Benefit** defined as advantages to any lands, roads, buildings or other structures from the construction, improvement, repair or maintenance of a drainage works such as will result in a higher market value or increased crop production or improved appearance or better control of surface or subsurface water, or any other advantages relating to the betterment of lands, roads, buildings or other structures, as it relates to Section 22 of the Drainage Act.
- ii) **Special Benefit** defined as additional work or feature included in the construction, repair or improvement of a drainage works that has no effect on the functioning of the drainage works.
- iii) **Outlet Liability** defined as part of the cost of the construction, improvement or maintenance of a drainage works that is required to provide such outlet or improved outlet, as it relates to Section 23 of the Drainage Act.

Access Bridge Assessment Rationale

Benefit Assessment - properties which reside adjacent to the open drain are entitled to access their lands. These lands gain an advantage from an access bridge structure constructed within the Municipal Drain for the purposes of accessing their lands. Therefore, a Benefit Assessment is levied against those properties who gain an advantage related to the betterment of their lands, based on the definition provided above.

Special Benefit Assessment - Any special feature requested or required for the sole betterment of a single property, that does not affect the functionality of the drainage system shall be assessed a Special Benefit Assessment. This Special Benefit Assessment would also include any special features to enhance an access bridge structure (such as decorative headwalls, surface pavement, etc.).

Outlet Assessment - According to the parameters set within Section 23 of the Drainage Act, all lands which utilize the Municipal Drain as a drainage outlet may be assessed for Outlet Liability. As further outlined within Section 23(3) of the Drainage Act, the Outlet Assessment is "...based on the volume and rate of flow of the water artificially caused to flow...". Based on the characteristics of the lands that contribute flow to the drainage system, runoff factors have been applied based on the land use of each property

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to reflect the actual amount of water that is artificially collected and discharged through the proposed structures. Therefore, developed lands (residential, commercial lots and roads) have an increased run-off factor applied to their assessment. Contrarily, lands which have surface (or subsurface) runoff that exit the watershed, or contain woodlots, would have a decrease run-off factor applied to their assessment.

As it relates to the replacement of **Bridge ①**, the estimated construction cost plus incidental costs for same shall be shared between the bridge user and all of the lands and roads that exist upstream of said access bridge site and use the 3rd Concession - Clifford Drain for drainage purposes. The sharing percentage between the bridge user and the upstream lands and roads affected by said bridge have been established on the basis of where it is located relative to the entire reach of the drain. The bridge user's share is assessed within the Construction Schedule of Assessment as a Benefit Assessment and the affected upstream Owners' share for a standard top width access bridge is assessed as an Outlet Assessment. The bridge user's Benefit Assessment also accounts for the increased bridge length beyond the length available to provide a standard 6.10 metre (20.00 ft.) driveway top width.

We would therefore recommend that all of the costs associated with the access bridge replacement included under this report be charged against the lands and roads affected within the attached Construction Schedule of Assessment included herein. Lands which are used for agricultural purposes have been listed in the Schedule of Assessment under Subheading "**5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable)**". In general, the lands and roads included in this Schedule of Assessment are all those lying upstream and easterly of the subject bridge.

It should be noted that the attached Construction Schedule of Assessment is to be utilized for the sharing of the costs related to the construction works being provided for under this report and this Construction Schedule of Assessment shall **not** be utilized for the sharing of any future maintenance works conducted to the bridge replaced under this report.

Maintenance Schedule & Cost Sharing Provisions for Access Bridges

As part of this project, we have provided for a separate Maintenance Schedule of Assessment and for the 3rd Concession - Clifford Drain, together with cost sharing provisions for future work performed on each access bridge within this drain. We would therefore recommend that all of the costs associated to the preparation of the new Maintenance Schedule of Assessment, along with establishing Future Maintenance Provisions for all access bridges within this Municipal Drain, be charged against the lands and roads affected within the attached Construction Schedule of Assessment included herein.

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Agricultural Grants and Grant Eligibility

The Ontario Ministry of Agriculture, Food, and Rural Affairs (O.M.A.F.R.A.) have issued Administrative Policies for the Agricultural Drainage Infrastructure Program (A.D.I.P.). This program has re-instated financial assistance for eligible costs and assessed lands pursuant to the Drainage Act. Sections 85 to 90 of the Drainage Act allow the Minister to provide grants for various activities under said Act. Sections 85 and 87 make it very clear that grants are provided at the discretion of the Minister. Based on the current A.D.I.P., "lands used for agricultural purposes" may be eligible for a grant in the amount of 1/3 of their total assessment. The new policies define "lands used for agricultural purposes" as those lands eligible for either the "Farm Property Class Tax Rate", the "Managed Forest Tax Incentive Program", or the "Conservation Land Tax Incentive Program". The Municipal Clerk has provided this information to the Engineer from the current property tax roll and the Engineer has further confirmed this information with the Ag Maps Geographic Information Portal services through O.M.A.F.R.A. Properties that meet the criteria for "lands used for agricultural purposes" are shown in the attached Assessment Schedule under the subheading **"5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable)"** and are expected to be eligible for the 1/3 grant from O.M.A.F.R.A. In accordance with same, we expect that this project will qualify for the grant normally available for agricultural lands.

We would recommend that the Municipality make an Application for Grants to O.M.A.F.R.A. in accordance with Section 88 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010" for any grants that may be available for this project. The Ministry is continually reviewing their policy for grants, and even though it is our opinion that certain lands shall likely be eligible for grants, there is no guarantee that these lands will qualify or that grants may be available in the future.

It should be noted that the preparation of a new Maintenance Schedule of Assessment under Section 76 of the Drainage Act is not normally eligible for grant; however, pursuant to Section 2.3(e) of the "Agricultural Drainage Infrastructure Program: Administrative policies", where the cost of developing a new Assessment Schedule is less than 25% of the engineering costs for the total project, the engineering cost expended towards the preparation of same shall be eligible for grant. Since the engineering costs for the preparation of Maintenance Schedules of Assessment included herein are **less** than 25% of the overall engineering costs, we would expect that all of the agricultural assessments associated with the preparation of the new maintenance schedule **shall** be eligible for grant.

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XI. FUTURE MAINTENANCE

3rd Concession - Clifford Drain (Open Drain)

After completion of all of the works associated with this Engineer's Report, we recommend that the 3rd Concession - Clifford Drain be kept up and maintained in the future by the Town of Kingsville. As part of this project, we have provided a separate **Maintenance Schedule of Assessment** for distributing costs for future maintenance in the 3rd Concession - Clifford Drain. The Maintenance Schedule of Assessment is included herein as **Appendix "D"**.

For the Maintenance Schedule of Assessment, the assessment proportions as outlined therein have been established on the basis of an estimated future maintenance cost of **\$10,000.00**. It should be clearly understood that the amounts shown within this Schedule are only for prorating future maintenance costs for the drain and does not form part of the current cost for the work.

It must also be understood, that the Maintenance Schedule of Assessment for the 3rd Concession - Clifford Drain is for maintenance of the open drain portions only and are not to be utilized for any of the maintenance works being conducted to the existing access bridges within the drain. The existing access bridges are to be assessed in a different fashion.

Working Corridors for Open Drain Maintenance

When future maintenance is performed on the open drain portion of the 3rd Concession - Clifford Drain affected by the works within this report, all working corridors and provisions for excavated material removed from the open drain shall be addressed per the specifications within the Engineer's Reports prepared by William J. Settingington, P.Eng., dated February 25th, 1983.

3rd Concession - Clifford Drain Access Bridges

It should be noted that a mechanism should be provided herein so that the Municipality can undertake future maintenance works on the subject access bridges so that the future maintenance costs for same can be properly assessed to the affected landowners. We would therefore recommend that all of the structures identified within this report, and within the 3rd Concession - Clifford Drain, for which future maintenance costs are to be shared with upstream lands and roads within the watershed, be maintained by the Municipality.

Should any works of maintenance be required in the future to the structures identified within this report, the following provisions with respect to cost sharing, for each of same, shall be shared by the abutting landowner, and upstream affected lands and roads in accordance with the following provisions:

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TABLE SHOWING COST SHARING FOR ACCESS BRIDGES

<u>BRIDGE NO.</u>	<u>ROLL NUMBER</u>	<u>OWNERS</u>	<u>STANDARD BRIDGE BENEFIT SHARE</u>	<u>BLENDDED COST SHARING</u>	
				<u>% TO ABUTTING OWNER</u>	<u>% TO UPSTREAM LANDS AND ROADS</u>
1.	370-07300		62.8%	81.8%	18.2%
2.	370-07300		100.0%	100.0%	0.0%
3.	370-07200		71.8%	77.0%	23.0%
4.	370-07210		73.9%	73.9%	26.1%
5.	370-07100		78.8%	78.8%	21.2%

The sharing percentages between the bridge user and the upstream lands and roads affected by said bridges have been established on the basis of where it is located relative to the entire reach of the drain. The blended cost sharing percentages above accounts for the bridge user share of the increased bridge length beyond the length available to provide the standard 6.10 metres (20.00 ft.) minimum driveway top width.

The percentage to the upstream lands and roads as established above is to be assessed as an Outlet Liability towards the lands and roads within the 3rd Concession - Clifford Drain watershed lying upstream of said access bridge structures and shall be shared in the same proportions established within the **Schedule of Assessment for Future Access Bridge Structure Maintenance** attached herein and labelled **Appendix "D"**. This Schedule of Assessment has been developed on the basis of an assumed cost of **\$3,000.00** and the future maintenance costs for each affected access bridge within the drain shall be levied pro rata on only the affected lands and roads that are situated upstream of the particular access bridge for which future maintenance works has been carried out.

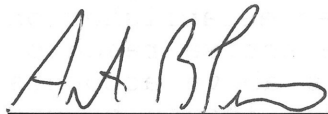
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We would also recommend that the replacement bridge structure as identified herein, be maintained in the future as part of the drainage works. We would also recommend that these legal access bridges, for which the maintenance costs are to be shared with the upstream lands and road within the watershed, be maintained by the Municipality and that said maintenance would include works to the bridge culvert, bedding, backfill and end treatment. Should concrete, asphalt or other decorative driveway surfaces over this bridge culvert require removal as part of the maintenance works, these surfaces should also be repaired or replaced as part of the works. Likewise, if any fencing, gate, decorative walls, guard rails or other special features exist that will be impacted by the maintenance work, they are also to be removed and restored or replaced as part of the bridge maintenance work. However, the cost of the supply and installation of any surface material other than Granular "A" material, and the cost of removal and restoration or replacement, if necessary, of any special features, shall be totally assessed to the benefiting adjoining owner served by said access bridge.

The above provisions for the future maintenance of this replacement bridge, being constructed under this report, shall remain as aforesaid until otherwise determined under the provisions of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010".

All of which is respectfully submitted.

N. J. PERALTA ENGINEERING LTD.



Antonio B. Peralta, P.Eng.

ABP/amm

Att.

N. J. PERALTA ENGINEERING LTD.

Consulting Engineers
45 Division Street North
KINGSVILLE, Ontario
N9Y 1E1



CONSTRUCTION SCHEDULE OF ASSESSMENT
3RD CONCESSION - CLIFFORD DRAIN IMPROVEMENTS

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of			TOTAL VALUE
							Benefit	Value of Outlet	Special Benefit	
Road 3 West				6.60	2.671	Town of Kingsville	\$ 111.00	\$ 1,778.00	\$ -	\$ 1,889.00
Total on Municipal Lands.....							\$ 111.00	\$ 1,778.00	\$ -	\$ 1,889.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of			TOTAL VALUE
							Benefit	Value of Outlet	Special Benefit	
370-04510	2	H	0.57	0.57	0.231		\$ 7.00	\$ 128.00	\$ -	\$ 135.00
370-04810	2	I	0.51	0.25	0.101		\$ 3.00	\$ 93.00	\$ -	\$ 96.00
370-07005	3	I	0.85	0.85	0.344		\$ 11.00	\$ 180.00	\$ -	\$ 191.00
370-07210	3	H	3.67	3.67	1.485		\$ 46.00	\$ 554.00	\$ -	\$ 600.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ 67.00	\$ 955.00	\$ -	\$ 1,022.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of			TOTAL VALUE
							Benefit	Value of Outlet	Special Benefit	
370-03700	2	G	96.20	5.00	2.023		\$ 38.00	\$ 149.00	\$ -	\$ 187.00
370-04500	2	H	39.90	16.00	6.475		\$ 98.00	\$ 953.00	\$ -	\$ 1,051.00
370-04600	2	H	57.34	5.00	2.023		\$ 42.00	\$ 303.00	\$ -	\$ 345.00
370-07000	3	I	98.58	49.15	19.891		\$ 158.00	\$ 3,075.00	\$ -	\$ 3,233.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-07100	3	H	50.00	50.00	20.235		\$ 161.00	\$ 3,069.00	\$ -	\$ 3,230.00
370-07200	3	H	71.04	46.33	18.749		\$ 136.00	\$ 2,788.00	\$ -	\$ 2,924.00
370-07300	3	G	100.00	36.00	14.569		\$ 55,063.00	\$ 911.00	\$ -	\$ 55,974.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ 55,696.00	\$ 11,248.00	\$ -	\$ 66,944.00
TOTAL ASSESSMENT							\$ 55,874.00	\$ 13,981.00	\$ -	\$ 69,855.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

SPECIFICATIONS

BRIDGE OVER THE 3RD CONCESSION - CLIFFORD DRAIN

(for [REDACTED] (370-07300),

Part of Lot G, Concession 3 W.D.)

(Geographic Township of Gosfield South)

TOWN OF KINGSVILLE

I. GENERAL SCOPE OF WORK

The Contractor is advised that the work proposed under this project consists of the replacement of an existing access bridge within the 3rd Concession - Clifford Drain, serving the lands of [REDACTED] (370-07300). The scope of work to be provided under this project shall include, but not necessarily be limited to the following: the removal and replacement of existing 1200mm diameter corrugated steel culvert with a new 1400mm diameter corrugated steel culvert, together with new interlocking concrete block headwalls with daylighting, sloped quarried limestone erosion protection adjacent to the new headwalls, granular approach and backfill, all ancillary work clean-up and restoration required. The proposed work, is intended to address the replacement of the existing access bridge and provide a 18.80 metres (61.68 ft.) traveled driveway top width and all of the work necessary for completion to the satisfaction of the Drainage Superintendent or Consulting Engineer.

The location of the new access bridge shall be the exact designated location, as identified within the plans, unless otherwise directed by the property Owner and the Town Drainage Superintendent, prior to the construction of same. Any changes to the location of the new access bridge, must be approved in writing by the Consulting Engineer.

All work shall be carried out in accordance with these specifications and serve to supplement and/or amend the current Ontario Provincial Standard Specifications and Standard Drawings, adopted by the Ontario Municipal Engineers Association. All work shall also comply in all regards with Appendix "A", as well as the Standard Specifications included in Appendix "B". The works shall also be carried out in accordance with the plans labelled herein as Appendix "C". The bridge shall be of the size, type, depth, etc., as shown in the accompanying drawings, as determined from the **Bench Mark**, and as may be further laid out at the site at the time of construction. All work carried out under this project shall be completed to the full satisfaction of the Town Drainage Superintendent and the Consulting Engineer.

Specifications - Bridge Over the 3rd Concession - Clifford Drain
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II. E.R.C.A. AND D.F.O. CONSIDERATIONS

The Contractor will be required to implement stringent erosion and sedimentation controls during the course of the work to minimize the amount of silt and sediment being carried downstream into the Wigle Creek. It is intended that work on this project be carried out during relatively dry weather to ensure proper site and drain conditions and to avoid conflicts with sediment being deposited into the outlet drainage systems. All disturbed areas shall be restored as quickly as possible with grass seeding and mulching installed to ensure a protective cover and to minimize any erosion from the work site subsequent to construction. The Contractor may be required to provide temporary silt fencing and straw bales as outlined further in these specifications.

All of the work shall be carried out in accordance with any permits or authorizations issued by the Essex Region Conservation Authority (E.R.C.A.) or the Department of Fisheries and Oceans (D.F.O.), copies of which will be provided, if available. The Contractor is advised that work shall not be carried out in the existing drain from March 15th to June 30th of any given year.

As part of its work, the Contractor will implement the following measures that will ensure that any potential adverse effects on fish and fish habitat will be mitigated:

- a) As per standard requirements, work will not be conducted at times when flows in the drain are elevated due to local rain events, storms, or seasonal floods. Work will be done in the dry.
- b) All disturbed soils on the drain banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be hauled away and disposed of at a suitable site, or spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
- c) To prevent sediment entry into the drain, in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with related Ontario Provincial Standards. It is incumbent on the proponent and its Contractors to ensure that sediment and erosion control measures are functioning properly and are maintained/upgraded as required.
- d) Silt or sand accumulated in the barrier traps must be removed and stabilized on land once the site is stabilized.

Specifications - Bridge Over the 3rd Concession - Clifford Drain
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- e) All activities including maintenance procedures should be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicular refuelling and maintenance should be conducted away from the water.

Not only shall the Contractor comply with all of the above, it shall also be required to further comply with any of the mitigation measures included within the emails from Cynthia Casagrande, of the E.R.C.A. Furthermore, the Contractor shall also review and comply with the "Best Management Practices - Culvert Replacements in Municipal Drains" document prepared by the D.F.O. Both of which are included within Appendix "A".

III. M.N.R.F. CONSIDERATIONS

Under the Species at Risk Provincial Legislation, set in place with the Ministry of Natural Resources and Forestry (M.N.R.F.), Section 23.9 of the Endangered Species Act, 2007, allows the Municipality to conduct eligible repair, maintenance, and improvement work under the Drainage Act that exempts these works from Sections 9 and 10 of this Act, so long as they follow the rules within Ontario Regulation 242/08.

Prior to commencing work, The Town of Kingsville will complete an "Endangered Species Act Review" for the 3rd Concession - Clifford Drain and will provide the Contractor with the results of said review, including Town documents for the purpose of identification of known species at risk within the project area and mitigation measures for species and habitat protection. It is the responsibility of the Contractor to make certain that necessary provisions are undertaken to ensure the protection of all species at risk and their habitats throughout the course of construction.

The Contractor will be responsible for providing the necessary equipment and materials required by the mitigation plans and shall contact the Town of Kingsville Drainage Superintendent immediately if any endangered species are encountered during construction.

IV. ACCESS TO WORK AND TRAFFIC CONTROL

The Contractor is advised that all of the work to be carried out on this project extends along Road 3 West. The Contractor may utilize the full road right-of-way as necessary to carry out its operations ensuring that the travelling public is protected at all times. Accordingly, the Contractor will be required to carry out all of the necessary steps to direct traffic and the public and provide temporary diversion of traffic around the work site including provisions of all lights, signs, flag persons, and barricades required to protect the safety of the travelling public.

Specifications - Bridge Over the 3rd Concession - Clifford Drain
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It is expected that the Contractor shall not require that Road 3 West be closed when carrying out the necessary work; however, if the Contractor prefers to close the road, **it may not do so unless it receives approval from the Town of Kingsville and County of Essex Road Superintendents.** In any case, the Contractor shall provide all necessary lights, signs, and barricades to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If a road closure is allowed, all road closures signs and traffic control signs shall be required on this project at the Contractor's expense, and shall ensure that all emergency services, school bus companies, etc. are contacted about the disruption at least 48 hours of same. All signage is to comply with the Ontario Traffic Manual's Book 7 for Temporary Conditions. Regardless of the traffic control methods used, a suitable Traffic Control Plan must be submitted to the Town of Kingsville and the County of Essex for approval prior to commencing any work within the road right-of-way.

Once it has completed all of the works required under this project, the Contractor shall clean up and restore all lands affected by its works to the full satisfaction of the Owners, the Town Drainage Superintendent and the Consulting Engineer. Restoration shall include but not be limited to all necessary levelling, grading, shaping, topsoil, seeding and mulching, and granular placement required to make good any damage caused.

The Contractor shall note that any deviation from the above mentioned accesses for the construction of the access bridge without the explicit approval of the adjacent landowners, the Town Drainage Superintendent, and the County of Essex could result in the Contractor being liable for damages sustained. The value for such damage shall be determined by the Town Drainage Superintendent and the Consulting Engineer, and be subsequently deducted from the Contract Price.

V. REMOVAL OF BRUSH, TREES AND RUBBISH

Where there is any brush, trees or rubbish along the course of the drainage works, including the full width of the access, all such brush, trees or rubbish shall be close cut and grubbed out, and the whole shall be burned or otherwise satisfactorily disposed of by the Contractor. The brush and trees removed along the course of the work are to be put into piles by the Contractor in locations where they can be safely burned by it, or hauled away and disposed of, by the Contractor to a site to be obtained by it at its expense. Prior to and during the course of the burning operations, the Contractor shall comply with the guidelines prepared by the Air Quality Branch of the Ontario Ministry of the Environment, and shall ensure that the Environmental Protection Act is not violated. The Contractor will be required to notify the local fire authorities and co-operate with them in the carrying out of any

Specifications - Bridge Over the 3rd Concession - Clifford Drain
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work. The removal of brush and trees shall be carried out in close consultation with the Town Drainage Superintendent or Consulting Engineer to ensure that no decorative trees or shrubs are disturbed by the operations of the Contractor that can be saved. It is the intent of this project to save as many trees and bushes as practical within the roadway allowances and on private lands.

The Contractor shall protect all other trees, bushes, and shrubs located along the length of the drainage works. Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.

VI. FENCING

Where it is necessary to take down any fence to proceed with the work, the same shall be done by the Contractor across or along that portion of the work where such fence is located. The Contractor shall be required to exercise extreme care in the removal of any fencing so as to cause a minimum of damage to same. The Contractor shall be required to replace any fence that is taken down in order to proceed with the work, and the fence shall be replaced in a neat and workmanlike manner. The Contractor shall not be required to procure any new materials for rebuilding the fence provided that it has used reasonable care in the removal and replacing of same. When any fence is removed by the Contractor, and the Owner thereof deems it advisable and procures new material for replacing the fence so removed, the Contractor shall replace the fence using the new materials and the materials from the present fence shall remain the property of the Owner.

VII. DETAILS OF BRIDGE WORK

The Contractor shall provide all material, labour and equipment to replace and improve the existing access bridge for [REDACTED] (370-07300), within the 3rd Concession - Clifford Drain.

The existing corrugated steel pipe slated to be removed for the access bridge shall be replaced with a new Aluminized Steel Type II Corrugated Hel-Cor Pipe with rolled annular ends, as shown and detailed on the plan, with the pipe to have a minimum thickness and the corrugation profile shown.

When complete, the access bridge along the centreline of the new culvert shall have total top width, including the top width of the interlocking precast concrete block headwall, of approximately 20.00m (65.62 ft.) and a travelled driveway width of 18.80m (61.68 ft.). The interlocking precast concrete block headwall shall be installed vertically, and shall extend from the end of the new

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Aluminized Steel Type II Corrugated Hel-Cor Pipe to the top elevation of the driveway.

The culvert replacement on this project shall be set to the grades as shown on the plans or as otherwise established herein and the Town Drainage Superintendent or the Consulting Engineer may make minor changes to the bridge alignment as they deem necessary to suit the site conditions. All work shall be carried out in general accordance with the "STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION INCLUDING ENDWALL TREATMENT, BACKFILLING AND INSTALLATION PROCEDURES" attached to this specification and labelled Appendix "B".

VIII. ALUMINIZED STEEL PIPE INSTALLATION

The Aluminized Steel Type II Corrugated Hel-Cor pipe, having a thickness of 2.80mm, for this project shall be supplied with no more than two (2) lengths of pipe, which are to be coupled together with the use of similar thickness 10C Aluminized Steel Corrugated Bolted Couplers, secured in accordance with the manufacturers recommendations. Under no circumstances shall the bridge culvert be provided with more than two (2) lengths of pipe. The overall Corrugated Steel Pipe for this installation must be of the length, size, and thickness identified in the plans and approved by the Drainage Superintendent and the Consulting Engineer prior to its placement in the drain.

The Contractor shall also note that the placement of the new access bridge culvert is to be performed totally in the dry, and it shall be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer. As part of the work, the Contractor will be required to clean out the drain along the full length of the bridge pipe and for a distance of 3.05 metres (10.00 ft.) both upstream and downstream of said pipe. The design parameters of the 3rd Concession - Clifford Drain at the location of this replacement access bridge installation consists of a 0.91m (3.00 ft.) bottom width, 0.10% grade, and 1.50 horizontal to 1.00 vertical sideslopes. The Contractor shall be required to cut any brush and denude the existing drain sideslopes of any vegetation as part of the grubbing operation. The Contractor shall also be required to dispose of all excavated and deleterious materials, as well as any grubbed out materials, to a site to be obtained by it at its own expense. The Contractor shall note that our survey indicates that the existing drain bottom is approximately at the design grade. The Contractor shall be required to provide any and all labour, materials and equipment to set the pipe to the required design grades. The Contractor shall also be required to supply, if necessary, a minimum of 150mm (6") of 20mm (3/4") clear stone bedding underneath the culvert pipe, extending from the bottom of the drain to the culvert invert grade, all to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer.

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Furthermore, if an unsound base is encountered, it must be removed and replaced with 20mm (3/4") clear stone satisfactorily compacted in place to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer.

The installation of the complete length of the new culvert pipe, including all appurtenances, shall be completely inspected by the Town Drainage Superintendent or the Consulting Engineer's Inspector prior to backfilling any portions of same. Under no circumstance shall the Contractor commence the construction or backfill of the replacement culvert pipe without the site presence of the Town Drainage Superintendent or the Consulting Engineer's Inspector to inspect and approve said installation. The Contractor shall provide a minimum of forty-eight (48) hours notice to the Town Drainage Superintendent or the Consulting Engineer prior to commencement of the work. The installation of the replacement culvert structure is to be performed during normal working hours of the Town Drainage Superintendent and the Consulting Engineer from Monday to Friday unless written authorization is provided by them to amend said working hours.

The Contractor shall also note that the placing of the replacement access bridge culvert shall be completed so that it totally complies with the parameters established and noted in the bridge plan. The placement of the culvert shall be on an even grade and performed totally in the dry, and the Contractor should be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer.

IX. BRIDGE CONSTRUCTION

Once the new corrugated steel pipe has been satisfactorily set in place, the Contractor shall completely backfill same with granular material M.T.O. Type "B" O.P.S.S. Form 1010 with the following exception. The top 305mm (12") of the backfill material for the full top width of the access, the full top width of the drain, and the approach to the south and transitions to the north shall be M.T.O. Type "A" O.P.S.S. Form 1010.

The Contractor shall also perform the necessary excavation to extend the width of the driveway from the existing edge of the gravel shoulder to the top of the south bank, and from the top of the north bank to approximately 4.50 metres north of the north right-of-way limit of Road 3 West. This driveway approach for the entire length and width shall consist of a minimum of 305mm (12") of granular material M.T.O. Type "A" satisfactory compacted in place. The gravel apron shall extend from the full width of the access bridge culvert length, and include the daylighted portion of the headwall, from approximately the edge of the gravel roadway to the edge of the new gravel driveway, as shown on the plans. The gravel backfill shall extend across the pipe to approximately

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4.50 metres north of the north right-of-way limit of Road 3 West, as shown on the plans.

All granular backfill for the bridge installation shall be satisfactorily compacted in place to a minimum standard proctor density of 98% by means of mechanical compaction equipment. All of the backfill material, equipment used, and method of compacting the backfill material shall be provided and performed to the satisfaction of the Town Drainage Superintendent or Consulting Engineer.

The new corrugated steel pipe, for this installation, is to be provided with a minimum depth of cover measured from the top of the pipe of 305mm (12"). If the bridge culvert is placed at its proper elevations, same should be achieved. The above specified minimum requirement is **critical** and must be attained. Obviously, in order for the new farm access bridge culvert to properly fit the channel parameters, **all of the design grade elevations must be strictly adhered to.**

Also, for the use by the Contractor, we have established a Bench Mark on-site. This Bench Mark is the top of nail set in south face of existing hydro pole located on the north side of Road 3 West, immediately east of the subject access bridge, and this **Bench Mark** is set at Elevation **191.936 metres**. The new pipe culvert and backfilling is to be placed on the following basis:

- i) The **east (upstream) invert** of the proposed bridge culvert is to be set at Elevation **189.782 metres**.
- ii) The **west (downstream) invert** of the proposed bridge culvert is to be set at Elevation **189.762 metres**.
- iii) The centreline of driveway for this bridge installation shall be set to Elevation **192.131 metres** at the existing edge of asphalt roadway, Elevation **191.928 metres** at the culvert pipe centreline, and Elevation **191.718 metres** at 4.5 metres north of the right-of-way limit. The access bridge driveway, in all cases, shall be graded with a crossfall from the centreline of the driveway to the outer ends of the driveway at an approximate grade of 1.50%.

As a check, all of the above access bridge culvert design grade elevations should be confirmed before commencing to the next stage of the access bridge installation. The Contractor is also to check that the pipe invert grades are correct by referencing the Bench Mark.

Although it is anticipated that the culvert installation shall be undertaken in the dry, the Contractor shall supply and install a temporary straw bale check dam in the drain bottom immediately downstream of the culvert site during the time of construction. The straw bale check dam shall be to the satisfaction of the Town

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Drainage Superintendent or Consulting Engineer and must be removed upon completion of the construction. All costs associated with the supply and installation of this straw bale check dam shall be included in the cost bid for the bridge replacement.

X. REMOVALS

The Contractor shall be required to excavate and completely remove the existing culvert and the existing headwalls in their entirety, as well as any other deleterious materials that may be encountered in removing same. As part of the extended portion of the proposed access bridge, the Contractor shall also be required to cut any brush and denude the existing drain sideslopes of any vegetation as part of the grubbing operation. However, the Contractor is asked to create minimal disturbance to existing vegetation beyond the limits of the proposed access bridge site. The Contractor shall also be required to completely dispose of all of same to a site to be obtained by it at its own expense.

All unsuitable and deleterious materials from the excavation and removal of the existing bridge culvert and drain shall be hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Likewise, any material excavated to allow for the granular approaches to the bridge, driveway transitions, or installation of new headwalls shall also be hauled away and disposed of by the Contractor.

XI. PRECAST INTERLOCKING CONCRETE BLOCK HEADWALLS

Once the new Aluminized Steel Corrugated Pipe has been set in place, the Contractor shall construct precast interlocking concrete block headwalls at both ends of the access. The precast interlocking concrete block headwalls are to be provided and laid out as is shown and detailed in the accompanying drawing, and as is noted in the Standard Specifications in Appendix "B".

The standard precast interlocking concrete blocks shall be rectangular in shape with square corners and be a minimum size of 600mm x 600mm x 1200mm (2' x 2' x 4'), as available from Underground Specialties Inc., or equal. Blocks with modified lengths may be utilized to fill in staggered sections of the block wall. All blocks shall be cast in one pour with no cold joints and shall have minimum compression strength of 20MPa at 28 days. All precast concrete blocks shall be formed with interlocking pockets and tenons and each block shall be assembled in a staggered formation to prevent sliding at the interface between blocks. All precast concrete blocks shall be uniform in size with relatively smooth and consistent joints. All precast concrete blocks shall have a smooth and consistent exterior finish. Each block shall be fitted with a lifting ring that will not interfere with the assembly of the block wall once they are set in place. Cap blocks shall be

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utilized on the top course of the wall with the top of the cap blocks having a smooth, uniform finish.

Precast interlocking blocks that abut the culvert pipe shall be cut and shaped to fit closely around the perimeter of the pipe. The face of the wall shall not extend beyond the end of the pipe. All minor gaps between the blocks and the pipe shall be sealed with no shrink grout for the full depth of the blocks. At the base of the wall, a base block shall be used at the bottom of the interlocking block wall. The base block shall be founded on a firm solid base. When necessary, the Contractor shall provide a minimum of 150mm thickness of level compacted granular bedding, or a lean concrete footing, as a firm foundation for the blocks. The base block shall be set level and shall convey a vertical projection throughout its full height and shall include filter cloth behind the wall for the full height of the blocks to prevent soil migration through any joints. Filter cloth fabric shall be non-woven geotextile material and be minimum GMN-160 meeting O.P.S.S. Class I. Both headwalls shall be assembled concurrently with a continuous uni-axial geogrid SG350, or equal, installed across the entire structure at every second course of blocks, to tie each headwall to each other. Both the non-woven filter cloth and the uni-axial geogrid are available from Armtec Construction Products, or equal.

The blocks shall extend up from the pipe invert and cross the full width of the drain and be embedded a minimum of 500mm into the drain banks. Where required for the top of the block wall to match the height of the completed driveway, the Contractor shall embed the bottom course of blocks into the drain bottom the appropriate depth to achieve the required top elevation of the wall.

The Contractor shall arrange for the supplier to provide a interlocking block layout drawings outlining block assembly of the proposed headwall to the Consulting Engineer for approval prior to proceeding with fabrication and assembly of same. The Contractor shall arrange with the supplier for technical assistance with the assembly of the structure on-site in full accordance with the requirements of the supplier. All assembly installation shall be carried out to avoid any damage to the culvert and shall follow the supplier's recommendation in every respect to ensure a proper and safe installation.

The precast interlocking concrete block headwalls shall be installed vertically, and shall extend from the end of the Aluminized Steel Corrugated Hel-Cor Pipe to the top elevation of the driveway. Under no circumstances shall the interlocking block wall be installed with an outward projection. When complete, the outside face of the headwall shall be installed flush with the end of the proposed culvert. At the westerly approach, adjacent to Road 3 West, the headwalls are to be installed so that daylighting is provided off the travelled roadway. The daylighting are to be designed to deflect outwardly from approximately the extreme south

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face of the new culvert, to a point just beyond the south bank of the drain. The outwardly projection of the new headwalls shall be deflected at approximately a 45 degree angle, and the maximum outward deflection shall not be greater than 3.00 metres parallel to the projection of the straight portion of the finished wall. The straight portion of the precast interlocking concrete block headwall shall be installed perpendicular to the drain banks. The Contractor shall also be required to satisfactorily backfill the area in behind the new headwall with granular fill as already specified in the preceding paragraphs for backfilling of the bridge culvert. The top elevation of the straight portion of the headwall, perpendicular to the culvert, shall be set to elevation **191.800** metres. The top elevation of the headwalls, opposite the travelled roadway, are to be set no less than 75mm (3"), below the existing ground elevation. The alignment of these headwalls shall be performed to the full satisfaction of the Drainage Superintendent or the Consulting Engineer.

The installation of the precast interlocking concrete block headwalls and the placement of the backfill shall be carried out at the same time and shall be provided in total compliance with Item 1, Item 3, and Item 4 of the "STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION INCLUDING ENDWALL TREATMENT, BACKFILLING AND INSTALLATION PROCEDURES". These are attached to the back of these specifications and labelled Appendix "C". The Contractor shall also comply in all respects with the "Typical Precast Interlocking Concrete Block Headwall End Protection Detail" shown within Appendix "C". The installation of the precast interlocking concrete block headwalls shall also comply with the "Block Headwall Installation Instructions for Culverts" provided by Underground Specialties Inc., as outlined in Appendix "B".

XII. SLOPED QUARRIED LIMESTONE EROSION PROTECTION

The Contractor shall also provide, as part of this project, sloped quarried limestone erosion protection adjacent and along all of the new concrete headwalls as noted in the accompanying drawing, at the general locations and to the widths shown within the details included therein.

The sloped quarried limestone erosion protection shall be embedded into the sideslopes of the drain a minimum thickness of 305mm and shall be underlain in all cases with a synthetic filter mat. The filter mat shall not only be laid along the flat portion of the erosion protection, but also contoured to the exterior limits of the quarried limestone and the unprotected slope. The width of the general erosion protection shall be as established in the accompanying drawing or as otherwise directed by the Town Drainage Superintendent and/or the Consulting Engineer during construction. In placing the erosion protection the Contractor shall carefully tamp the quarried limestone pieces into place with the use of a shovel bucket so that the erosion protection when completed will

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be consistent, uniform and tightly laid. In no instance shall the quarried limestone protrude beyond the exterior contour of the unprotected drain sideslopes along either side of said protection. The synthetic filter mat to be used shall be **non-woven** geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products, or equal. The quarried limestone to be used shall be graded in size from a minimum of 100mm (4") to a maximum of 250mm (10"), and is available from Amherst Quarries Ltd., in Amherstburg, Ontario, or equal.

XIII. BENCH MARKS

Also, for use by the Contractor, we have established a Bench Mark near the location of the new replacement access bridge structure.

For the bridge replacement, the plans include details illustrating the work to be completed. For the bridge detail, a Bench Mark has been indicated and the Elevation has been shown and may be utilized by the Contractor in carrying out its work. The Contractor shall note that a specific design elevation grade has been provided for the invert at each end of the pipe in the table accompanying the detail. The table also sets out the pipe size, materials, and other requirements relative to the installation of the bridge structure. In all cases, the Contractor is to utilize the specified drain slope to set any new pipe installation. The Contractor shall ensure that it takes note of the direction of flow and sets the pipe to assure that the grade flows from west to east to match the direction of flow within the drain. The Contractor's attention is drawn to the fact that the pipe invert grades established herein provide for same to be set approximately 200mm below the design bottom and approximately 13% of its diameter below the existing drain bottom.

XIV. ANCILLARY WORK

During the course of any repair or improvements, the Contractor will be required to protect or extend any existing tile ends or swales to maintain the drainage from the adjacent lands. All existing tiles shall be extended utilizing Boss 2000 or equal plastic pipe of the same diameter as the existing tile and shall be installed in accordance with the "**Standard Lateral Tile Detail**" as shown in the details included **Appendix "B"**, unless otherwise noted. Connections shall be made using a manufacturer's coupling wherever possible. For other connections, the Contractor shall utilize a grouted connection. Grouted mortar joints shall be composed of three (3) parts of clean, sharp sand to one (1) part of Portland Cement with just sufficient water added to provide a stiff plastic mix, and the mortar connection shall be performed to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer. The mortar joint shall be of a sufficient

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mass around the full circumference of the joint on the exterior side to ensure a tight, solid seal.

XV. TOPSOIL, SEED AND MULCH

The Contractor shall be required to restore all existing grassed areas and drain side slopes damaged by the structure replacement, and place topsoil and seed and mulch over said areas including any specific areas noted on the bridge detail. The Contractor shall be required to provide all the material and to cover the above mentioned surface areas with approximately 50mm of good, clean, dry topsoil on slopes and 100mm of good, clean, dry topsoil on horizontal surfaces, fine graded and spread in place ready for seeding and mulching. The placing and grading of all topsoil shall be carefully carried out according to Ontario Provincial Standard Specifications, Form 802, dated November, 2010, or as subsequently amended or as amended by these Specifications. Once the topsoil has been properly placed and fine graded, the Contractor shall seed and mulch the area. Seeding and mulching operations shall be carried out according to Ontario Provincial Standard Specifications, Form 804, dated November, 2014, or as subsequently amended or as amended by these Specifications. The seeding mixture shall be OSECO Seed Mixture Canada No. 1, as available from Morse Growers Supply in Leamington, or equal. As part of the seeding and mulching operation, the Contractor will be required to provide either a hydraulic mulch mix or a spread straw mulch with an adhesive binder in accordance with O.P.S.S. 1103.05.03 dated November, 2007, or as subsequently amended, to ensure that the grass seed will be protected during germination and provide a thick, uniform cover to protect against erosion, where necessary. All work shall be completed to the full satisfaction of the Town Drainage Superintendent or the Consulting Engineer.

All of the work relative to the placement of topsoil and the seeding and mulching operation, shall be meticulously done and completed in a good and workmanlike manner all to the full satisfaction of the Town Drainage Superintendent or Consulting Engineer.

XVI. GENERAL CONDITIONS

- a) The Town Drainage Superintendent or Consulting Engineer shall have authority to carry out minor changes to the work where such changes do not lessen the efficiency of the work.
- b) The Contractor shall satisfy itself as to the exact location, nature and extent of any existing structure, utility or other object which it may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town of Kingsville and the Consulting Engineer and its' representatives for any damages which it may cause or sustain during the

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- progress of the work. It shall not hold the Town of Kingsville or the Consulting Engineer liable for any legal action arising out of any claims brought about by such damage caused by it.
- c) The Contractor shall provide a sufficient number of layout stakes and grade points so that the Drainage Superintendent and Consulting Engineer can review same and check that the work will generally conform with the design and project intent.
 - d) The Contractor will be responsible for any damage caused by it to any portion of the Municipal road system, especially to the travelled portion. When excavation work is being carried out and the excavation equipment is placed on the travelled portion of the road, the travelled portion shall be protected by having the excavation equipment placed on satisfactory timber planks or timber pads. If any part of the travelled portion of the road is damaged by the Contractor, the Town shall have the right to have the necessary repair work done by its' employees and the cost of all labour and materials used to carry out the repair work shall be deducted from the Contractor's contract and credited to the Town. The Contractor, upon completing the works, shall clean all debris and junk, etc., from the roadside of the drain, and leave the site in a neat and workmanlike manner. The Contractor shall be responsible for keeping all public roadways utilized for hauling materials free and clear of mud and debris.
 - e) The Contractor shall provide all necessary lights, signs, and barricades to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. A Traffic Control Plan is required on this project. The Traffic Control Plan is to comply with The Ontario Traffic Manual's Book 7 for Temporary Conditions. A suitable Traffic Control Plan must be submitted to the Consulting Engineer, the Town and/or the County of Essex for approval, where applicable.
 - f) Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.
 - g) The whole of the work shall be satisfactorily cleaned up, and during the course of the construction, no work shall be left in any untidy or incomplete state before subsequent portions are undertaken.
 - h) All driveways, laneways and access bridges, or any other means of access on to the job site shall be fully restored to their former condition at the Contractor's expense. Before authorizing Final Payment, the Town Drainage Superintendent and the Consulting Engineer shall inspect the work in order to

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be sure that the proper restoration has been performed. In the event that the Contractor fails to satisfactorily clean up any portion of these accesses, the Consulting Engineer shall order such cleanup to be carried out by others and the cost of same be deducted from any monies owing to the Contractor.

- i) The Contractor will be required to submit to the Town, a Certificate of Good Standing from the Workplace Safety and Insurance Board prior to the commencement of the work and the Contractor will be required to submit to the Town, a Certificate of Clearance for the project from the Workplace Safety and Insurance Board before Final Payment is made to the Contractor.
- j) The Contractor shall furnish a Performance and Maintenance Bond along with a separate Labour and Material Payment Bond within ten (10) days after notification of the execution of the Agreement by the Owner unless otherwise established within the Tender Documents. One copy of said bonds shall be bound into each of the executed sets of the Contract. Each Performance and Maintenance Bond and Labour and Material Payment Bond shall be in the amount of 100% of the total Tender Price. All Bonds shall be executed under corporate seal by the Contractor and a surety company, authorized by law to carry out business in the Province of Ontario. The Bonds shall be acceptable to the Owner in every way and shall guarantee faithful performance of the Contract during the period of the Contract, including the period of guaranteed maintenance which will be in effect for twelve (12) months after substantial completion of the works.

The Tenderer shall include the cost of bonds in the unit price of the Tender items as no additional payment will be made in this regard.

- k) The Contractor shall be required, as part of this Contract, to provide Comprehensive Liability Insurance coverage for not less than \$2,000,000.00 on this project unless otherwise established in the Tender Documents, and shall name the Town of Kingsville and its' officials, and the Consulting Engineer and its staff as additional insured under the policy. The Contractor must submit a copy of this policy to both the Town Clerk and the Consulting Engineer prior to the commencement of work.
- l) Monthly progress orders for payment shall be furnished the Contractor by the Town Drainage Superintendent. Said orders shall be for not more than 90% of the value of the work done and the materials furnished on the site. The paying of the full 90% does not imply that any portion of the work has been accepted. The remaining 10% will be paid 45 days after the final acceptance and completion of the work and payment shall not be authorized until the Contractor provides the following:

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- i) a Certificate of Clearance for the project from the Workplace Safety and Insurance Board
- ii) proof of advertising
- iii) a Statutory Declaration, in a form satisfactory to the Consulting Engineer and the Town, that all liabilities incurred by the Contractor and its Sub-Contractors in carrying out the Contract have been discharged and that all liens in respect of the Contract and Sub-Contracts thereunder have expired or have been satisfied, discharged or provided for by payment into Court.

The Contractor shall satisfy the Consulting Engineer or Town that there are no liens or claims against the work and that all of the requirements as per the Construction Lien Act, 1983 and its' subsequent amendments have been adhered to by the Contractor.

- m) In the event that the Specifications, Information to Tenderers, or the Form of Agreement do not apply to a specific condition or circumstance with respect to this project, the applicable section or sections from the Canadian Construction Documents Committee (C.C.D.C.) shall govern and be used to establish the requirements of the work.

APPENDIX "A"

E.R.C.A.
CORRESPONDENCE

Subject: RE: 3rd Concession Clifford Drain (Bridge for LFR Holdings Inc.) - Town of Kingsville- D17-030
From: Dan Jenner <DJenner@erca.org>
Date: 8/17/2018 12:08 PM
To: Tony Peralta <tony@peraltaengineering.com>, Ken Vegh <kvegh@kingsville.ca>
CC: Diane Broda <dbroda@kingsville.ca>, "josh@peraltaengineering.com" <josh@peraltaengineering.com>

Good Afternoon Tony,

Thank you for the preliminary design details.

We look forward to receiving the final report and application for permit form.

If you have any questions, please do not hesitate to contact this office.

Yours truly,



DAN JENNER
Regulations Analyst
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 • Essex, Ontario • N8M 1Y6
P. 519-776-5209 x 359 • F. 519-776-8688
djenner@erca.org essexregionconservation.ca

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From: Tony Peralta <tony@peraltaengineering.com>
Sent: Saturday, August 4, 2018 2:42 PM
To: Cynthia Casagrande <CCasagrande@erca.org>; Ken Vegh <kvegh@kingsville.ca>; Dan Jenner <DJenner@erca.org>
Cc: Diane Broda <dbroda@kingsville.ca>; josh@peraltaengineering.com
Subject: Re: 3rd Concession Clifford Drain (Bridge for LFR Holdings Inc.) - Town of Kingsville- D17-030

Good afternoon Cynthia and Dan;

Further to the information provided below, and based on your request, we are providing you with the preliminary design proposal for the above noted project.

Under this project we will be replacing an existing access bridge to facilitate the expansion of the an existing dairy farm development for LFR Nelson Holdings Inc.

The existing access bridge culvert consists of approximately 14.0m of 1200mm diameter CSP culvert with sloped quarried limestone end treatments. It shall be noted that there are no existing access bridges downstream of this access within the 3rd Concession Clifford Drain. Approximately 300m upstream of the subject access bridge is an existing culvert having a length of approximately 10.0m of 900mm dia. CSP with sloped quarried limestone end protection.

Based on our preliminary design, we have determined that the replacement access bridge shall consist of approximately 20.0m of 1400mm diameter CSP with a vertical headwalls, to accommodate truck traffic and is designed as per the CSAS-31 MTO standard. Furthermore, the new access will be shifted slightly to the west to facilitate the new location of the proposed lane-way on the subject property.

We have reviewed the DFO website as it relates to the Fisheries Act and have performed a "Self Assessment" for this project. Also, as it relates the the Endangered Species Act, we have contacted the Town of Kingsville to ensure that this project is covered under the new ESA Regulation 242/08.

We trust that this information is satisfactory. However, if you have any concerns or require additional information, please contact us at your earliest opportunity as we intend on finalizing this report as soon as possible.

Regards,

Tony Peralta, P.Eng.

N.J. Peralta Engineering Ltd.
45 Division Street North
Kingsville, ON
N9Y 1E1
(519)733-6587 office
(519)733-6588 fax

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----- Original Message -----

Subject: 3rd Concession Clifford Drain - Bridge for LFR Holdings Inc - Notice of Site Meeting

From: Cynthia Casagrande <CCasagrande@erca.org>

To: Ken Vegh <kvegh@kingsville.ca>

Cc: Diane Broda <dbroda@kingsville.ca>, Tony Peralta

Date: Wed, 26 Jul 2017 13:17:23 +0000

Dear Ken:

We acknowledge receipt of the revised Notice of Site Meeting scheduled for July 27, 2017 regarding the new bridge for LFR Holdings Inc. over the 3rd Concession Clifford Drain. It is our understanding that the engineering firm of N. J. Peralta Engineering Ltd. will be preparing the report.

Our comments contained in the email below regarding this project are still applicable.

If further information or clarification is required, please do not hesitate to contact this office.

Yours truly,

Cynthia Casagrande
Regulations Coordinator
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311
Essex ON N8M 1Y6
(519) 776-5209, Ext. 349

From: Cynthia Casagrande

Sent: Friday, July 21, 2017 3:27 PM

To: 'Ken Vegh' <kvegh@kingsville.ca>

Cc: Diane Broda <dbroda@kingsville.ca>; Gerard Rood <gerard@roodengineering.ca>; Dan Jenner <DJenner@ERCA.org>

Subject: 3rd Concession Clifford Drain - Bridge for LFR Holdings Inc - Notice of Site Meeting

Dear Ken:

This office acknowledges receipt of the Notice of Site Meeting scheduled for July 27, 2017 regarding the proposed bridge for LFR Holdings Inc. over the 3rd Concession Clifford Drain. Unfortunately, we are unable to attend this meeting.

A review of our floodplain mapping for the 3rd Concession Clifford Drain indicates that this drain is located within an area that is under the jurisdiction of the Essex Region Conservation Authority (ERCA) (Section 28 of the *Conservation Authorities Act*). Prior to undertaking works, a permit is required from this office.

At this time, we do not expect that there will be any extraneous comments or concerns with respect to this project. However, we cannot be more specific in this regard without an actual proposal to review.

With respect to Department of Fisheries and Oceans (DFO) concerns and comments, the proposed works to the 3rd Concession Clifford Drain will need to be self-assessed by you, the proponent, through the DFO website at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. Through the self-assessment process, you will be able to determine if these works require a formal authorization under the *Fisheries Act*.

If further information or clarification is required, please do not hesitate to contact this office.

Yours truly,



Cynthia Casagrande

Regulations Coordinator

Essex Region Conservation Authority

360 Fairview Avenue West, Suite 311

Essex ON N8M 1Y6

(519) 776-5209, Ext. 349

— Attachments: —

Application for Permit - General_Fillable.pdf

197 KB

D.F.O.
BEST MANAGEMENT PRACTICES –
CULVERT REPLACEMENTS IN MUNICIPAL
DRAINS

Best Management Practices – Culvert Replacements in Municipal Drains

This document describes the conditions on which one may proceed with a culvert replacement in a municipal drain without DFO approval/notification. All municipal, provincial, or federal legislation that applies to the work being proposed must be respected. If the conditions/requirements below cannot be met, please complete the drain notification form and submit it to the Fisheries Protection Program form review at: FisheriesProtection@dfo-mpo.gc.ca.

Potential Impacts to Fish Habitat

- Infilling fish habitat by encroachment of the water crossing footprint or channel realignment to accommodate culvert
- Harmful substrate alteration of fish habitat (e.g. blockage of groundwater upwellings, critical SAR habitat, spawning areas)
- Removal of riparian vegetation and cover along the banks of the municipal drain
- Removal of edge habitat (e.g. undercut bank, shallower areas with lower velocity, aquatic vegetation) creation of barriers to fish movement (e.g. perched crossings, velocity barriers, alteration of the natural stream gradient)
- Alteration of channel flow velocity and/or depth (e.g. oversized culvert resulting in insufficient depth for fish passage at low flow or undersized culvert resulting in a flow velocity barrier at high flow)
- Alteration of channel morphology and sediment transport processes caused by the physical structure of the crossing resulting in upstream and downstream sediment aggradation/erosion
- Re-entry of sediment that was removed/stockpiled into the watercourse
- Erosion downstream from sudden release of water due to the failure of site isolation
- Stranding of fish in isolated ponds following de-watering of the site
- Impingement or entrainment of fish when de-watering pumps are used
- Short term or chronic transport of deleterious substances, including sediment, into fish habitat from construction or road drainage

Requirements

The following requirements must be met:

- There are no aquatic Species at Risk present in the work zone or impact zone. To confirm there are no aquatic Species at Risk present, refer to the document, A Guide for Interpreting Fish and Mussel Species at Risk Maps in Ontario which can be found at: <http://www.dfo-mpo.gc.ca/Library/356763.pdf>. Links for Ontario Conservation Area specific fish and mussel maps that include critical habitat extents and a list of aquatic Species at Risk found within the conversation authority boundary can be found on Page 5 of A Guide for Interpreting Fish and Mussel Species at Risk Maps in Ontario.
- The culvert is embedded into the streambed and must allow for the free passage of fish.
- The work involves like-for-like replacements of existing road or private access culverts on all drain types without SAR.
- On C and F Drains only, this can also include replacements with extensions and end walls for the purposes of providing the property or road with safe access, but the project permanent footprint will not increase more than 250 m² below the high water mark.
- The project does not involve replacing a bridge or arch with one or more culverts installed in parallel or a larger-diameter culvert with more than one culvert installed in parallel.

- The project does not involve building more than one culvert installed in parallel on a single watercourse crossing site (e.g. twin culvert).
- The project does not involve temporarily narrowing the watercourse to an extent or for a duration that is likely to cause erosion, structural instability or fish passage problems.
- The municipal drain has no flow/low flow or is frozen to the bottom at the time of the replacement.
- In-water work is scheduled to respect timing windows (Tables 1 and 2) to protect fish, including their eggs, juveniles, spawning adults, and/or the organisms upon which they feed.
- The work can be conducted using the Culvert Removal Method described below and Standard Measures to Avoid Causing Serious Harm to Fish will be implemented when required.

Note: If your project must be conducted without delay in response to an emergency (e.g. the project is required to address an emergency that poses a risk to public health or safety or to the environment or property), you may apply for an Emergency Authorization (<http://www.dfo-mpo.gc.ca/asp/forceDownload.asp?FilePath=/pnw-ppe/reviews-revues/Emergency-Authorizations-Autorisations-Urgences-eng.pdf>).

Culvert Removal Methodology

- Plan/manage the work site in a manner that prevents sediment from entering the municipal drain by installing sediment and erosion control materials where required. Ensure that a sediment and erosion control plan is developed and modified as necessary for the site.
- Where required, install effective erosion and sediment control measures before starting work to prevent sediment from entering the municipal drain.
- Implement site isolation measures when in-water work is required.
 - Install an impervious barrier upstream of the work area (Figure 1). If possible, install a secondary barrier upstream of the work area for added protection.
 - Attempt to drive out the fish from the work area and then install the impervious barrier downstream of the work area. This may reduce or eliminate the need for a fish salvage.
 - When the drain is flowing, maintain downstream flows (e.g. bypass water around the work site using pumps or flume pipes; Figure 2). Provide temporary energy dissipation measures (e.g. rip-rap) at discharge point of the hose or temporary outlet pipe when required. Routinely inspect bypass pump and hose or pipe to ensure proper operation. Inspect discharge point for erosion and reposition hose/pipe or install additional temporary energy dissipation material as needed.
 - Dewater the isolated work area. The hose for a pump may discharge along the top of the bank into existing vegetation; however, the area should be monitored for signs of erosion. Reposition the hose or install additional temporary energy dissipation material as needed.
 - A fish screen with openings no larger than 2.54 mm (0.10 inches) should be equipped on any pump used during the operation. Note: Additional information regarding fish screens can be found in the DFO Freshwater Intake End-of-Pipe Fish Screen Guideline document (<http://www.dfo-mpo.gc.ca/Library/223669.pdf>).
 - Collect any fish present in the isolated work area and relocate them downstream.
 - Fish salvage operations must be conducted under a license issued by the Ontario Ministry of Natural Resources and Forestry (MNRF). The MNRF should be contacted well in advance of any work to obtain the required fish collection license.
- Install the culvert so that it is embedded into the streambed; ensure the culvert remains passable (e.g. does not become perched) by fish and wildlife.

- Decommission the site isolation in a manner that minimizes the introduction of sediment. The downstream isolation barrier shall gradually be removed first, to equalize water levels inside and outside of the isolated area and to allow suspended sediments to settle.
- Stabilize and remove waste from the site.
- Where required, maintain effective erosion and sediment control measures until complete re-vegetation of disturbed areas is achieved.



Figure 2. Isolation of Site

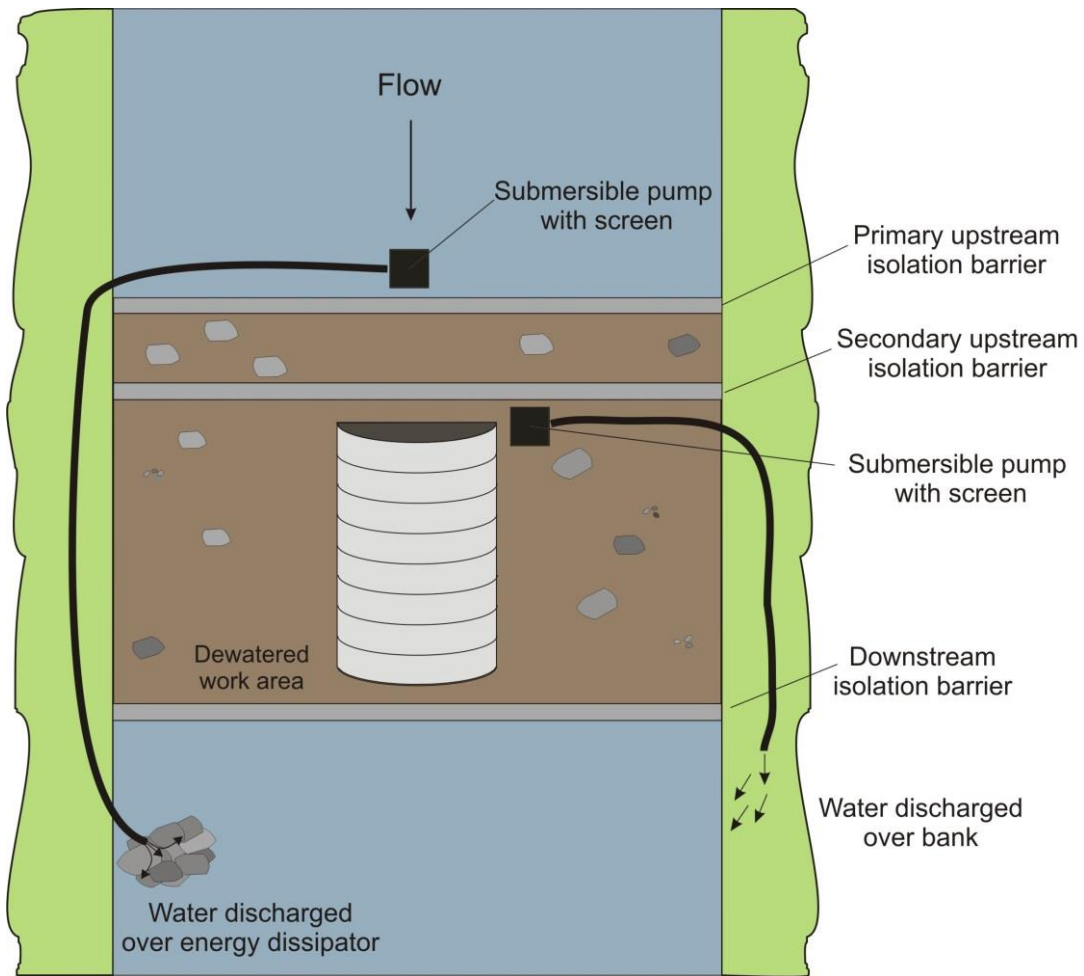


Figure 3. Isolation and Bypass Diversion when Working In-Water

Timing Windows

Figure 1 and Tables 1 and 2 can be used to determine the Restricted Activity period for the drain based on its classification. Note: Timing windows identified on [Conservation Authority](#) permits or [Ministry of Natural Resources](#) (Government of Ontario) work permits may differ and take precedence.



Figure 1. Ontario's Northern and Southern Region boundaries for determining application of restricted activity timing windows.

Table 1. Restricted Activity timing windows for the protection of spawning fish and developing eggs and fry in the Northern Region. Dates represent when work should be avoided.

DRAIN TYPE	RESTRICTED ACTIVITY PERIOD
A	SEPTEMBER 1 TO JULY 15
B	SEPTEMBER 1 TO JULY 15
C	APRIL 1 TO JULY 15
D	SEPTEMBER 1 TO JULY 15
E	APRIL 1 TO JULY 15

Table 2. Restricted Activity timing windows for the protection of spawning fish and developing eggs and fry in the Southern Region. Dates represent when work should be avoided.

DRAIN TYPE	RESTRICTED ACTIVITY PERIOD
A	SEPTEMBER 15 TO JULY 15
B	MARCH 15 TO JULY 15
C	MARCH 15 TO JULY 15
D	OCTOBER 1 TO JULY 15
E	MARCH 15 TO JULY 15

Standard Measures to Avoid Causing *Serious Harm to Fish*

When implementing a culvert removal project in a municipal drain, the *Fisheries Act* still requires an individual/company to ensure they avoid causing *serious harm to fish* during any activities in or near water. The following advice will help one avoid causing harm and comply with the *Act* (for additional information see <http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html>).

1. Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
2. Whenever possible, operate machinery on land above the high water mark or on ice and in a manner that minimizes disturbance to the banks and bed of the municipal drain.
 - Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks.
 - Limit machinery fording of the municipal drain to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the municipal drain are required, construct a temporary crossing structure.
 - Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.
 - Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
3. Install effective sediment and erosion control measures before starting work to prevent sediment from entering the municipal drain. Inspect them regularly during the course of construction and make all necessary repairs if any damage occurs.
4. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the municipal drain and runoff water is clear.
5. Undertake all in-water activities in isolation of open or flowing water while maintaining the natural flow of water downstream and avoid introducing sediment into the municipal drain.
6. Ensure applicable permits for relocating fish are obtained and relocate any fish that become trapped in isolated pools or stranded in newly flooded areas to the main channel of the watercourse.
7. Ensure that the water that is being pumped/diverted from the site is filtered (sediment remove) prior to being released (e.g. pumping/diversion of water to a vegetated area).
8. Implement measures for containing and stabilizing waste material (e.g. dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry.
9. Stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
10. If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
11. Remove all construction materials from site upon project completion.

APPENDIX "B"

STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION INCLUDING ENDWALL TREATMENT, BACKFILLING AND INSTALLATION PROCEDURES

1. CONCRETE FILLED JUTE BAG HEADWALLS

After the Contractor has set in place the new pipe, it shall completely backfill the same and install new concrete jute bag headwalls at the locations and parameters indicated on the drawing. When constructing the concrete jute bag headwalls, the Contractor shall place the bags so that the completed headwall will have a slope inward from the bottom of the pipe to the top of the finished headwall. The slope of the headwall shall be one unit horizontal to five units vertical. The Contractor shall completely backfill behind the new concrete jute bag headwalls with Granular "B" and Granular "A" material as per O.P.S.S. Form 1010 and the granular material shall be compacted in place to a Standard Proctor Density of 100%. The placing of the jute bag headwalls and the backfilling shall be performed in lifts simultaneously. The granular backfill shall be placed and compacted in lifts not to exceed 305mm (12") in thickness.

The concrete jute bag headwalls shall be constructed by filling jute bags with concrete. All concrete used to fill the jute bags shall have a minimum compressive strength of 21 MPa in 28 days and shall be provided and placed only as a wet mix. Under no circumstance shall the concrete to be used for filling the jute bags be placed as a dry mix. The jute bags, before being filled with concrete, shall have a dimension of 460mm (18") x 660mm (26"). The jute bags shall be filled with concrete so that when they are laid flat, they will be approximately 100mm (4") thick, 305mm (12") to 380mm (15") wide and 460mm (18") long.

The concrete jute bag headwall to be provided at the end of the bridge pipe shall be of a single bag wall construction. The concrete filled bags shall be laid so that the 460mm (18") dimension is parallel with the length of the new pipe. The concrete filled jute bags shall be laid on a footing of plain concrete being 460mm (18") wide, extending for the full length of the wall, and from 305mm (12") below the bottom of the culvert pipe to the bottom of the culvert pipe.

All concrete used for the footing, cap and bags shall have a minimum compressive strength of 21 Mpa in 28 days and include 6% ± 1% air entrainment.

Upon completion of the jute bag headwall the Contractor shall cap the top row of concrete filled bags with a layer of plain concrete, minimum 100mm (4") thick, and hand trowelled to obtain a pleasing appearance. If the cap is made more than 100mm thick, the Contractor shall provide two (2) continuous 15M reinforcing bars set at mid-depth and equally spaced in the cap. The Contractor shall fill all voids between the concrete filled jute bags and the corrugated steel pipe with concrete, particular care being taken underneath the pipe haunches to fill all voids.

The completed jute bag headwalls shall be securely embedded a minimum of 500mm (20") measured perpendicular to the sideslopes of the drain.

As an alternate to constructing a concrete filled jute bag headwall, the Contractor may construct a grouted concrete rip rap headwall. The specifications for the installation of a concrete filled jute bag headwall shall be followed with the exception that broken sections of concrete may be substituted for the jute bags. The concrete rip rap shall be approximately 460mm (18") square and 100mm (4") thick and shall have two (2) flat parallel sides. The concrete rip rap shall be fully mortared in place using a mixture composed of three (3) parts of clean sharp sand and one (1) part of Portland Cement.

The complete placement and backfilling of the headwalls shall be performed to the full satisfaction of the Town Drainage Superintendent.

2. QUARRIED LIMESTONE ENDWALLS

The backfill over the ends of the corrugated steel pipe shall be set on a slope of 1-½ metres horizontal to 1 metre vertical from the bottom of the corrugated steel pipe to the top of each sideslope and between drain sideslopes. The top 305mm (12") in thickness of the backfill over the ends of the corrugated steel pipe shall be quarried limestone. The quarried limestone shall also be placed on a slope of 1-½ metres horizontal to 1 metre vertical from the bottom of the corrugated steel pipe to the top of each sideslope of the drain and between both sideslopes. The quarried limestone shall have a minimum dimension of 100mm (4") and a maximum dimension of 250mm (10"). It shall be placed with the quarried limestone pieces carefully tamped into place with the use of a shovel bucket so that, when complete, the end protection shall be consistent, uniform, and tightly laid in place.

Prior to placing the quarried limestone end protection over the granular backfill, the Contractor shall lay non-woven geotextile filter fabric "GMN160" conforming to O.P.S.S. 1860 Class I or approved equal. The geotextile filter fabric shall extend from the bottom of the corrugated steel pipe to the top of each sideslope of the drain and between both sideslopes of the drain.

The Contractor shall take extreme care not to damage the geotextile filter fabric when placing the quarried limestone on top of the filter fabric.

3. BRIDGE BACKFILL

After the corrugated steel pipe has been set in place, the Contractor shall backfill the pipe with Granular "B" material, O.P.S.S. Form 1010 with the exception of the top 305mm (12") of the backfill. The top 305mm (12") of the backfill for the full width of the excavated area (between each sideslope of the drain) and for the top width of the driveway, shall be Granular "A" material, O.P.S.S. Form 1010. The granular backfill shall be compacted in place to a Standard Proctor Density of 100% by means of mechanical compactors. All of the backfill material, equipment used, and method of compacting the backfill material shall be inspected and approved and meet with the full satisfaction of the Town Drainage Superintendent.

4. GENERAL

Prior to the work commencing, the Town Drainage Superintendent must be notified, and under no circumstances shall work begin without the Superintendent being at the site. Furthermore, the grade setting of the pipe must be checked, confirmed, and approved by the Superintendent prior to continuing on with the bridge installation.

The alignment of the new bridge culvert pipe shall be in the centreline of the existing drain, and the placing of same must be performed totally in the dry.

Prior to the installation of the new access bridge culvert, the existing sediment build-up in the drain bottom must be excavated and completely removed. This must be done not only along the drain where the bridge culvert pipe is to be installed, but also for a distance of 3.05 metres (10 ft.) both upstream and downstream of said new access bridge culvert. When setting the new bridge culvert pipe in place it must be founded on a good undisturbed base. If unsound soil is encountered, it must be totally removed and replaced with 20mm (3/4") clear stone, satisfactorily compacted in place.

When doing the excavation work or any other portion of the work relative to the bridge installation, care should be taken not to interfere with, plug up, or damage any existing surface drains, swales, and lateral or main tile ends. Where damage is encountered, repairs to correct same must be performed immediately as part of the work.

The Contractor and/or landowner performing the bridge installation shall satisfy themselves as to the exact location, nature and extent of any existing structure, utility or other object that they may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town, the Town Drainage Superintendent and the Engineer for any damages which it may cause or sustain during the progress of the work. It shall not hold them liable for any legal action arising out of any claims brought about by such damage caused by it.

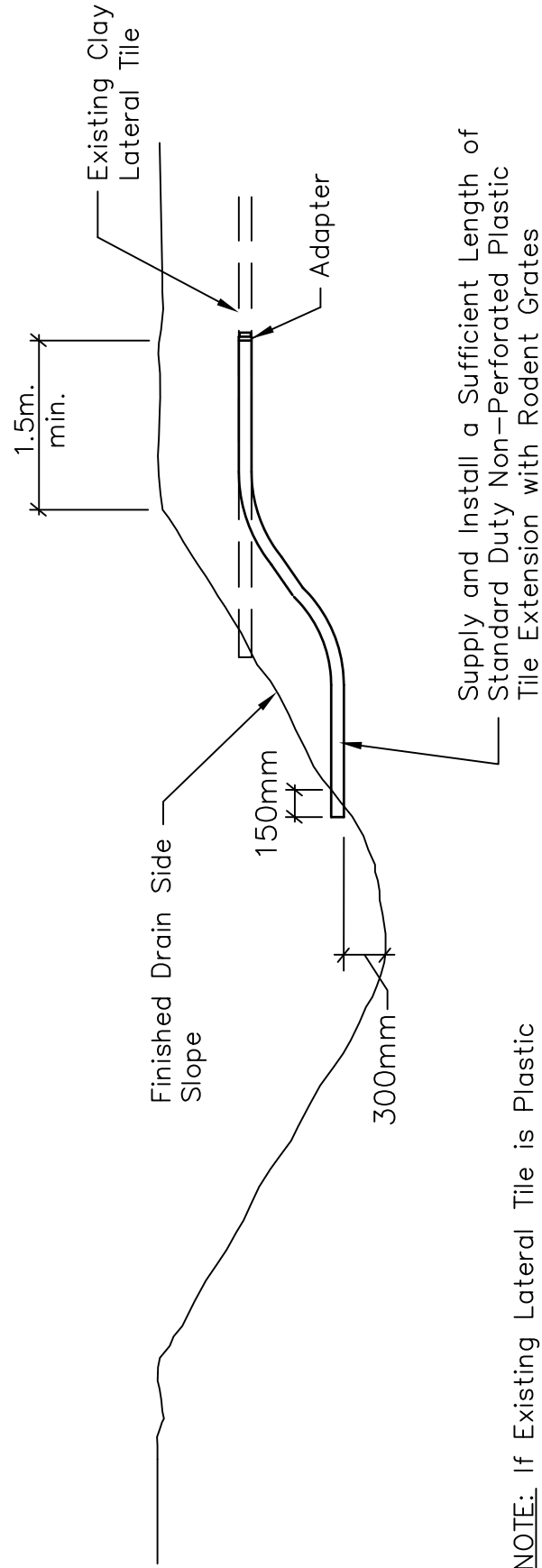
Where applicable, the Contractor and/or landowner constructing the new bridge shall be responsible for any damage caused by them to any portion of the Town road right-of-way. They shall take whatever precautions are necessary to cause a minimum of damage to same and must restore the roadway to its' original condition upon completion of the works.

When working along a municipal roadway, the Contractor shall provide all necessary lights, signs, barricades and flagmen, as required to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, it is to comply with the M.T.O. Traffic Control Manual for Roadway Work Operations.

Once the bridge installation has been completed, the drain sideslopes directly adjacent the new headwalls and/or endwalls are to be completely restored including revegetation, where necessary.

All of the work required towards the installation of the bridge shall be performed in a neat and workmanlike manner. The general site shall be restored to its' original condition, and the general area shall be cleaned of all debris and junk, etc. caused by the work.

All of the excavation, installation procedures, and parameters as above mentioned under this sub-heading, are to be carried out and performed to the full satisfaction of the Town Drainage Superintendent.



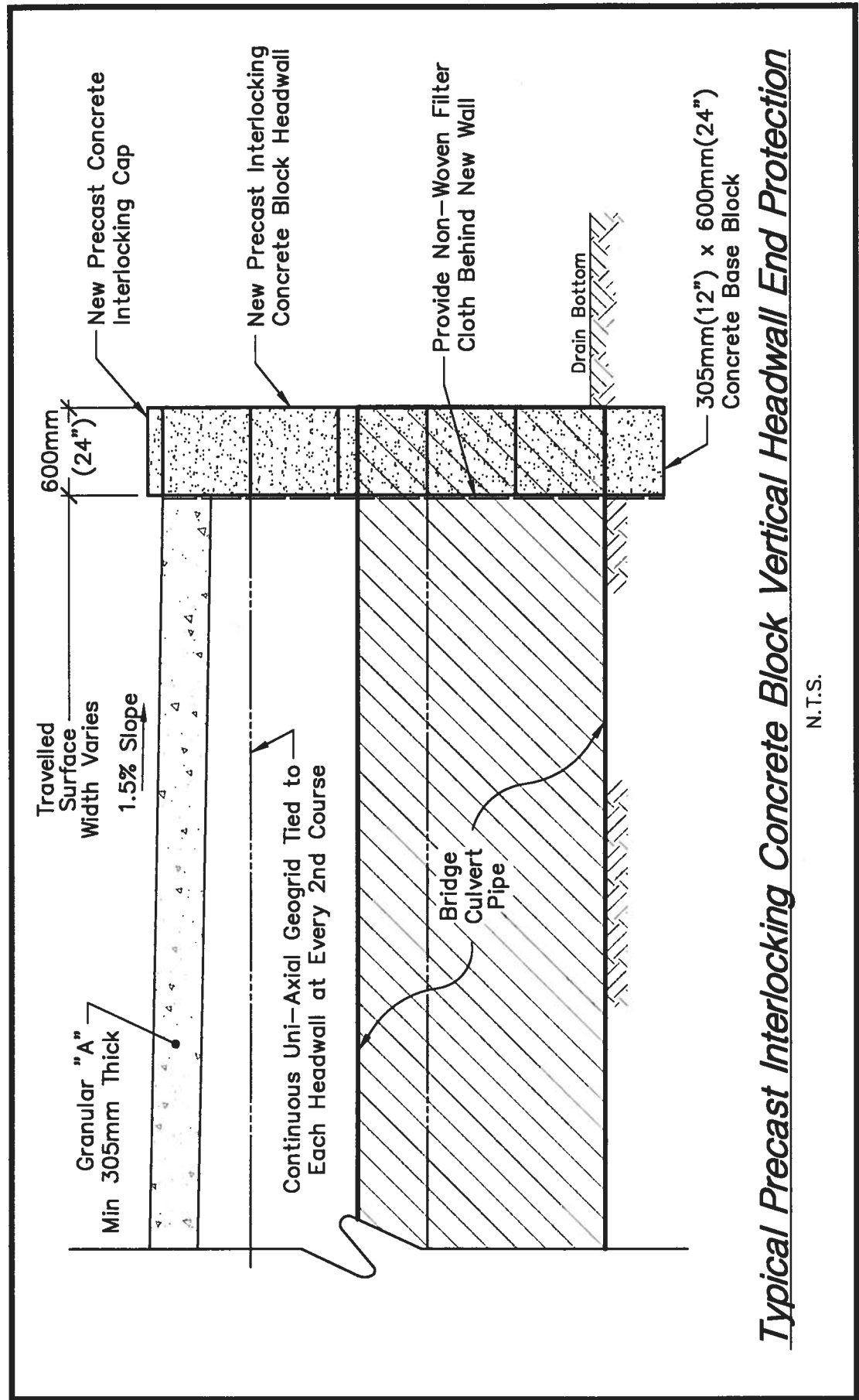
NOTE: If Existing Lateral Tile is Plastic Utilize a Plastic Insert Coupling in Place of Adapter.

STANDARD LATERAL TILE DETAIL

SCALE = N.T.S.

Block Headwall Installation Instructions for Culverts

1. A swift lift device will be required to place the blocks. A 75mm eye bolt will be required to place the caps.
2. The bottom course of blocks shall be founded on a firm solid base. The contractor shall provide a minimum levelling course of 150mm of compacted 3/4" Clear Stone, or a 100% compacted granular A, or lean concrete as a foundation base.
3. Ensure that the base is level and flat as this will greatly improve speed of installation.
4. On new culverts a minimum of 150mm of block wall will extend below the culvert to prevent scouring under the culvert.
5. The bottom course of blocks shall be embedded into the drain bottom to achieve the desired top elevation of the wall.
6. Blocks shall extend from the pipe invert across the full height and width of the drain and be imbedded a minimum of 300mm into the drain banks. Where possible the top of the block wall will match the height of the completed driveway.
7. Blocks shall be placed such that all joints are staggered.
8. Any excavation voids on the ends of block walls below subsequent block layers shall be filled with ¾" Clear Stone.
9. Where block walls extend beyond three blocks in height, they should be battered a minimum of 1 unit horizontal for every 10 units vertical throughout the wall's full height and width. This can be achieved using pre-battered base blocks, or by careful preparation of the base.
10. Filter cloth (270R or equivalent) should be placed behind the wall to prevent the migration of fill material through the joints.
11. The walls should be backfilled with a free draining granular fill.
12. A uni-axial geogrid (SG350 or equivalent) should be used to tie back the headwalls where walls extend beyond 1.8m in height.
13. The face of the block wall shall not extend beyond the end of the pipe culvert.
14. Any gaps between the blocks and culvert shall be sealed with non-shrink grout for the full depth of the block.



Typical Precast Interlocking Concrete Block Vertical Headwall End Protection

N.T.S.

APPENDIX "C"

PLAN & DETAILS

OF THE

3RD CONCESSION - CLIFFORD DRAIN IMPROVEMENTS

IN THE

TOWN OF KINGSVILLE (Geographic Township of Gosfield South)

IN THE

COUNTY OF ESSEX • ONTARIO

TOWN OF KINGSVILLE

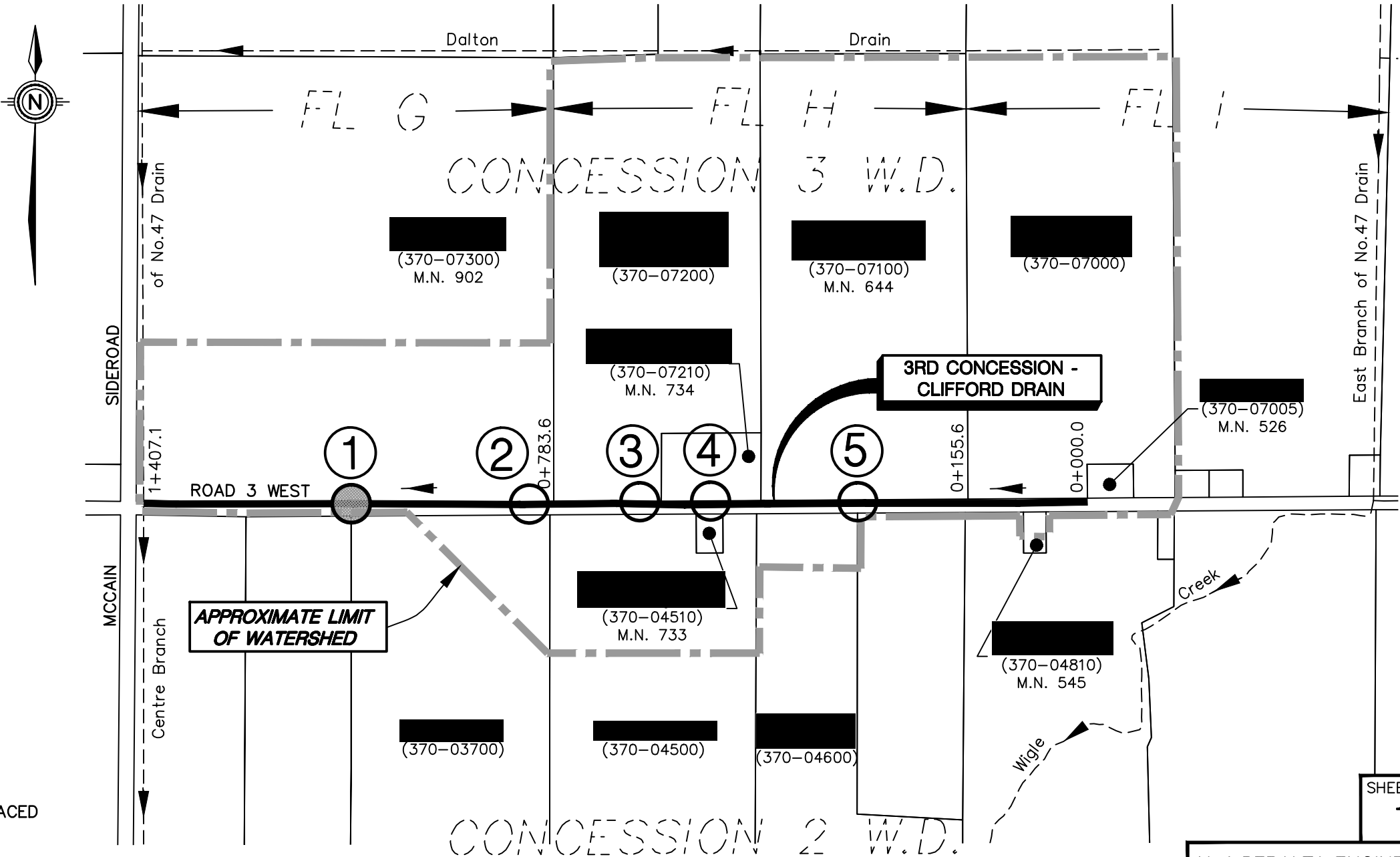
MAYOR: NELSON SANTOS
CLERK: JENNIFER ASTROLOGO
DRAINAGE SUPERINTENDENT: KEN VEGH

BENCHMARK:

TOP OF NAIL SET IN SOUTH FACE OF EXISTING HYDRO POLE LOCATED ON THE NORTH SIDE OF ROAD 3 WEST, IMMEDIATELY EAST OF THE SUBJECT ACCESS BRIDGE.

ELEV. = 191.936m

A.B.P.
ANTONIO B. PERALTA, P.ENG.



- DENOTES WATERSHED LIMITS
- (X) (●) DENOTES BRIDGE TO BE REPLACED
- (X) (○) DENOTES BRIDGE IDENTIFICATION NUMBER AND LOCATION

KEY PLAN

Scale = 1:7,500

SHEET No.:
1 OF 2

N. J. PERALTA ENGINEERING LTD.

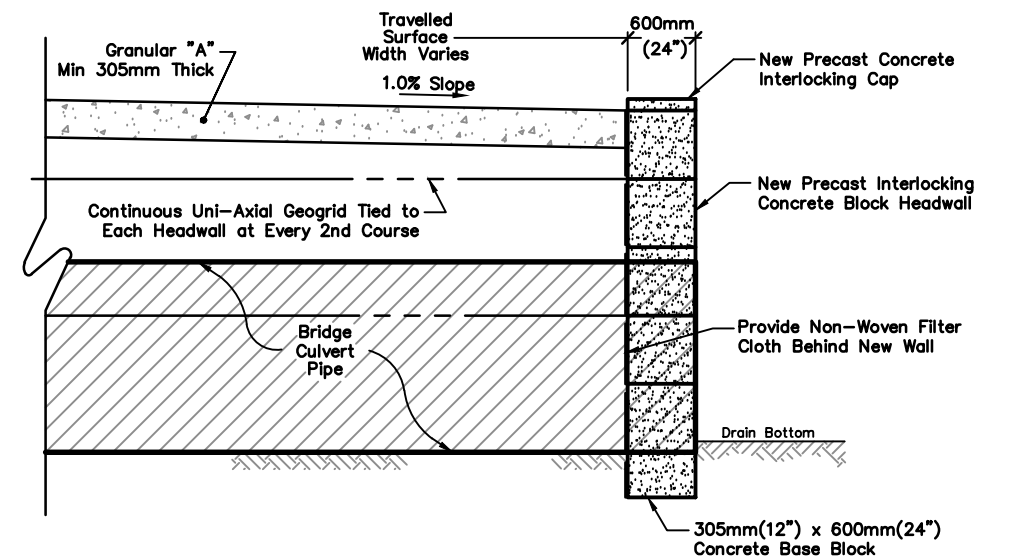
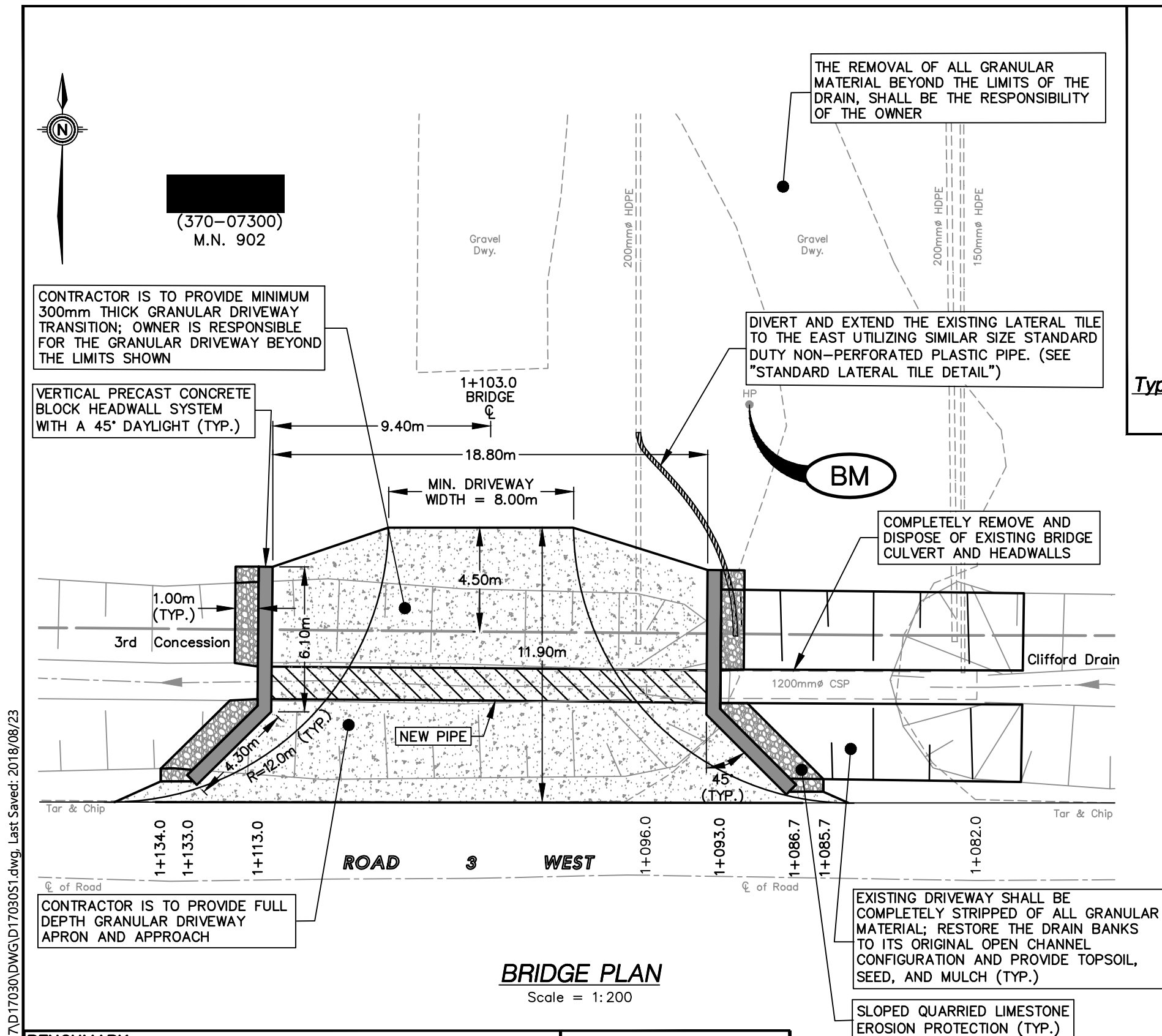
45 DIVISION STREET NORTH
KINGSVILLE, ONTARIO
N9Y 1E1

DATE: AUG. 24th, 2018

FILE No.:
D17-030

DRAWN BY: J.J.K.
PLOT CODE: 1:1
FILE: D17030S1.DWG

APPENDIX 'C'



- GENERAL NOTES:

1. THE ACCURACY OF THE UTILITIES SHOWN ON THESE DRAWINGS ARE NOT GUARANTEED BY THE OWNER OR N. J. PERALTA ENGINEERING LTD. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION SHOWN.
2. ALL DIMENSIONS SHOWN IN METRES UNLESS NOTED OTHERWISE. PROPERTY LINES ARE APPROXIMATE AND ARE BASED ON THE TOWN OF KINGSVILLE GIS AND FIELD INFORMATION.
3. THE ENTRANCE HAS BEEN DESIGNED TO SATISFY THE M.T.O. COMMERCIAL SITE ACCESS POLICY AND STANDARD DESIGNS FOR AN ENTRANCE TO SMALL BUSINESS AND THE QUOTA AND MILK TRANSPORTATION POLICIES FOR DAIRY FARMERS OF ONTARIO.

BENCHMARK:

TOP OF NAIL SET IN SOUTH FACE OF EXISTING HYDRO POLE
LOCATED ON THE NORTH SIDE OF ROAD 3 WEST, IMMEDIATELY EAST
OF THE SUBJECT ACCESS BRIDGE. ELEV. = 191.936m

PIPE SIZE:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:
1400mmØ	20.0m (65.62 FT.)	2.8mm (12 GA.)	125mm x 25mm (5.0" x 1.0")	ALUMINIZED STEEL TYPE II CORRUGATED HEL-COR PIPE

PIPE & DRIVEWAY ELEVATIONS:
 UPSTREAM INV. (E) = 189.781m
 DOWNSTREAM INV. (W) = 189.761m
 DESIGN GRADE = 0.10%
 ☪ OF DRIVEWAY AT
 ROADWAY EDGE = 192.131m
 ☪ OF DRIVEWAY AT PIPE
 CENTRELINE = 191.928m
 ☪ OF DRIVEWAY 4.50m
 NORTH OF R.O.W LIMIT = 191.718m
 DRIVEWAY CROSSFALL FROM CENTRELINE
 TO TOP OUT END OF END WALL = 1.50%

SLOPED QUARRIED LIMESTONE
EROSION PROTECTION (TYP.)

EXISTING DRIVEWAY SHALL BE COMPLETELY STRIPPED OF ALL GRANULAR MATERIAL; RESTORE THE DRAIN BANKS TO ITS ORIGINAL OPEN CHANNEL CONFIGURATION AND PROVIDE TOPSOIL, SEED, AND MULCH (TYP.)

COMPLETELY REMOVE AND
DISPOSE OF EXISTING BRIDGE
CULVERT AND HEADWALLS

THE REMOVAL OF ALL GRANULAR MATERIAL BEYOND THE LIMITS OF THE DRAIN, SHALL BE THE RESPONSIBILITY OF THE OWNER

DIVERT AND EXTEND THE EXISTING LATERAL TILE TO THE EAST UTILIZING SIMILAR SIZE STANDARD DUTY NON-PERFORATED PLASTIC PIPE. (SEE "STANDARD LATERAL TILE DETAIL")

CONTRACTOR IS TO PROVIDE MINIMUM
300mm THICK GRANULAR DRIVEWAY
TRANSITION; OWNER IS RESPONSIBLE
FOR THE GRANULAR DRIVEWAY BEYOND
THE LIMITS SHOWN

VERTICAL PRECAST CONCRETE
BLOCK HEADWALL SYSTEM
WITH A 45° DAYLIGHT (TYP.)

CONTRACTOR IS TO PROVIDE FULL
DEPTH GRANULAR DRIVEWAY
APRON AND APPROACH

Z:\PROJECTS\DRAINAGE\2017\17030\DWG\17030S1.dwg, Last Saved: 2018/08/23

~~84~~

APPENDIX “D”

MAINTENANCE SCHEDULE OF ASSESSMENT

MAINTENANCE SCHEDULE OF ASSESSMENT

3RD CONCESSION - CLIFFORD DRAIN

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West			6.60	2.671			\$ 389.00	\$ 751.00	\$ -	\$ 1,140.00
Total on Municipal Lands.....							\$ 389.00	\$ 751.00	\$ -	\$ 1,140.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231		\$ 25.00	\$ 54.00	\$ -	\$ 79.00
370-04810	2	I	0.51	0.25	0.101		\$ 11.00	\$ 46.00	\$ -	\$ 57.00
370-07005	3	I	0.85	0.85	0.344		\$ 38.00	\$ 93.00	\$ -	\$ 131.00
370-07210	3	H	3.67	3.67	1.485		\$ 162.00	\$ 225.00	\$ -	\$ 387.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ 236.00	\$ 418.00	\$ -	\$ 654.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023		\$ 135.00	\$ 54.00	\$ -	\$ 189.00
370-04500	2	H	39.90	16.00	6.475		\$ 345.00	\$ 344.00	\$ -	\$ 689.00
370-04600	2	H	57.34	5.00	2.023		\$ 147.00	\$ 127.00	\$ -	\$ 274.00
370-07000	3	I	98.58	49.15	19.891		\$ 554.00	\$ 1,580.00	\$ -	\$ 2,134.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff't'd	Hectares Aff't'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-07100	3	H	50.00	50.00	20.235	[REDACTED]	\$ 564.00	\$ 1,397.00	\$ -	\$ 1,961.00
370-07200	3	H	71.04	46.33	18.749	[REDACTED]	\$ 477.00	\$ 1,100.00	\$ -	\$ 1,577.00
370-07300	3	G	100.00	36.00	14.569	[REDACTED]	\$ 883.00	\$ 499.00	\$ -	\$ 1,382.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ 3,105.00	\$ 5,101.00	\$ -	\$ 8,206.00
TOTAL ASSESSMENT							\$ 3,730.00	\$ 6,270.00	\$ -	\$ 10,000.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

SCHEDULE OF ASSESSMENT
FOR FUTURE ACCESS BRIDGE STRUCTURE
MAINTENANCE

SCHEDULE OF ASSESSMENT FOR FUTURE ACCESS BRIDGE STRUCTURE MAINTENANCE

3RD CONCESSION - CLIFFORD DRAIN

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West			5.85	2.367			\$ -	\$ 383.00	\$ -	\$ 383.00
Total on Municipal Lands.....							\$ -	\$ 383.00	\$ -	\$ 383.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231		\$ -	\$ 28.00	\$ -	\$ 28.00
370-04810	2	I	0.51	0.25	0.101		\$ -	\$ 20.00	\$ -	\$ 20.00
370-07005	3	I	0.85	0.85	0.344		\$ -	\$ 38.00	\$ -	\$ 38.00
370-07210	3	H	3.67	3.67	1.485		\$ -	\$ 121.00	\$ -	\$ 121.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ -	\$ 207.00	\$ -	\$ 207.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023		\$ -	\$ 33.00	\$ -	\$ 33.00
370-04500	2	H	39.90	16.00	6.475		\$ -	\$ 210.00	\$ -	\$ 210.00
370-04600	2	H	57.34	5.00	2.023		\$ -	\$ 66.00	\$ -	\$ 66.00
370-07000	3	I	98.58	49.15	19.891		\$ -	\$ 646.00	\$ -	\$ 646.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-07100	3	H	50.00	50.00	20.235	[REDACTED]	\$ -	\$ 657.00	\$ -	\$ 657.00
370-07200	3	H	71.04	46.33	18.749	[REDACTED]	\$ -	\$ 609.00	\$ -	\$ 609.00
370-07300	3	G	100.00	18.00	7.285	[REDACTED]	\$ -	\$ 189.00	\$ -	\$ 189.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ -	\$ 2,410.00	\$ -	\$ 2,410.00
TOTAL ASSESSMENT							\$ -	\$ 3,000.00	\$ -	\$ 3,000.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 109-2018

*Being a by-law to provide for the replacement of
a bridge and subsequent maintenance schedules
over the 3rd Concession – Clifford Drain
Roll Number: 370-07300
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 3rd Concession – Clifford Drain;

AND WHEREAS the report dated August 24th, 2018 has been authored by Antonio B. Peralta, P. Eng. and the attached report forms part of this by-law;

AND WHEREAS \$69,855.00 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 \$69,855.00 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 \$69,855.00 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
3RD CONCESSION - CLIFFORD DRAIN IMPROVEMENTS

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hectares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West				6.60	2.571	Town of Kingsville	\$ 111.00	\$ 1,778.00	\$ -	\$ 1,889.00
Total on Municipal Lands							\$ 111.00	\$ 1,778.00	\$ -	\$ 1,889.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hectares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231	[REDACTED]	\$ 7.00	\$ 128.00	\$ -	\$ 135.00
370-04810	2	I	0.51	0.25	0.101	[REDACTED]	\$ 3.00	\$ 93.00	\$ -	\$ 96.00
370-07005	3	I	0.85	0.85	0.344	[REDACTED]	\$ 11.00	\$ 180.00	\$ -	\$ 191.00
370-07210	3	H	3.67	3.67	1.485	[REDACTED]	\$ 46.00	\$ 554.00	\$ -	\$ 600.00
Total on Privately Owned - Non-Agricultural Lands							\$ 67.00	\$ 955.00	\$ -	\$ 1,022.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hectares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023	[REDACTED]	\$ 38.00	\$ 149.00	\$ -	\$ 187.00
370-04500	2	H	39.90	16.00	6.475	[REDACTED]	\$ 98.00	\$ 953.00	\$ -	\$ 1,051.00
370-04600	2	H	57.34	5.00	2.023	[REDACTED]	\$ 42.00	\$ 303.00	\$ -	\$ 345.00
370-07000	3	I	98.58	49.15	19.891	[REDACTED]	\$ 158.00	\$ 3,075.00	\$ -	\$ 3,233.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres		Hectares Alfr'd	Owner's Name	Value of		Value of Special Benefit	TOTAL VALUE
			Owned	Alfr'd			Benefit	Outlet		
370-07100	3	H	50.00	50.00	20.235		\$ 161.00	\$ 3,069.00	\$ -	\$ 3,230.00
370-07200	3	H	71.04	46.33	18.749		\$ 136.00	\$ 2,788.00	\$ -	\$ 2,924.00
370-07300	3	G	100.00	36.00	14.569		\$ 55,063.00	\$ 911.00	\$ -	\$ 55,974.00
Total on Privately Owned - Agricultural Lands (grantable)							\$ 55,696.00	\$ 11,248.00	\$ -	\$ 66,944.00
TOTAL ASSESSMENT							\$ 55,874.00	\$ 13,981.00	\$ -	\$ 69,855.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

MAINTENANCE SCHEDULE OF ASSESSMENT

3RD CONCESSION - CLIFFORD DRAIN

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West				6.60	2.671		\$ 389.00	\$ 751.00	\$ -	\$ 1,140.00
Total on Municipal Lands.....							\$ 389.00	\$ 751.00	\$ -	\$ 1,140.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231		\$ 25.00	\$ 54.00	\$ -	\$ 79.00
370-04810	2	I	0.51	0.25	0.101		\$ 11.00	\$ 46.00	\$ -	\$ 57.00
370-07005	3	I	0.85	0.85	0.344		\$ 38.00	\$ 93.00	\$ -	\$ 131.00
370-07210	3	H	3.67	3.67	1.485		\$ 162.00	\$ 225.00	\$ -	\$ 387.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ 236.00	\$ 418.00	\$ -	\$ 654.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023		\$ 135.00	\$ 54.00	\$ -	\$ 189.00
370-04500	2	H	39.90	16.00	6.475		\$ 345.00	\$ 344.00	\$ -	\$ 689.00
370-04600	2	H	57.34	5.00	2.023		\$ 147.00	\$ 127.00	\$ -	\$ 274.00
370-07000	3	I	98.58	49.15	19.891		\$ 554.00	\$ 1,580.00	\$ -	\$ 2,134.00

- 2 -

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hecla's Aff'd	Owner's Name	Value of			TOTAL VALUE
							Benefit	Value of Outlet	Special Benefit	
370-07100	3	H	50.00	50.00	20.235		\$ 564.00	\$ 1,397.00	\$ -	\$ 1,961.00
370-07200	3	H	71.04	46.33	18.749		\$ 477.00	\$ 1,100.00	\$ -	\$ 1,577.00
370-07300	3	G	100.00	36.00	14.569		\$ 883.00	\$ 499.00	\$ -	\$ 1,382.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ 3,105.00	\$ 5,101.00	\$ -	\$ 8,206.00
TOTAL ASSESSMENT							\$ 3,730.00	\$ 6,270.00	\$ -	\$ 10,000.00

=====

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

SCHEDULE OF ASSESSMENT FOR FUTURE ACCESS BRIDGE STRUCTURE MAINTENANCE

3RD CONCESSION - CLIFFORD DRAIN

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West				5.85	2.367		\$ -	\$ 383.00	\$ -	\$ 383.00
Total on Municipal Lands.....							\$ -	\$ 383.00	\$ -	\$ 383.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231		\$ -	\$ 28.00	\$ -	\$ 28.00
370-04810	2	I	0.51	0.25	0.101		\$ -	\$ 20.00	\$ -	\$ 20.00
370-07005	3	I	0.85	0.85	0.344		\$ -	\$ 38.00	\$ -	\$ 38.00
370-07210	3	H	3.67	3.67	1.485		\$ -	\$ 121.00	\$ -	\$ 121.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ -	\$ 207.00	\$ -	\$ 207.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023		\$ -	\$ 33.00	\$ -	\$ 33.00
370-04500	2	H	39.90	16.00	6.475		\$ -	\$ 210.00	\$ -	\$ 210.00
370-04600	2	H	57.34	5.00	2.023		\$ -	\$ 66.00	\$ -	\$ 66.00
370-07000	3	I	98.58	49.15	19.891		\$ -	\$ 646.00	\$ -	\$ 646.00

- 2 -

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres		Hectares	Owner's Name	Value of		Value of Special Benefit	TOTAL VALUE
			Owned	Alfrd			Benefit	Outlet		
370-07100	3	H	50.00	50.00	20.235		\$ -	\$ 657.00	\$ -	\$ 657.00
370-07200	3	H	71.04	46.33	18.749		\$ -	\$ 609.00	\$ -	\$ 609.00
370-07300	3	G	100.00	18.00	7.285		\$ -	\$ 189.00	\$ -	\$ 189.00
Total on Privately Owned - Agricultural Lands (grantable)							\$ -	\$ 2,410.00	\$ -	\$ 2,410.00
TOTAL ASSESSMENT							\$ -	\$ 3,000.00	\$ -	\$ 3,000.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

6. CITATION

This by-law comes into force on the passing thereof and may be cited as the "3rd Concession – Clifford Drain Improvements [370-07300]" by-law.

**READ A FIRST AND SECOND TIME AND PROVISIONALLY ADOPTED
THIS 9th DAY OF OCTOBER, 2018.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

**READ A THIRD TIME AND FINALLY PASSED ON THIS DAY OF
2018.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

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

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/24/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Coppola Farms Inc.**

LOCATION OF PROPERTY: **300 Road 2 E**
Pt. Lot 2, Concession 2 ED

PURPOSE OF APPLICATION:

The Town of Kingsville has received the above-noted application for lands located on the north side of Road 2 E, between Division Rd N. and Jasperson Drive. The subject property is designated 'Agriculture' by the Official Plan and zoned 'Agriculture Zone 1, (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a 23.8 ha (58.8 ac.) farm parcel with 2.5 ha (6.3 ac.) of existing greenhouse and associated support facilities. The property has no site plan approval in place. The applicant is seeking approval of an amendment to permit the growing of medical marihuana. 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 as a replacement or retrofit or take place in a greenhouse structure but subject to certain requirements. (See 4.46 attached) The subject property will require site plan approval, however first, 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: **October 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 September 18, 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: September 26, 2018

To: Mayor and Council

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

RE: Application for Zoning By-law ZBA/24/18 by
Coppola Farms Inc.
300 Road 2 E, Part of Lot 2, Concession 2 ED

Report No.: PDS 2018-054

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 required 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 subject property is located on the north side of Road 2 E, just west of Jasperson Drive. It is a 23.8 ha (58.8 ac.) farm with an existing 2.5 ha (6.3 ac.) greenhouse facility. The property does not have an approved site plan approval. The applicant is seeking a zoning amendment to add a medical marihuana production facility as an additional permitted use utilizing the existing on-site greenhouse. Relief from certain provisions of the Medical Marihuana Production Facility regulations of Section 4.46 in the Kingsville Zoning By-law will be required, the details of which are outlined in the zoning section of this report.

At the September 24th meeting of Council administration was directed to undertake a review of the current Official Plan and Zoning By-law policies related to Medical Marihuana Production Facilities. In addition Council indicated that until this review is completed that no additional approvals will be granted for the establishment of MMPFs. However, Council was also advised that applications received prior to September 24th must be presented to Council for consideration and a decision issues. Failure to provide a decision on a complete zoning application within 180 days of the application being deemed complete (July 31, 2018) can result in an appeal to the Local Planning Advisory Tribunal. Therefore, the application has been assessed on the basis of the policies in place at the time of its submission.

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. The proposed use has also been assessed in the context of the policies outlined in OPA # 3 and while generally consistent with those policies does raise one concern related to its location.

The subject property is located immediately north of the Kingsville Settlement Area Boundary. It is within approximately 140 m of the main recreational complex for the Town which includes sports fields and the arena. The property is also within that same distance

from lands which have a high likelihood of being incorporated into the residential area of the Town. (see Appendix A) These lands are logistically located in an area for potential residential growth in the next 10 to 15 years.

Comment: The existing odour and lighting control provisions that are required of all greenhouses approved for medical marihuana production, are intended to provide the necessary safeguard against a potential land use conflict with existing or future uses. Road 2 E is, in the long-term, likely the northerly development limit of Kingsville. There are no provisions in the Kingsville Zoning By-law which establish a restriction on intensive agricultural use within a certain distance of the settlement area. Minimum Distance Separation guidelines do however provide setback for both new residential development, particularly subdivisions, where setback standards are doubled.

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.

The closest single detached dwelling is approximately 75 m south of the existing greenhouse on a neighbouring farm parcel. The proximity of that dwelling will create some limited impact on the greenhouse growing area for cannabis. (See Appendix A) Relief from the 100 m setback is not being requested or recommended as part of the requested amendment.

- 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

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 then move forward with establishment of a MMPF.

Site Plan Approval

As per Section 4.46 b) site plan control is to apply to MMPF. The site has no existing site plan approval or associated site plan agreement. If plans to develop an MMPF on the site proceed site plan approval will be required. At that time issues such as fencing, lighting and odour control would 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 on this application.

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	<ul style="list-style-type: none">• Comment is attached as Appendix B• No objections
County of Essex	<ul style="list-style-type: none">• No comment is expected
Town of Kingsville Management Team	<ul style="list-style-type: none">• The Management Team has reviewed the request amendment and does have concerns of the proposed use in close proximity to both existing and future higher density residential use and the existing Town recreational facilities

RECOMMENDATION

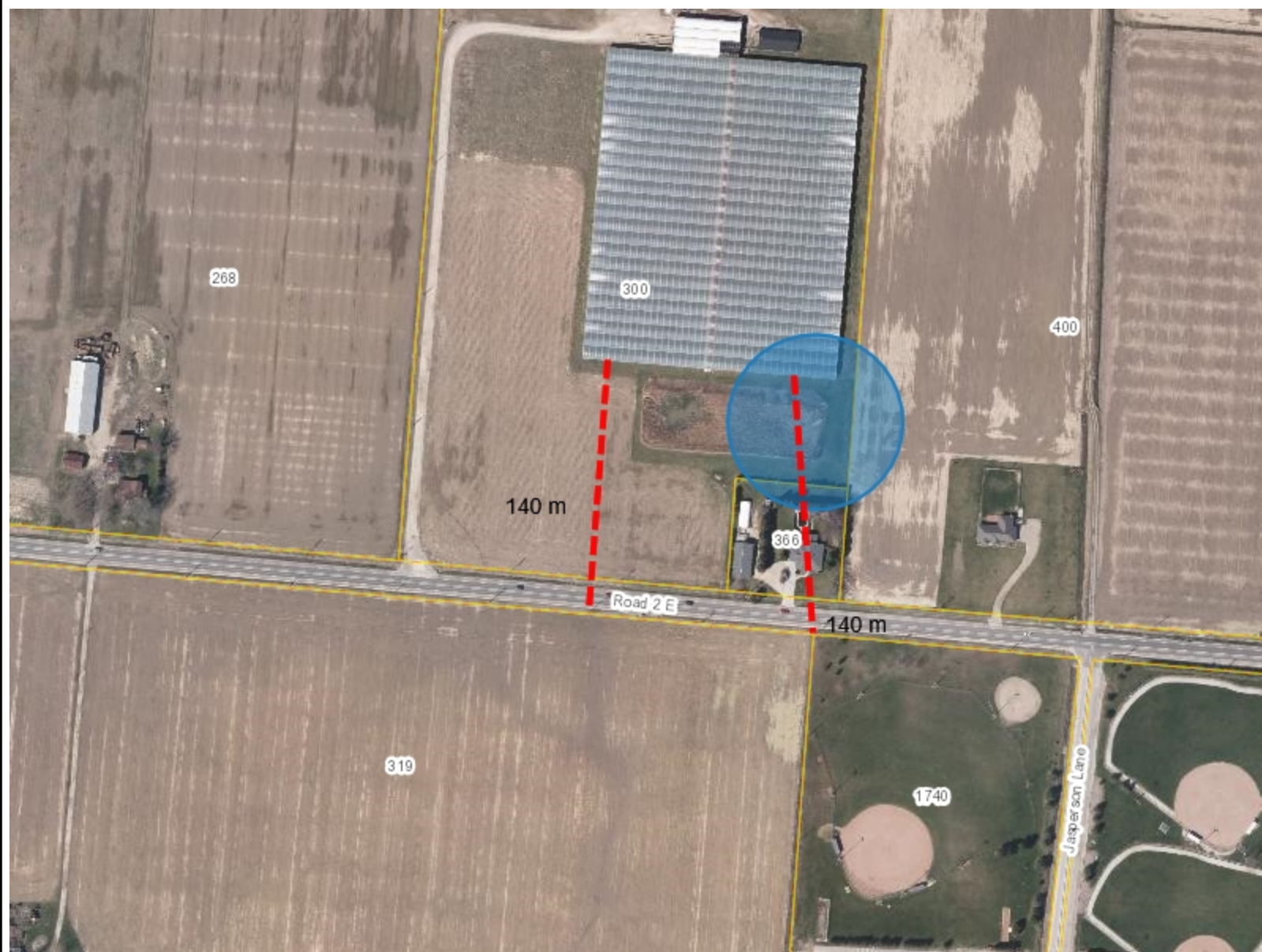
It is recommended that Council defer zoning amendment application ZBA/24/18 until the merits of the proposed lands use have been reviewed particularly in close proximity to sensitive uses such as recreational or institutional and higher density residential development.

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



Legend

Essex Municipalities

-  <all other values>
-  Kingsville

-  Street
-  Severance
-  Kingsville Assessment

Notes

Impact Area

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.

0 56.16 112.3 Meters

1: 3,369



9/27/2018



regs@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

August 10, 2018

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

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-24-18
300 ROAD 2 EAST
ARN 371135000005200; PIN: 751690048
Applicant: COPPOLA FARMS

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-24-18. The applicant is requesting approval of an amendment to permit the growing of medical marihuana within the existing greenhouse facility. It is also our understanding that this property will be subject to Site Plan Control if future development is proposed.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS, 2014) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards encompassed by Section 3.1 of the Provincial Policy Statement of the Planning Act as well as our regulatory role as defined by Section 28 of the Conservation Authorities Act.

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 Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06). However, if future greenhouse development is proposed, and requires a drainage outlet into the adjacent ERCA regulated C.A. Quick Drain, ERCA permit approvals may be necessary.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.



Mr. Brown
August 10, 2018

We acknowledge that the subject application is for the purpose of adding an additional permitted use (medical marihuana growing facility) to the zoning only, in which we would have no objections. It is our understanding that a site plan control application would be required if future greenhouse expansion is proposed. We therefore would prefer to comment on the site specific nature of the development through that process when circulated.

PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2014

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

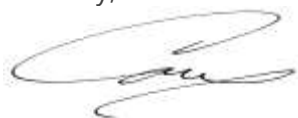
The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

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



THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 116-2018

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:

7.1.77 'AGRICULTURE ZONE 1 EXCEPTION 77 (A1-77)'

- a) For lands shown as A1-77 on Map 52 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 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 A1-77.

All other items listed under Section 4.46 remain applicable to lands zoned A1-77.

- 2. Schedule "A", Map 52 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 2 ED, and locally known as 300 Road 2 E as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 77 (A1-77)'.
- 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 OCTOBER, 2018.

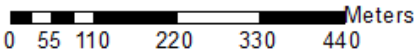
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 2, Concession 2 ED
300 Road 3 E
Zoning By-law Amendment ZBA/24/18



 Schedule "A", Map 52 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 77 (A1-77)'

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

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/21/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Great Northern Hydroponics**

LOCATION OF PROPERTY: **1270 Road 3 E**
Part of Lot 8, Concession 3 ED

PURPOSE OF APPLICATION:

The subject land is a 10.1 ha (25 ac.) farm parcel with two existing homes and farm outbuildings (to be removed). The parcel has been consolidated with the neighbouring lands also owned by the applicant in order to expand the greenhouse complex. The applicant is seeking approval of an amendment to permit the growing of medical marihuana but only on the subject lands and not the entire consolidated property. 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 as a replacement or retrofit or take place in a greenhouse structure but subject to certain requirements. (See 4.46 attached) The subject property will require site plan approval, however first, 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: **October 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 September 18, 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 (*dwelling, 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: September 25, 2018

To: Mayor and Council

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

RE: Application for Zoning By-law Amendment ZBA/21/18 by
Great Northern Hydroponics
1270 Road 3 E, Part of Lot 8, Concession 3 ED

Report No.: PDS 2018-051

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. The use must also 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 subject property is located on the north side of Road 3 E, east of Graham Side Road. It is a 10.1 ha (25 ac.) farm with two existing homes and farm outbuildings (to be removed). The parcel was recently purchased and consolidated with the companies abutting greenhouse operation to the east. The applicant is seeking a zoning amendment to add a medical marihuana production facility as an additional permitted use but only on the subject 25 ac. parcel. If approved the applicant would proceed with plans for the construction of a new greenhouse on the 25 ac. site. A conceptual layout is included. (See Appendix A). Relief from certain provisions of the Medical Marihuana Production Facility regulations of Section 4.46 in the Kingsville Zoning By-law will be required, the details of which are outlined in the zoning section of this report.

At the September 24th meeting of Council administration was directed to undertake a review of the current Official Plan and Zoning By-law policies related to Medical Marihuana Production Facilities. In addition Council indicated that until this review is completed that no additional approvals will be granted for the establishment of MMPFs. However, Council was also advised that applications received prior to September 24th must be presented to Council for consideration and a decision issues. Failure to provide a decision on a complete zoning application within 180 days of the application being deemed complete (July 31, 2018) can result in an appeal to the Local Planning Advisory Tribunal. Therefore, the application has been assessed on the basis of the policies in place at the time of its submission.

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 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.

Because this is an expansion of the existing greenhouse complex to the east all new construction will be required to maintain a minimum 100 m setback from existing off-site residential dwellings. (See Appendix B)

- 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

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.

Site Plan Approval

As per Section 4.46 b) site plan control is to apply to MMPF. The applicant is actively seeking approval of a license to produce. If the requested amendment is approved the next step would be to prepare a site plan for review and file an application for approval with the Town. At that time issues such as fencing, lighting and odour control will be incorporated as part of a new site plan 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 on this application.

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	<ul style="list-style-type: none">• Comment is attached as Appendix C• No objections
County of Essex	<ul style="list-style-type: none">• No comment is expected
Town of Kingsville Management Team	<ul style="list-style-type: none">• 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 amendment ZBA/21/18 to:

permit a medical marihuana production facility on property located at 1270 Road 3 E;

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

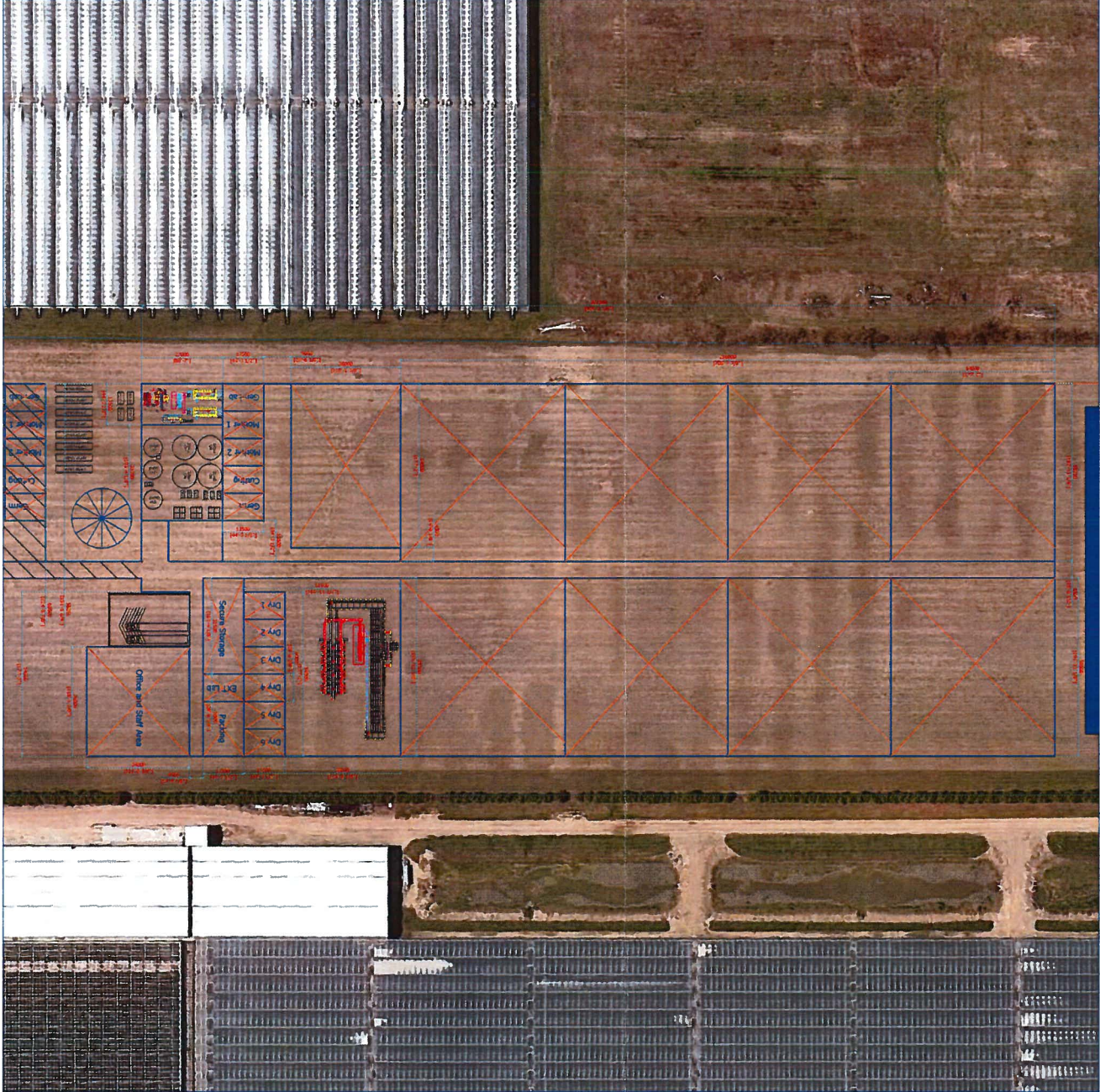
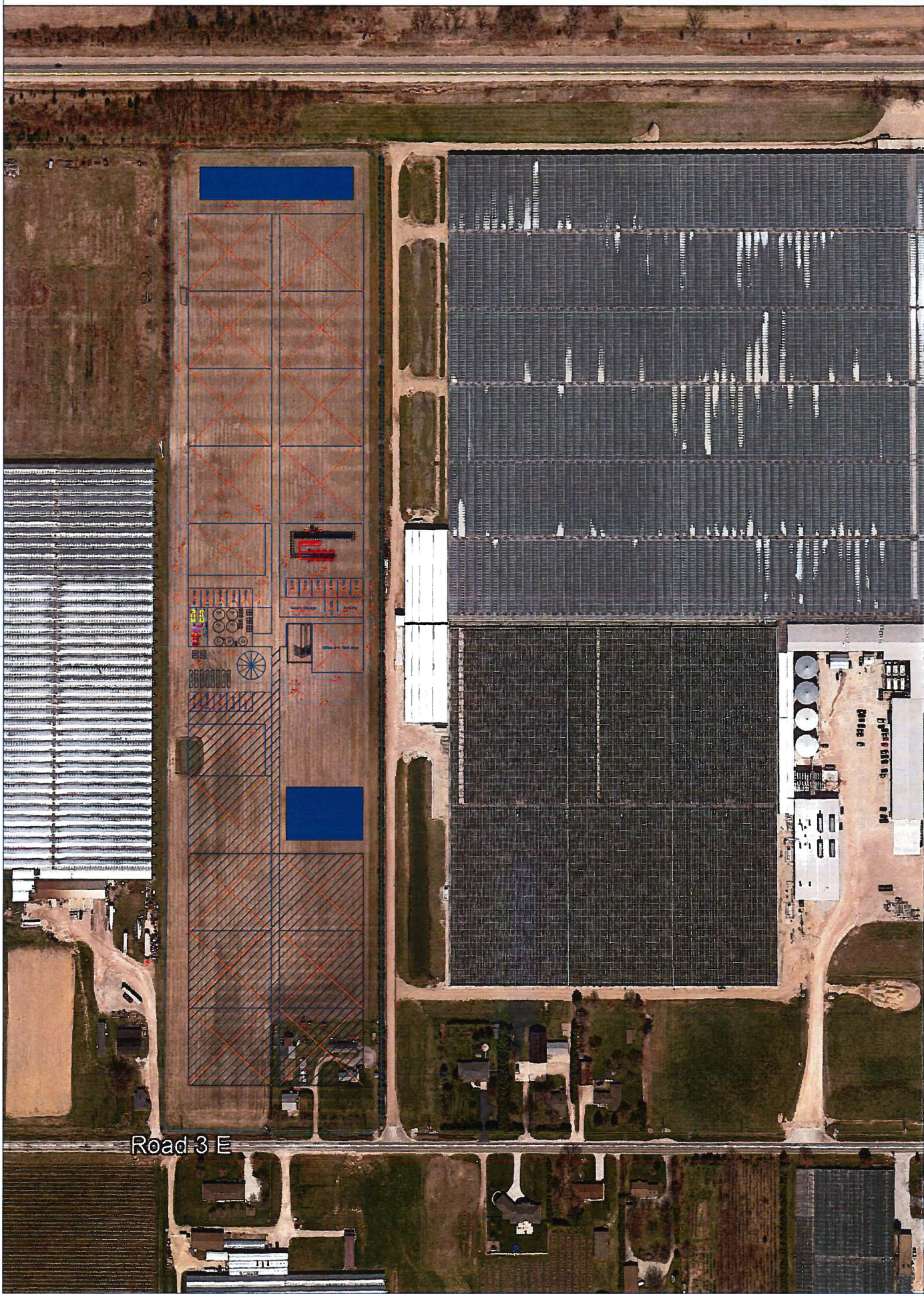
adopt the implementing by-law.

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



ZBA/21/18



HAVECON
Projects

Marconistraat 32
2665 JE BLEISWIJK NEDERLAND
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NAME : Great Northern/MASCO
ADDRESS : Rd 3
CITY : Kingsville, Ontario
COUNTRY : Canada
TEL :
MOB :
FAX :
SITE ADDRESS :

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REVISION	DATE	DRAWN BY	COMMENTS
1	22-08-12	TDK	Internal gabies with concrete posts
2			
3			
4			

ALL DIMENSIONS ARE IN MILLIMETERS


SCALE : nvt
SIZE : A1
DRAWN BY : **HAVECON**
AREA : m²
DATE : May 16/18
DRAWING No. : A1

Layout drawing




Legend

Essex Municipalities

 <all other values>

 Kingsville

 Street

 Severance

 Kingsville Assessment

Notes

Impact Area

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9/27/2018



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P.519.776.5209

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360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

August 10, 2018

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

The Corporation of the Town of Kingsville

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-21-18
1270 ROAD 3 E
ARN 371134000002500; PIN: 751450141
Applicant: Great Northern Hydroponics

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-21-18. The applicant is requesting an amendment to the Zoning By-law which would permit the additional use of 'growing of medical marihuana' within the existing greenhouse complex. It is our understanding that future greenhouse expansion on this property would be subject to the Site Plan Control process.

DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS, (PPS, 2014) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards encompassed by Section 3.1 of the Provincial Policy Statement of the Planning Act as well as our regulatory role as defined by Section 28 of the Conservation Authorities Act.

Portions of the above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). This parcel falls within the drainage area of the ERCA regulated East 3rd Concession Drain and Melville Bruner 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.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.



Mr. Brown
August 10, 2018

We acknowledge that the subject application is for the purpose of adding an additional use (medical marihuana operation) to the subject property only, in which we would have no objections. It is our understanding that a site plan control application may be forthcoming for a future greenhouse expansion on the consolidated lands. We would therefore comment on the site specific nature of the proposed development through that process when circulated.

PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2014

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

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.

FINAL RECOMMENDATION

We have no objections 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



THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 113-2018

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:

7.1.74 'AGRICULTURE ZONE 1 EXCEPTION 74 (A1-74)'

- a) For lands shown as A1-74 on Map 48 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 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 A1-74;

All other items listed under Section 4.46 remain applicable to lands zoned A1-74.

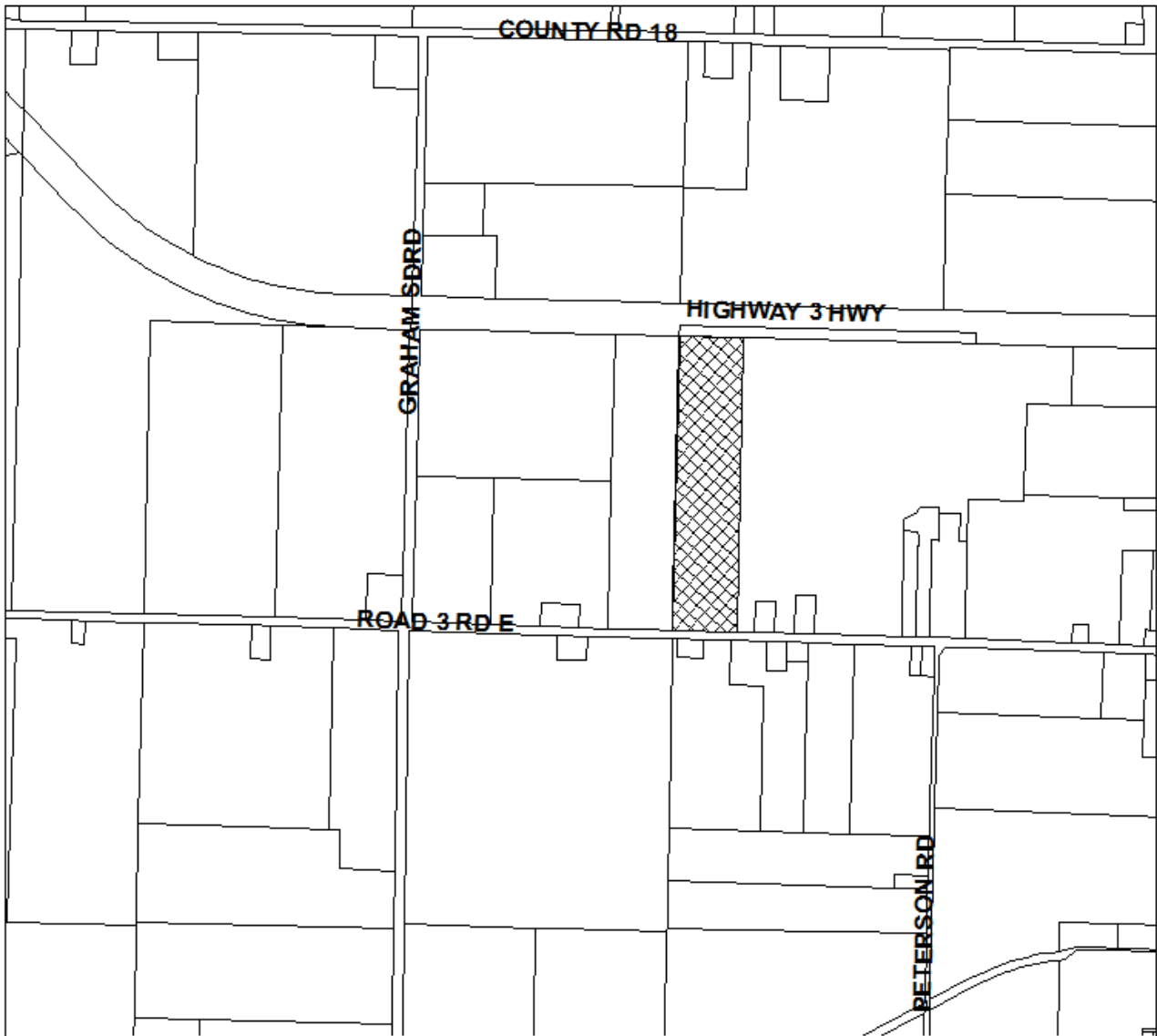
- 2. Schedule "A", Map 48 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 8, Concession 3 ED, and locally known as 1270 Road 3 E as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 74 (A1-74)'.
- 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 OCTOBER, 2018.

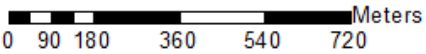
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 8, Concession 3 ED
1270 Road 3 E
Zoning By-law Amendment ZBA/21/18



 Schedule "A", Map 48 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 74 (A1-74)'

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

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/22/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Domric International Inc.**

LOCATION OF PROPERTY: **3069 Graham Side Road**
Part of Lot 18, Concession 5

PURPOSE OF APPLICATION:

The subject land is a 30.3 ha (75 ac.) farm parcel with 8.9 ha (22 ac.) of existing greenhouse and one bunkhouse. The property has an existing site plan approval in place that would permit an additional 8.9 ha (22 ac.) of greenhouse. The applicant is seeking approval of an amendment to permit the growing of medical marihuana. 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 as a replacement or retrofit or take place in a greenhouse structure but subject to certain requirements. (See 4.46 attached) The subject property will require an amendment to the existing site plan approval, however first, 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: **October 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 September 18, 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: September 25, 2018

To: Mayor and Council

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

RE: Zoning By-law Amendment Application ZBA/22/18 by
Domric International Inc.
3069 Graham Side Road, Part of Lot 18, Concession 5

Report No.: PDS 2018-052

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 required 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 subject property is located on the west side of Graham Side Road, north of Road 5 E. It is a 30.3 ha (75 ac.) farm with an existing 8.9 ha (22 ac.) greenhouse with associated support facilities and a bunkhouse. The property received site plan approval in 2005 for up to 17.8 ha (44 ac.) of greenhouse. The applicant is seeking a zoning amendment to add a medical marihuana production facility as an additional permitted use utilizing the existing on-site greenhouse. (See Appendix A). Relief from certain provisions of the Medical Marihuana Production Facility regulations of Section 4.46 in the Kingsville Zoning By-law will be required, the details of which are outlined in the zoning section of this report.

At the September 24th meeting of Council administration was directed to undertake a review of the current Official Plan and Zoning By-law policies related to Medical Marihuana Production Facilities. In addition Council indicated that until this review is completed that no additional approvals will be granted for the establishment of MMPFs. However, Council was also advised that applications received prior to September 24th must be presented to Council for consideration and a decision issues. Failure to provide a decision on a complete zoning application within 180 days of the application being deemed complete (July 31, 2018) can result in an appeal to the Local Planning Advisory Tribunal. Therefore, the application has been assessed on the basis of the policies in place at the time of its submission.

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.

The closest single detached dwelling is approximately 70 m east of the existing greenhouse on a lot previously severed from the subject parcel. The proximity of that dwelling will create some limited impact on the greenhouse growing area for cannabis. (see Appendix B) There is also an on-site bunkhouse located approximately 90 m to the southeast. As such, relief will be necessary from item g) to address the on-site bunkhouse.

- 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 as to not apply to any on-site residential use.

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. The site is subject to an existing site plan approval and associated site plan agreement. If plans to develop an MMPF on the site proceed amendment of that approval and agreement will be necessary. 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.

Comment has been received on this application and is attached as Appendix C.

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	<ul style="list-style-type: none">• Comment is attached as Appendix D• No objections
County of Essex	<ul style="list-style-type: none">• No comment is expected
Town of Kingsville Management Team	<ul style="list-style-type: none">• 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 amendment ZBA/22/18 to:

permit a medical marihuana production facility on property located at 3069 Graham Side Road;

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





Legend

Essex Municipalities

<all other values>

Kingsville

Street

Severance

Kingsville Assessment

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Impact Area

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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9/27/2018

Re: Medical Marihuana Production Facility Application by Domric International Inc. at 3069 Graham Side Road

We are writing to express our opposition to the application for the zoning bylaw amendment (file ZBA/22/18) that would permit the growing of medical marihuana at 3069 Graham Side Road (Part of Lot 18, Concession 5). We are residential property owners who live at 3193 Graham Side Road. We are very near to the subject property. All that separates our home from the subject property is a thin strip of farmland. There are residential properties that abut the applicant's property, with homes within 100 metres of both the existing and the proposed greenhouses. We have the following concerns regarding the application:

ODOUR

We worry about the smell that would emanate from such a facility. Council has heard complaints from neighbours of Part 2 marihuana grow operations in town. Please do not subject us to the even greater nuisance a larger commercial operation would pose to us and our neighbours. The entire area would reek of marihuana, as parts of Kingsville and Leamington already do. The smell triggers headaches for us. This is more than a nuisance that impacts the enjoyment of our property, but a health issue.

LIGHT

We moved to this area because we cherish the dark skies at night. I (Dan) joined the Royal Astronomical Society of Canada in 2004 and I use my 10-inch Dobsonian telescope often. The existing greenhouse operation on the subject property is dark at night. We know from the experience of other municipalities that Medical Marihuana Production Facilities are lit at night. Even if three sides of the proposed greenhouses were tarped in accordance with Kingsville's controls, light would still be emitted through the roofs and one face. Light would shoot straight up into the sky, obliterating the stars. Light would flood the area, making it difficult for us and our children to sleep our night. The negative impact of constant light on circadian rhythm is well-documented. Again, this is more than just a nuisance, but a health issue.

CRIME

We know from Leamington's experience that a Medical Marihuana Production Facility attracts criminals keen on breaking into the operation. Having such a facility near our home would put us at greater risk of theft and break-ins. Thieves might come for the marihuana facility, but see our barn, home or vehicles as an easier or secondary target. The security of our family and property would be compromised by the location of this facility so close to our home.

ROAD CONDITION

Graham Side Road is crumbling. Roads crews are here regularly patching what's left of the asphalt. Chunks of asphalt are deposited on our front yard each winter by snowplows. In our view, Graham Side Road cannot support more traffic, especially truck traffic. A Medical Marihuana Production Facility would surely increase traffic on Graham Side Road.

WATER PRESSURE

Has the town studied whether our water infrastructure can support more greenhouses on Graham Side Road? The water pressure at our home is lower compared to that at our last home on Division Street South. More vegetable greenhouses are currently under construction on the east side of Graham Side Road across from the subject property. We shudder to think what the water pressure will be like once those greenhouses go into production. Even more greenhouses, like those proposed by this application, will surely make the situation worse.

THE CHARACTER OF THE AREA

Our home was constructed in 1904. We have made overtures to Kingsville's Municipal Heritage Advisory Committee regarding possible designation of our home under the Ontario Heritage Act. One of the designation criteria is the property's relationship to the surrounding area. A marihuana production facility with its required high fences and lighting would damage the aesthetic of the surrounding area and compromise our application. As you know, the town uses heritage designation for tourism promotion. Our property is already being used for tourism purposes with the installation last year of a barn quilt designed by students at Kingsville District High School. Its location is registered so visitors can take a drive down our rural road and look at the barn quilt, much like birders travel to the area to see unique species. Imagine the reaction of visitors seeking a rural heritage experience driving past a marijuana production facility that by its nature, looks more like a detention centre than an agricultural operation.

THE APPLICATION

The application is not accurate or complete. Entire sections of the application are blank. The sketch attached to the application does not include all the existing buildings on the property, nor does it fulfill all the requirements of Section 20 of the application. Furthermore, the applicant claims the subject property is on municipal sewers. We challenge this claim.

BY-LAW 129-2015

The applicant is seeking relief on five of the 10 subsections of the bylaw governing Medical Marihuana Production Facilities (S. 4.46):

The application proposes a marihuana production facility abutting residential properties. There will not be a minimum distance separation of 100 metres between the facility and neighbouring homes as required under S. 4.46 (g).

The applicant seeks to have a residential use on the lot, which contravenes subsections (c) and (i).

The growing of medical marihuana would be an secondary or accessory use on the property, in contravention of subsections (d) and (i).

The applicant proposes maintaining a vegetable greenhouse operation on the subject property, in contravention of subsections (e) and (i).

The application is clearly not in keeping with the existing bylaw governing medical marihuana production facilities. Council passed that bylaw to put

controls in place and offer some protection to residential neighbours. Granting the extensive relief contemplated by the application would effectively gut the bylaw and set a dangerous precedent that puts the rights of proposed medical marihuana applicants above the rights of existing residential property owners. Medical Marihuana Production Facilities should not be allowed near homes. Please do not grant the sweeping relief sought by the applicant. A medical marijuana production facility located so close to us would adversely impact our health, the value of our home and our enjoyment of our property.

Sincerely,

Sarah and Dan Anzovino



regs@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

August 10, 2018

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

The Corporation of the Town of Kingsville

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-22-18
3069 GRAHAM SIDE RD
ARN 371142000003200; PIN: 751490072
Applicant: DOMRIC INTERNATIONAL LTD

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-22-18. The purpose of this zoning amendment will permit the additional use of growing medical marihuana within the existing greenhouse facility.

DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS, (PPS, 2014) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards encompassed by Section 3.1 of the Provincial Policy Statement of the Planning Act as well as our regulatory role as defined by Section 28 of the Conservation Authorities Act.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Orton 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.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

We acknowledge that the purpose of this application is for adding an additional use to the existing facility only, in which we would have no objections. As this property is subject to Site Plan Control, we



Mr. Brown
August 10, 2018

reserve to comment on storm water management concerns until we have an opportunity to review a development proposal through the site plan approval stage.

PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2014

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

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.

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



THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 114-2018

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:

7.1.75 'AGRICULTURE ZONE 1 EXCEPTION 75 (A1-75)'

- a) For lands shown as A1-75 on Map 40 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 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 A1-75;
 - iii) Item g) shall not be applicable to an on-site bunkhouse.

All other items listed under Section 4.46 remain applicable to lands zoned A1-75.

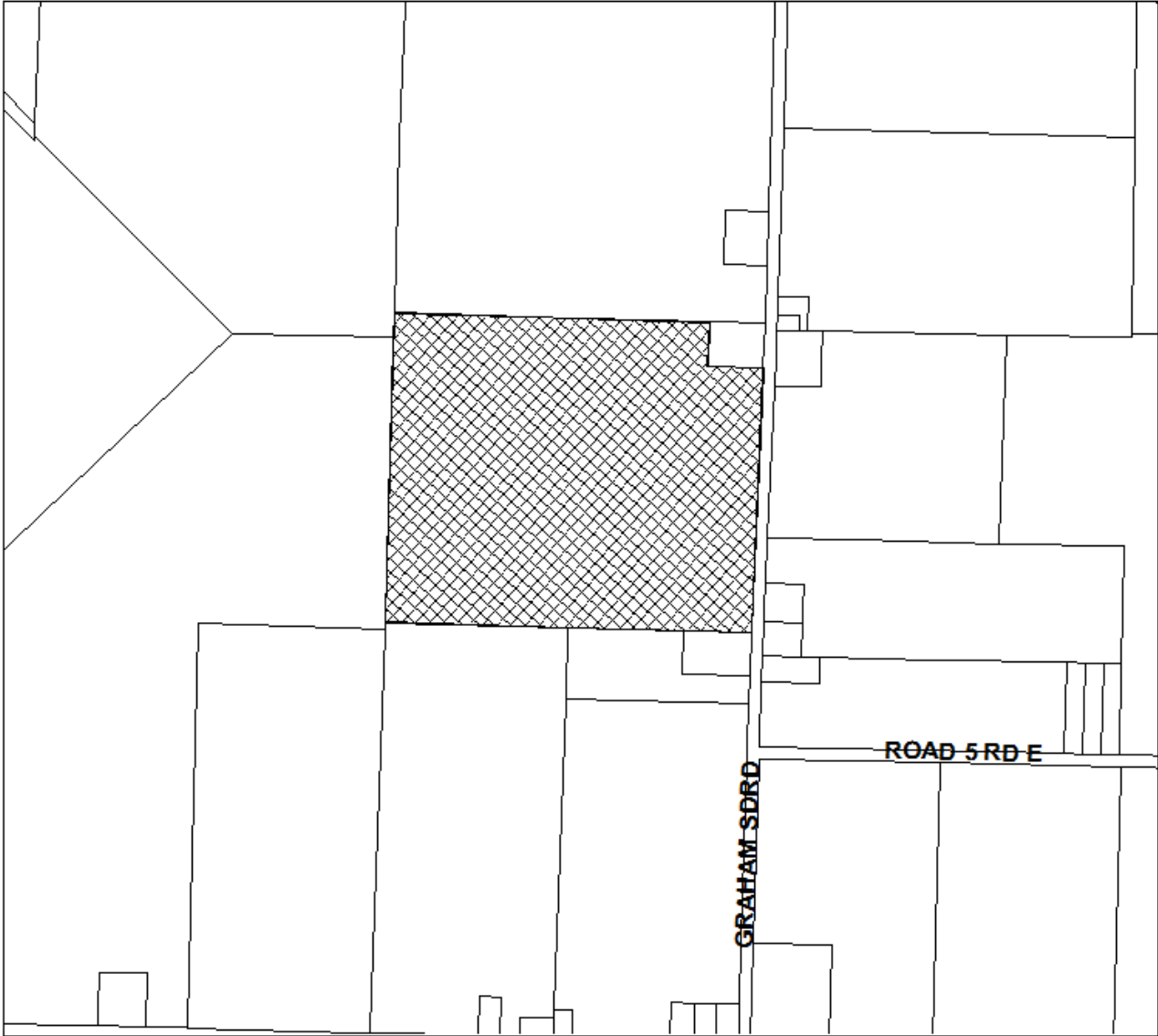
- 2. Schedule "A", Map 40 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 18, Concession 5, and locally known as 3069 Graham Side Road as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 75 (A1-75)'.
- 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 OCTOBER, 2018.

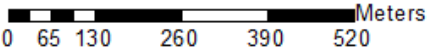
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 18, Concession 5
3069 Graham Side Road
Zoning By-law Amendment ZBA/22/18



 Schedule "A", Map 40 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 75 (A1-75)'

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

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/23/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Coppola Farms Inc.**

LOCATION OF PROPERTY: **1660 Graham Side Road**
Part of Lot 7, Concession 1 ED

PURPOSE OF APPLICATION:

The subject land is a 24.5 ha (60.6 ac.) farm parcel with 3.76 ha (9.25 ac.) of existing greenhouse and associated support facilities. The property has an existing site plan approval in place that would permit an additional 3.7 ha (9.25 ac.) of greenhouse. The applicant is seeking approval of an amendment to permit the growing of medical marihuana. 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 as a replacement or retrofit or take place in a greenhouse structure but subject to certain requirements. (See 4.46 attached) The subject property will require an amendment to the existing site plan approval, however first, 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: **October 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 September 18, 2018.

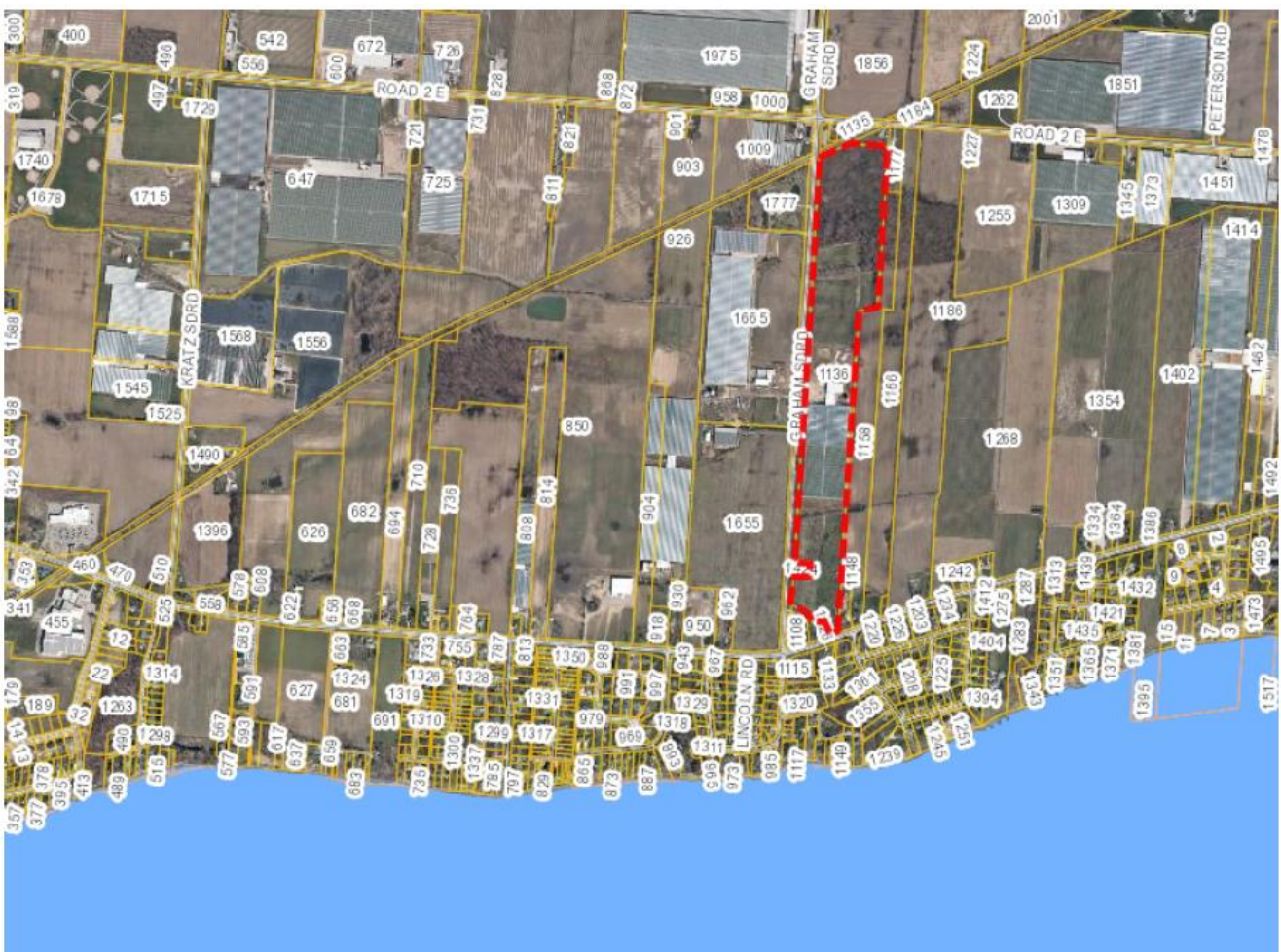
Robert Brown, H. Ba, MCIP, RPP
519-733-2305 (x 250)
rbrown@kingsville.ca

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 (*dwelling, 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: September 26, 2018

To: Mayor and Council

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

RE: Application for Zoning By-law ZBA/23/18 by
Coppola Farms Inc.
1660 Graham Side Road, Part of Lot 7, Concession 1 ED

Report No.: PDS 2018-053

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 required 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 subject property is located on the east side of Graham Side Road, between Road 2 E and Seacliff Drive. It is a 24.5 ha (60.6 ac.) farm with an existing 3.76 ha (9.25 ac.) greenhouse with associated support facilities. The property received site plan approval in 2014 for up to 7.5 ha (18.5 ac.) of greenhouse. The applicant is seeking a zoning amendment to add a medical marihuana production facility as an additional permitted use utilizing the existing on-site greenhouse. (See Appendix A). Relief from certain provisions of the Medical Marihuana Production Facility regulations of Section 4.46 in the Kingsville Zoning By-law will be required, the details of which are outlined in the zoning section of this report.

At the September 24th meeting of Council administration was directed to undertake a review of the current Official Plan and Zoning By-law policies related to Medical Marihuana Production Facilities. In addition Council indicated that until this review is completed that no additional approvals will be granted for the establishment of MMPFs. However, Council was also advised that applications received prior to September 24th must be presented to Council for consideration and a decision issues. Failure to provide a decision on a complete zoning application within 180 days of the application being deemed complete (July 31, 2018) can result in an appeal to the Local Planning Advisory Tribunal. Therefore, the application has been assessed on the basis of the policies in place at the time of its submission.

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.

The closest single detached dwelling is approximately 86 m west of the existing greenhouse on a neighbouring farm parcel. The proximity of that dwelling will create some limited impact on the greenhouse growing area for cannabis. (see Appendix B) Relief from the 100 m setback is not being requested or recommended as part of the requested amendment.

- 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

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.

The zoning on the property is also proposed to be limited to the centre portion of the property which is currently developed or under site plan approval. This would provide an over 300 m buffer from residential development along Seacliff Drive. The limitation to the north is based on the location of the existing natural heritage feature (wooded area) which would require assessment prior to any additional development. This is based on ERCA comment from 2014 during the site plan approval process.

Site Plan Approval

As per Section 4.46 b) site plan control is to apply to MMPF. The site is subject to an existing site plan approval and associated site plan agreement. If plans to develop an MMPF on the site proceed amendment of that approval and agreement will be necessary. 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 on this application.

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	<ul style="list-style-type: none">• Comment is attached as Appendix C• No objections
County of Essex	<ul style="list-style-type: none">• No comment is expected
Town of Kingsville Management Team	<ul style="list-style-type: none">• 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 amendment ZBA/23/18 to:

permit a medical marihuana production facility on property located at 1660 Graham Side Road based on the recommended limited zoning footprint;

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

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

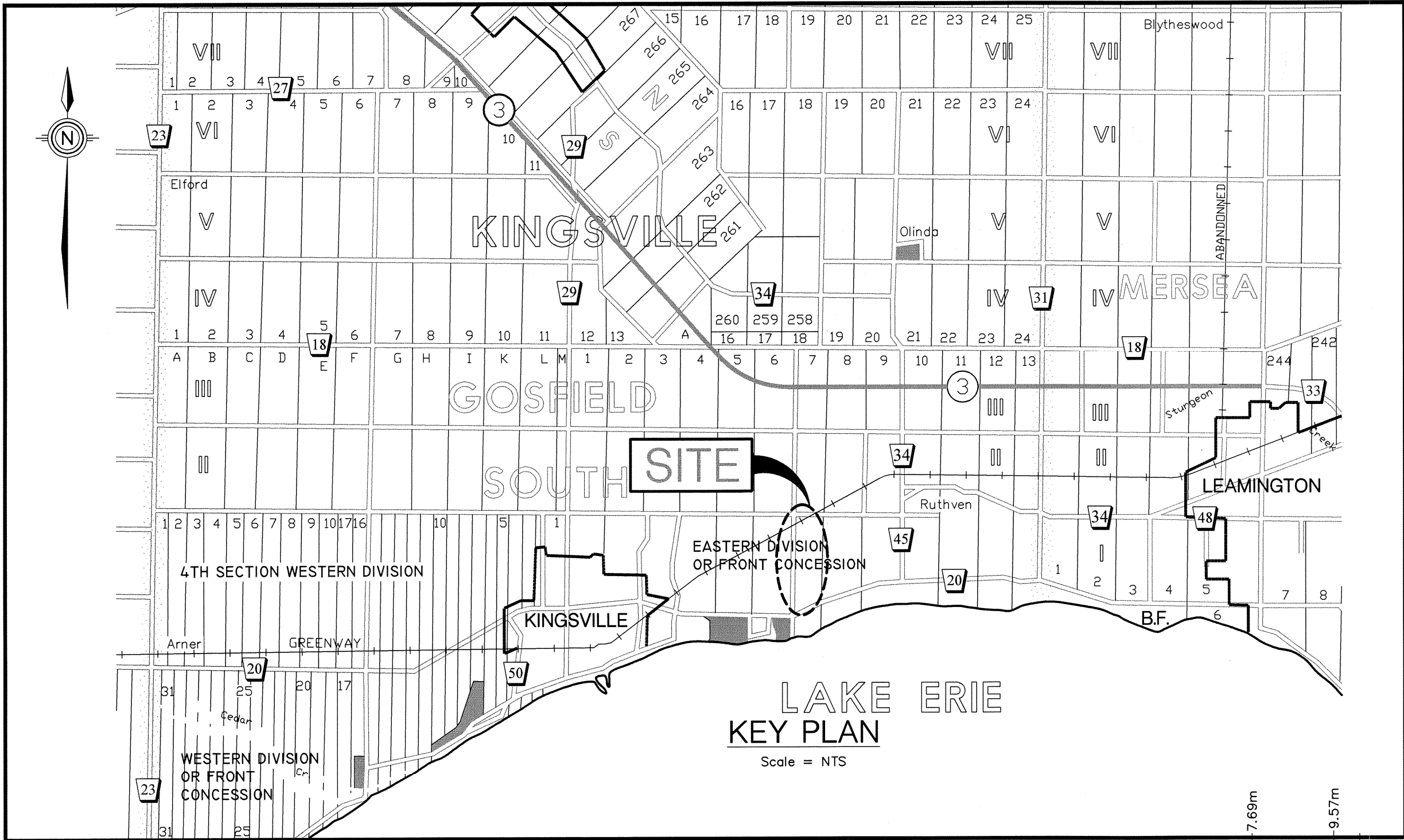
adopt the implementing by-law.

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



NOTE: ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT AND FULL CUT-OFF.

SITE DETAILS (300-17300)	
TOTAL PROPERTY AREA =	24.547 Ha.
EXISTING BUILDING AREA =	1.858 Ha.
EXISTING BUILDING AREA TO BE REMOVED =	0.014 Ha.
PROPOSED PH2 AREA =	2.080 Ha.
PROPOSED BUILDING AREA =	0.149 Ha.
PROPOSED COVERAGE =	16.59%
FUTURE PH3 AREA =	3.732 Ha.
PROPOSED BUILDING AREA =	0.116 Ha.
FUTURE COVERAGE =	31.60%

- NOTES:
- THE ACCURACY OF THE UTILITIES SHOWN ON THESE DRAWINGS ARE NOT GUARANTEED BY THE OWNER OR N. J. PERALTA ENGINEERING LTD. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION SHOWN.
 - ALL ELEVATIONS SHOWN IN METRES.
 - 192.251 DENOTES EXISTING SITE ELEVATIONS.
 - 191.405 APPROXIMATE PROPOSED TOP ELEVATION.
 - 190.205 DENOTES PROPOSED INVERTS.
 - 191.405 APPROXIMATE PROPOSED SITE GRADE.
 - 190.405 APPROXIMATE PROPOSED SWALE GRADES.
 - ALL POND SLOPES NO STEEPER THAN 4H:1V TO 1H:1V.
 - PLACE TOPSOIL ON ALL SLOPES AND DISTURBED AREAS AND SEED TO GRASS.
 - ALL NEW COVERED DRAINS AND SURFACE SWALES TO HAVE OUTLET EROSION PROTECTION.
 - EROSION PROTECTION TO CONSIST OF 300mm THICK SQUARE LAMESTONE OR 600mm NO. 10 WOVEN FILTER CLOTH MINIMUM 2.0m WIDE.
 - PROVIDE RODENT GRATES ON ALL DRAIN OUTLETS.
 - TOP ELEVATION OF PHASE 1 DETENTION POND BANK IS TO BE NO LESS THAN 179.192m.
 - STORM EVENTS IN EXCESS OF THE 1:100 YEAR STORM MAY CAUSE FLOODING.
 - STORM DRAINAGE AND DETENTION DESIGN BASED ON SITE LAYOUT ESTABLISHED BY OWNER. ACCURACY OF SITE LAYOUT IS THE RESPONSIBILITY OF THE OWNER.
 - THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE STORMWATER MANAGEMENT REPORT REVISED OCTOBER 2014.
 - OWNER/CONTRACTOR IS RESPONSIBLE TO PROVIDE ADEQUATE SEDIMENT CONTROL MEASURES DURING CONSTRUCTION. FOR DETAILS SEE SUBS 377.
 - DETAILS FOR SEDIMENT CONTROL MEASURES ARE AVAILABLE IN SECTION 9 OF THE STORMWATER MANAGEMENT REPORT.
 - CATCHBASINS TO BE PRECAST CONCRETE WITH CAST IRON OR HEAVY DUTY STEEL GRATE OR EQUIVALENT.

BENCHMARK:

1. TOP OF 400mm CSP VAN KEMPEN DRAIN LOCATED ON EAST BANK OF LAKE DRAIN, NORTH OF THE ENTRANCE TO THE SITE.
ELEV. 194.825m

2. TOP OF 2200mm CSP LOCATED ON SOUTH SIDE OF THE ENTRANCE TO THE SITE.
ELEV. 194.663m

OWNER COMMENTS:	N.M.	OCT. 22, 2014
OWNER COMMENTS:	N.M.	AUG. 18, 2014
OWNER COMMENTS:	N.M.	AUG. 13, 2014
OWNER COMMENTS:	N.M.	JULY 08, 2014
ISSUED FOR:	BY	DATE

REVISIONS

N. J. Peralta
Engineering Ltd.
Consulting Engineers

Kingsville Ontario

ENGINEERING STAMPS:



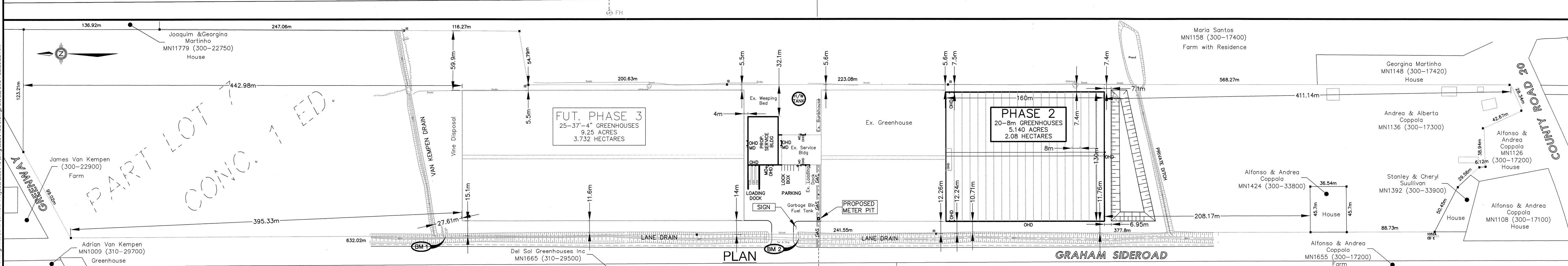
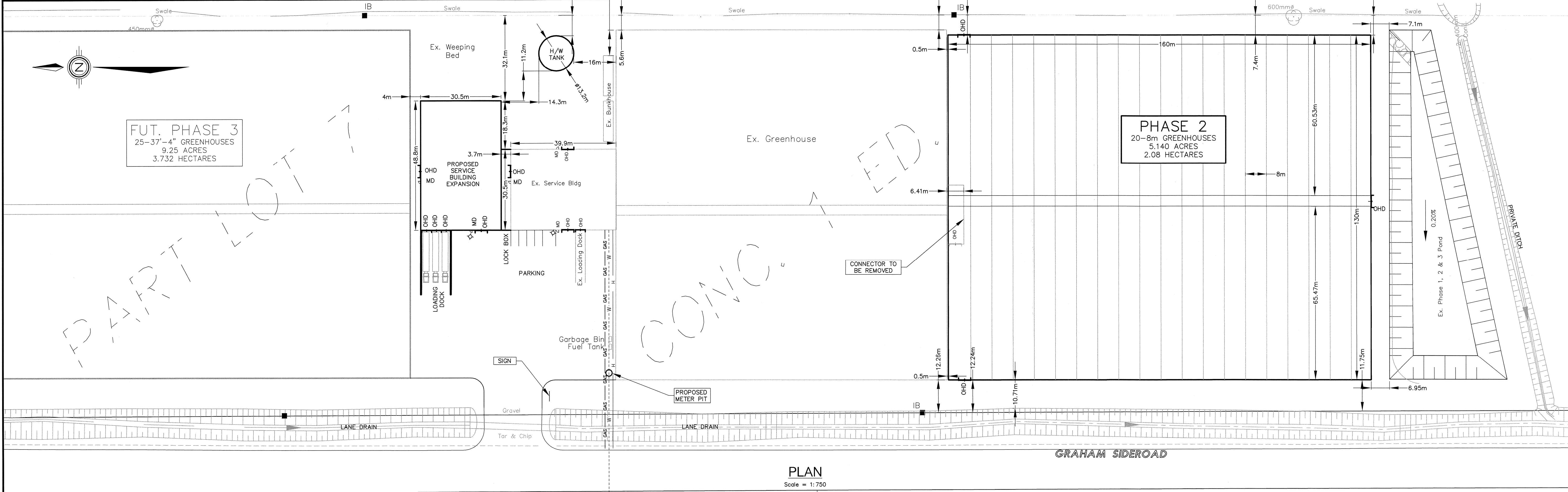
COPPOLA FARMS GREENHOUSE EXPANSION

TOWN OF KINGSVILLE ONTARIO

SHEET TITLE:

SITE PLAN



DESIGNED BY:	N.M.	DATE:	APR 24th, 2014
DRAWN BY:	N.M.	SCALE:	AS SHOWN
SHEET No:	1	OF:	4
PROJECT No:	E13-043		








Legend

Essex Municipalities

-  <all other values>
-  Kingsville

-  Street
-  Severance
-  Kingsville Assessment

Notes

Impact Area

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.

0 56.16 112.3 Meters

1: 3,369



9/27/2018



regs@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

August 14, 2018

Mr. Robert Brown, Manager of Planning 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-23-18 1660 GRAHAM SIDEROAD
ARN 371130000017300; PIN: 751440225
Applicant: COPPOLA FARMS

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-23-18. The applicant is applying to amend the zoning to add "growing of medical marihuana" as an additional permitted use.

DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS, (PPS, 2014) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards encompassed by Section 3.1 of the Provincial Policy Statement of the Planning Act as well as our regulatory role as defined by Section 28 of the Conservation Authorities Act.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the 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.

FINAL RECOMMENDATION

Our office has no objection to the re-zoning amendment to add an additional permitted use. If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

Michael Nelson
Watershed Planner

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 115-2018

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:

7.1.76 'AGRICULTURE ZONE 1 EXCEPTION 76 (A1-76)'

- a) For lands shown as A1-76 on Map 60 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 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 A1-76;

All other items listed under Section 4.46 remain applicable to lands zoned A1-76.

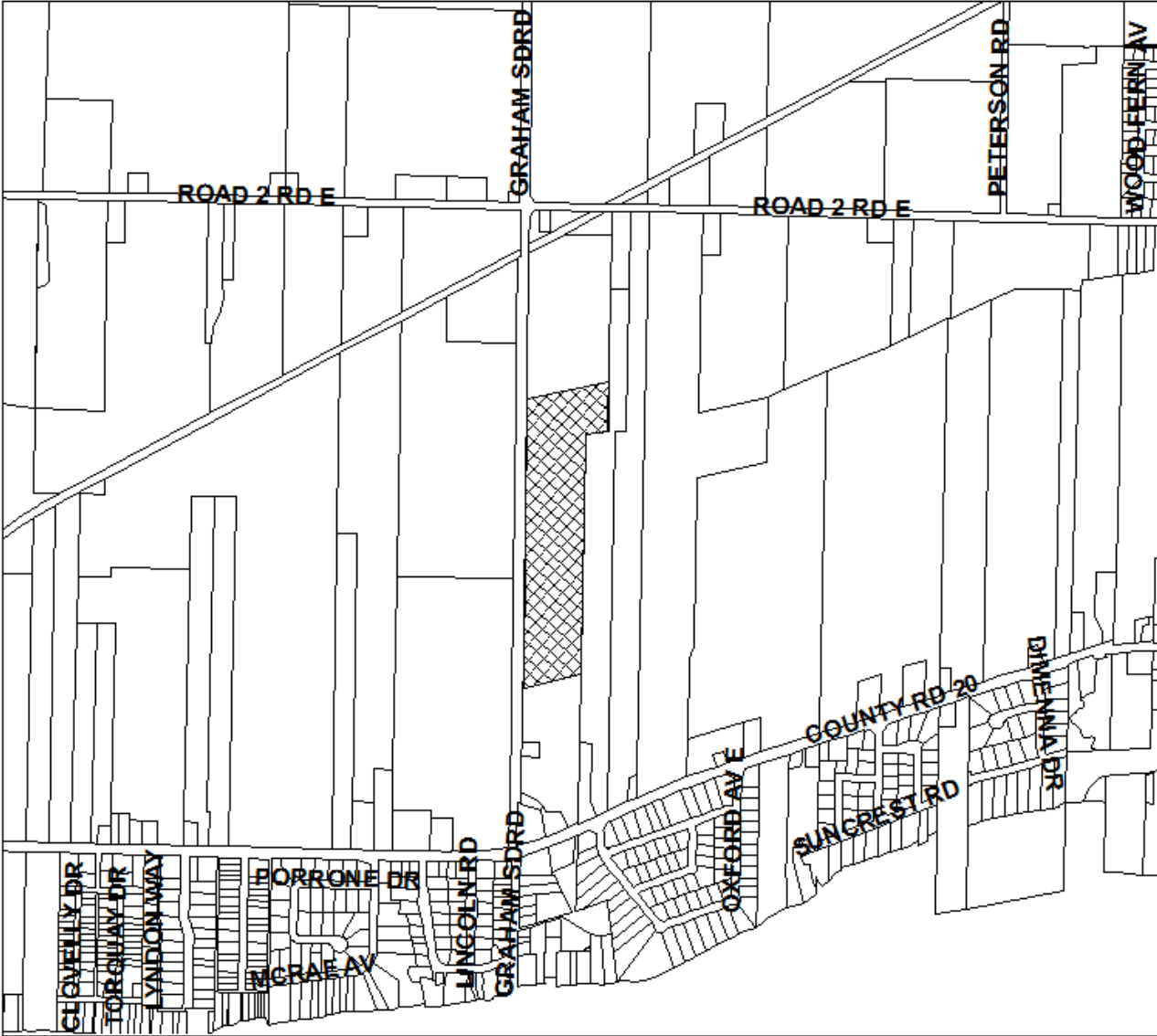
- 2. Schedule "A", Map 60 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 7, Concession 1 ED, and locally known as 1660 Graham Side Road as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 76 (A1-76)'.
- 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 OCTOBER, 2018.

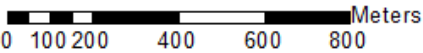
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 7, Concession 1 ED
1660 Graham Side Road
Zoning By-law Amendment ZBA/23/18



Schedule "A", Map 60 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 76 (A1-76)'

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

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/16/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **MOS Enterprises Ltd.**

LOCATION OF PROPERTY: **1501, 1521, 1523 & 1527 County Road 34**
Part of Lot 20, Concession 4 ED, Parts 1 to 8, RP 12R
14851, Parts 1 & 2, RP 12R 13840 & Parts 1 & 2, RP
12R 19945

PURPOSE OF APPLICATION:

The subject land is a 19.38 ha (47.88 ac.) farm parcel containing approximately 11.7 ha (29 ac.) of greenhouse along with support facilities. The property is subject to an existing site plan approval from 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 a medical marihuana production facility (MMPF) 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) In order to permit the proposed use on the subject property relief in part or in whole will need to be granted from Section c), d), e) g) and i). Recent changes to the requested zoning for MMPFs has led to the addition of odour control provisions as a requirement of the zoning. Please note that this application was originally heard at the August 13, 2018 meeting of Council and deferred to a later date.

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

WHEN: **October 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 September 18, 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 (*dwelling, 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: July 26, 2018

To: Mayor and Council

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

RE: Zoning By-law Amendment Application ZBA/16/18 by
MOS Enterprises Ltd. – 1501, 1521, 1523 & 1527 County Road 34
Part of Lot 20, Concession 4 ED, Parts 1 to 8, RP 12R 14851,
Parts 1

Report No.: PDS 2018-044

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 is to add a medical marihuana production facility as a permitted use utilizing up to 11.7 ha (29 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. As supplementary information to the planning report the applicant has provided additional background in the form of a planning justification report (PJR) which is attached as Appendix B. The prospective operator of the greenhouse is also in the process of acquiring lands on the east side of County Road 34 which would operate in concert with the subject property. Those lands are part of a separate application for similar zoning approval.

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 replacement 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 dwellings 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 ongoing experience with ACMPR 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 have also seen interest in or development of medical marihuana facilities.

There is one dwelling at 1518 County Road 34 which could be located just within the required 100 m setback shown on Appendix C. All other dwellings in the immediate area meet or exceed the 100 setback requirement. (See Appendix D) As noted on past approval requests no reductions in the 100 m setback will be considered until such time as any given operation can clearly demonstrate that there will be no impact on an abutting use. Any potential reduction request would require additional approval through a public process.

Although Item f) of the MMPF provisions is not at issue in this case (100 m 328 ft. minimum distance separation from residential, recreational or institutional use) it is worth noting that the Orchard View Golf Course is located to the west of the subject property approximately 300 m (984 ft.). The golf course also owns lands abutting the golf course on the east side, currently used for gravel extraction, which could be converted in the future for additional golf course space. If this were to occur the golf course expansion would not be impacted as it would continue to remain outside the 100 m (328 ft.) 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 off-site dwellings if any 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.

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.

To address this the approach involves two steps. First to determine, as part of the odour control system design, if and what will be used for neutralization and second, to require, in the zoning provision, that no transmission of odour control agents be permitted 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. The subject lands do currently have an approved site plan and associated site plan agreement in place from 2011. As noted above the applicant does have a prospective purchaser for the property and will be proceeding with licensing, if approved. Once the formal licensing process is

started the applicant should initiate the site plan amendment process. At that time issues such as fencing, lighting, buffering, landscaping and location of ventilation equipment will be incorporated as part of the amending agreement along with consultation with surrounding land owners.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial implications for the application at this stage.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries are to receive the Notice of Open House/ Public Meeting by mail. With the increased interest in these types of applications, the circulation was increase to 200 m. Information of the proposed amendment was also posted to the Town website.

At the time of writing, a number of public comments both written and verbal have been received about both this application and the associated Kapital Produce request. Odour, fencing and lighting continue to be the main concerns. As noted with past applications, odour will be a zoning requirement while lighting and fencing will be included as part of the subsequent site plan amendment that will be required.

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	<ul style="list-style-type: none">• Comment is attached as Appendix E• No objections
County of Essex	<ul style="list-style-type: none">• The site has existing accesses to the County Road. Any modifications, changes or requests for new access will require County approval and permits
Town of Kingsville Management Team	<ul style="list-style-type: none">• 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/16/18 to:

permit a medical marihuana production facility on property located at 1501, 1521, 1523 & 1527 County Road 34;

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.

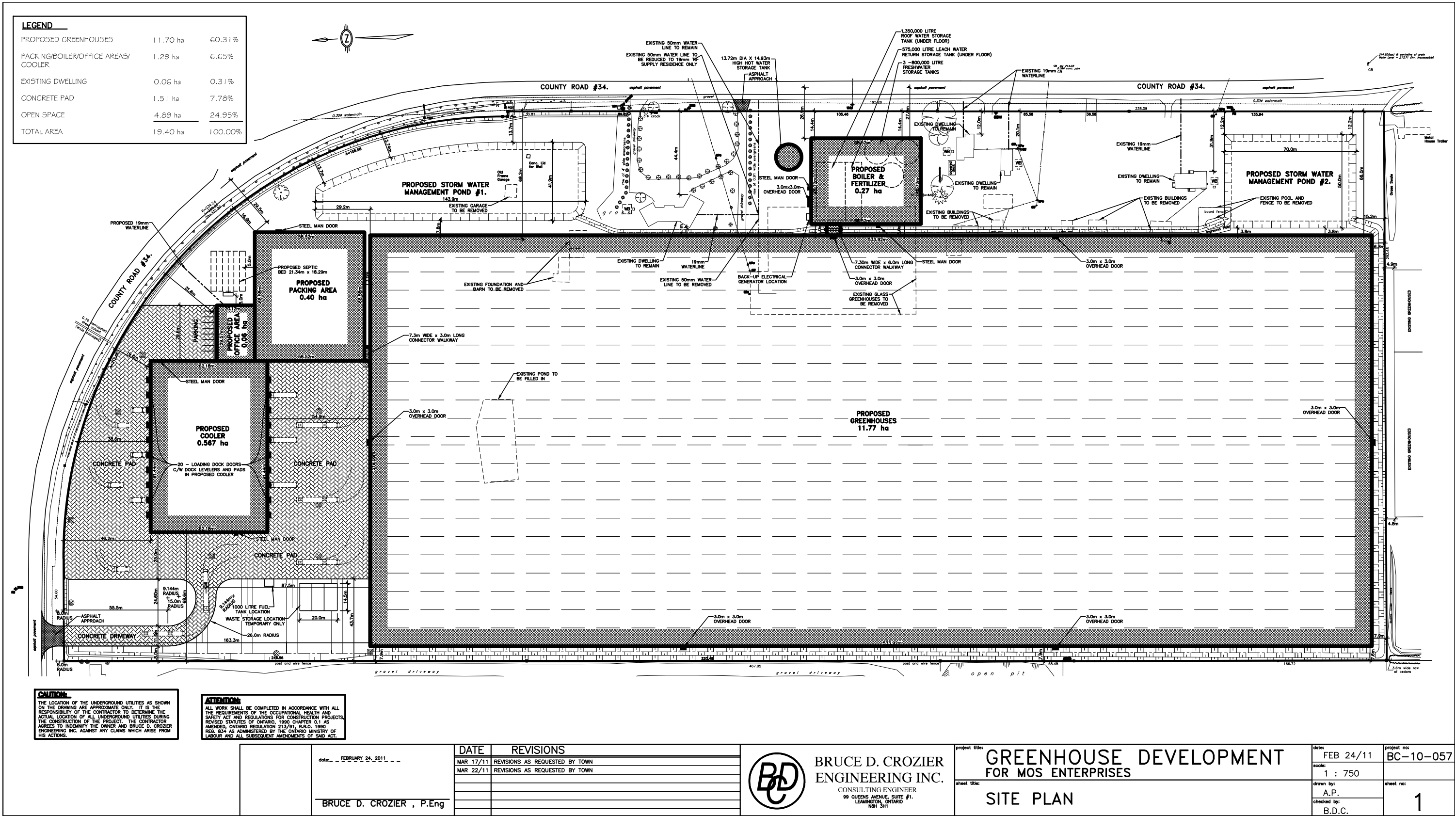
Robert Brown

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



Appendix B



Planning Justification Report

1501,1521,1523,1527 & 1506,1508,1526,1640 County Road 34
Town of Kingsville, County of Essex, Ontario

May 2018

Prepared For:

Cannacure Corporation
333 Jarvis Street
Fort Erie, ON L2A 2S9

Prepared By:

T. Johns Consulting Group Ltd.
310 Limeridge Road West, Suite 6
Hamilton, ON L9C 2V2

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List of Appendices

- Appendix A - Zoning Sketches**
- Appendix B - Draft Amending Zoning By-law**
- Appendix C - Draft Amending Zoning By-law**
- Appendix D - Cannabis Growth Cycle Diagram**

1.0 Introduction

T. Johns Consulting Group Ltd. has been retained by the prospective purchasers, Cannucure Corporation, to provide a Planning Justification Report in support of the Zoning By-law amendment application to rezone the lands municipally known as 1506, 1508, 1526, 1640 and 1501, 1521, 1523, 1527 County Road 34, Town of Kingsville in the County of Essex to permit a Medical Marihuana Production Facility. This report includes an overview of the subject lands in context with surrounding lands uses, a detailed description of the proposed use, and a detailed review of the pertinent planning framework in support of the proposed amendments.

1.1 Property Description

The subject lands are made up of multiple parcels located on both the east and west side of County Road 34, north of County Road 18 (Road 4 East). The subject lands on the east side of the County Road 34 are legally described Part of Lot 21, Concession 4, Eastern Division Gosfield Designated As Part 1 on Plan 12R15280; Part 2 Plan 12R15280; As R1372997; Part 14 on Plan 12R1554; Part 1 on Plan 12R22797, Town of Kingsville, and County of Essex, Ontario; and municipally known as 1506, 1508, 1526, 1640 County Road 34.

The subject lands on the west side of County Road 34 legally described as Part of Lot 20 Concession 4 Eastern Division Gosfield Designated As Parts 1 to 8 on Plan 12R14851, Parts 1 & 2 on Plan 12R13840 & Parts 1 & 2 on Plan 12R19945, Town of Kingsville, and County of Essex, Ontario; and municipally known as 1501, 1521, 1523, 1527 County Road 34 (**See Figure 1 - Location Plan**).

1506, 1508, 1526, 1640 County Road 34, make up an irregular shaped parcel with an approximate total land area of 28.25 hectares (69.81 acres) with an approximate total frontage of 332.17 metres along County Road 34. 1640 County Road 34 has approximately 156.85 metres of frontage along County Road 18. The subject lands contain three (3) greenhouse buildings with an approximate total growing area of 19.6 hectares (48.4ac) and three (3) one-storey single detached dwellings, one being on the north side of the subject lands with a side yard along County Road 34, another more south on the property fronting County Road 34 and the other being on the far south side of the subject lands with frontage along County Road 18 (**See Figure 2 - Aerial Map**).

1501, 1521, 1523, 1527 County Road 34 are rectangular shape with a curved northerly lot line, following the bend of County Road 34. The subject lands have an approximate area of 19.40 hectares (47.9 acres) with approximately 891 metres of frontage along County Road 34. The subject lands contain multiple existing buildings typical of an agricultural operation. From the most northerly end of the site access will be maintained, one (1) cooler/distribution building and one (1) office building with a packing area. A greenhouse with a total growing area of 11.70 ha. The site also contains four (4) single detached dwellings along County Road 34 and three (3) stormwater management ponds (**See Figure 2 - Aerial Map**).

1.2 Surrounding Land Uses

The lands are located within the Rural area of the Town of Kingsville. The immediate surrounding uses are made up of agricultural, medium industrial, recreational and rural residential uses.

2.0 Proposed Development

The intent is to rezone the subject lands to permit the use of a medical marihuana production facility (“MMPF”). The proposed agricultural operation will utilize the existing buildings on site. The marihuana will be grown and processed in the existing greenhouses with ancillary uses such as drying, oil extraction, distribution and office uses in the buildings as described. The existing single-detached dwellings will be kept and used for housing of the farm employees.

The proposed operation will follow the policies and standards pursuant to the *Access to Cannabis for Medical Purposes Regulations* imposed by Health Canada licensing including security and odour mitigation. All existing accesses from County Road 34 will be maintained (**See Appendix A - Zoning Sketches**).

2.1 Planning Applications

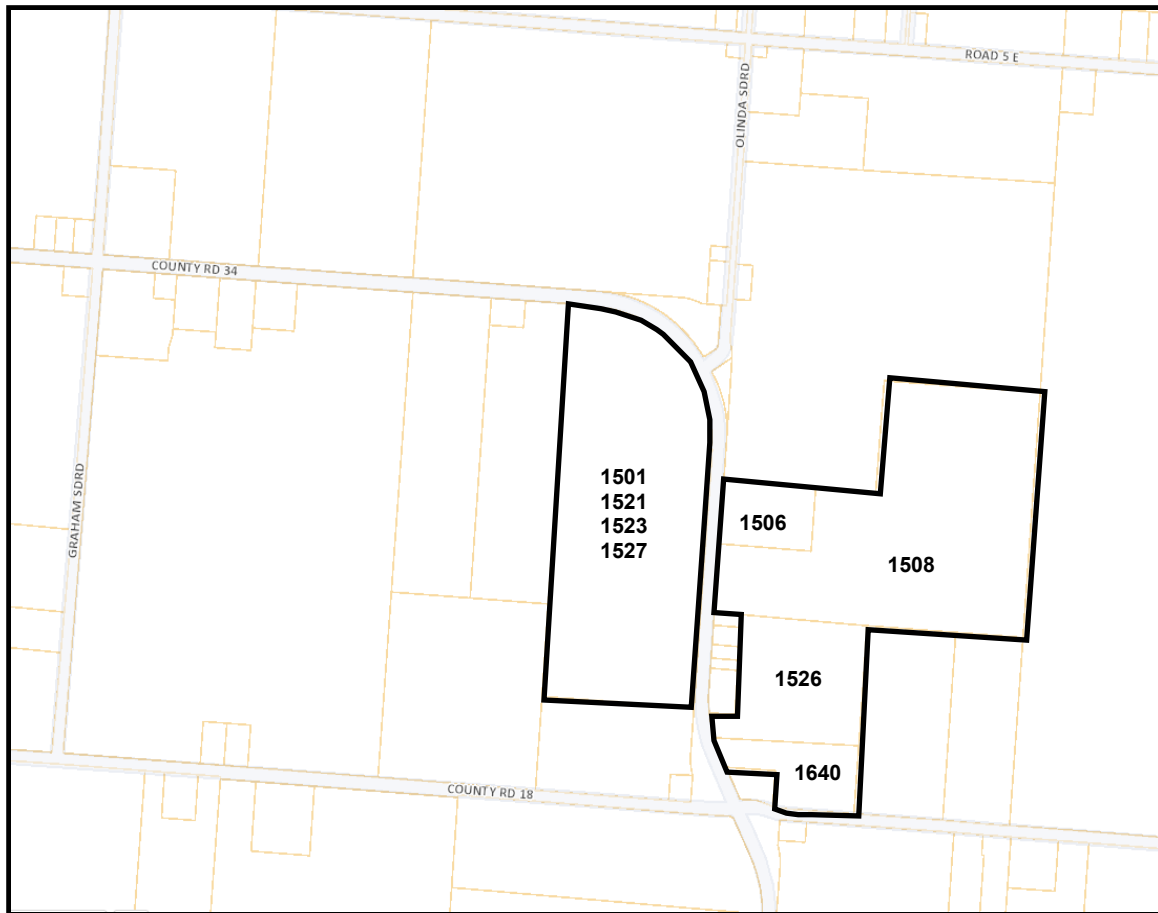
A meeting was held with Town and County Staff on March 26th, 2018 to discuss the proposal. The meeting confirmed that approval of a Zoning By-law Amendment (“ZBA”) is required to amend the zoning on the subject lands to facilitate the proposed Medical Marihuana Production Facility. A Planning Justification Report and an Odour Mitigation Strategy are required to be completed and submitted in support of the application.

The requested ZBA will rezone the subject lands from Agricultural (A1) Zone to a site specific Agricultural (A1) Zone (**See Appendix B & C - Draft Amending Zoning By-law**).

2.2 Odour Mitigation Strategy

Cannacure Corporation will use best practice efforts to mitigate odour by using odour cannons and exhaust filtration filters to help reduce odour and mask scent. A specific odour mitigation strategy will be finalized and employed during the federal licensing process.

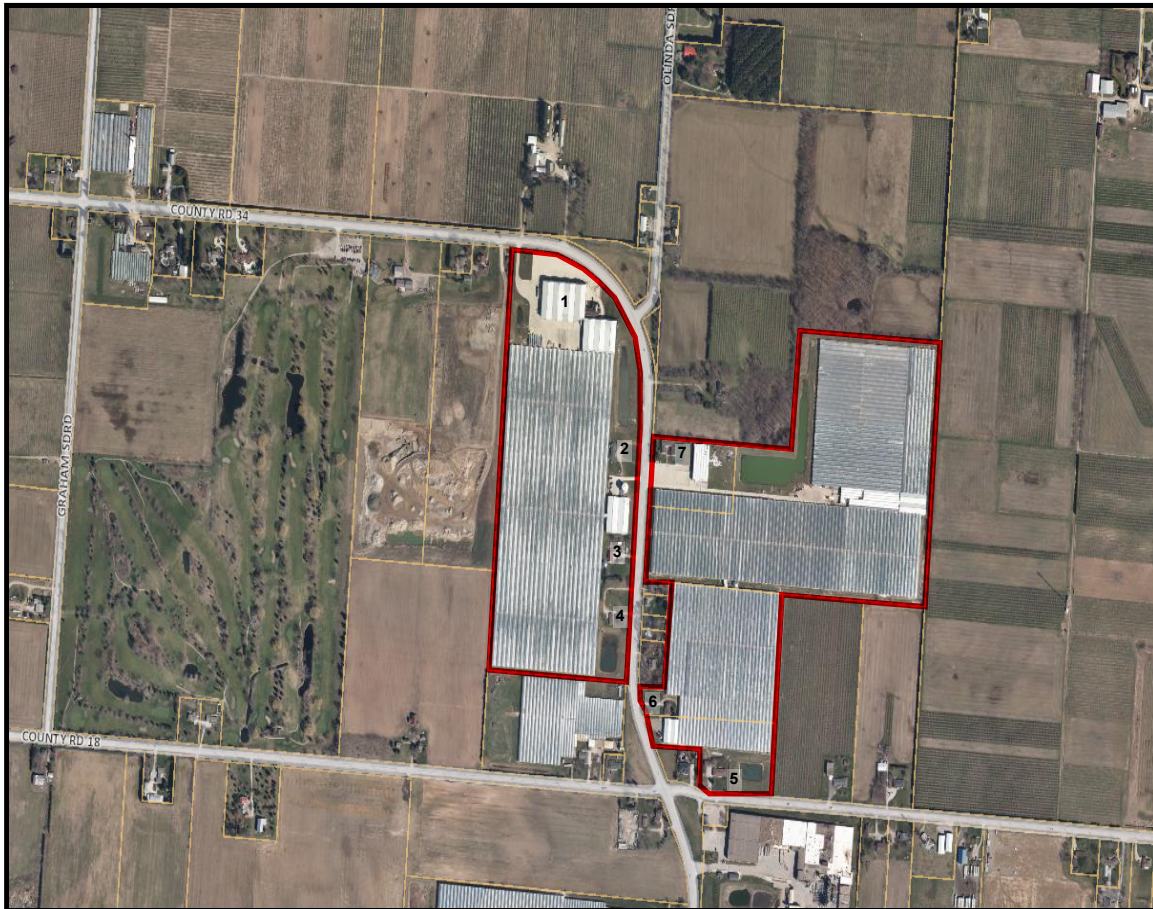
Figure 1
Location Plan



SUBJECT LANDS

1501,1521,1523,1527 & 1506, 1508, 1526, 1640 County Road 34,
Township of Kingsville, County of Essex

Figure 2
Aerial Plan



SUBJECT LANDS

1501, 1521, 1523, 1527 & 1506, 1508, 1526, 1640 County Road 34,
 Township of Kingsville, County of Essex

LEGEND

- 1** Distribution Centre and Office
- 2** Single Detached Dwelling
- 3** Two Single Detached Dwellings & Accessory Structure
- 4-7** Single Detached Dwelling

3.0 Planning Framework

This section reviews the planning documents applicable to the subject property, which include the Provincial Policy Statement, Essex County Official Plan, Town of Kingsville Official Plan and the Town of Kingsville Comprehensive Zoning By-law 1-2014, as amended.

3.1 Provincial Policy Statement, 2014

The Provincial Policy Statement (“PPS”) came into effect on April 30, 2014 as a policy-led regulating document that provides direction on provincial interest related to managing land use planning and development. The subject lands are within the rural area of the Township of Kingsville in the County of Essex.

The following applicable policies have been noted and reviewed:

1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a. building upon rural character, and leveraging rural amenities and assets;*
- b. promoting regeneration, including the redevelopment of brownfield sites;*
- c. accommodating an appropriate range and mix of housing in rural settlement areas;*
- d. encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
- e. using rural infrastructure and public service facilities efficiently;*
- f. promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management of resources;*
- g. providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- h. conserving biodiversity and considering the ecological benefits provided by nature; and*
- i. providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.

Planning Comment:

The proposal will maintain the rural character of Kingsville, as the proposed site plan retains the existing residential and greenhouse buildings. The proposal does leverage on the fact the greenhouses exist on the subject lands and therefore maintain important agricultural assets. The proposal will regenerate the subject lands by retrofitting the existing greenhouse buildings to produce a crop that is being introduced as a commodity in the future growth of the Province. The existing distribution building with loading docks and the office building will be retained for the operation of the proposed use. The existing single-detached houses will be conserved to house farm help on-site. The proposed agricultural use, medical marihuana, will promote diversification of the agricultural economy and provide employment opportunities. Medical Marihuana requires specialized professionals and farm help to maintain the production facilities' daily operations. As the operation will occur within the existing greenhouses, the surrounding natural environment will be conserved. The subject lands are existing with on-site private water services and storm water ponds that have the capacity to withstand the needs of the operations, thereby mitigating unintended consequences such as water-infiltration into the surrounding natural environment. The proposed agricultural use is appropriate for the rural lands and will provide a commodity that is in demand due to new Federal and Provincial legislation.

2.3 Agriculture

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

2.3.3 Permitted Uses

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2.3.3.2	In <i>prime agricultural areas</i> , all types, sizes and intensities of <i>agricultural uses</i> and <i>normal farm practices</i> shall be promoted and protected in accordance with provincial standards.
2.3.3.3	New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the <i>minimum distance separation formulae</i> .
<p><u>Planning Comment:</u></p> <p>The proposal will maintain an agricultural land use. The proposed medical marihuana production facility's daily operations will be contained within the greenhouses. Surrounding agricultural land uses include greenhouses and traditional farming fields. The proposed use will be compatible with the surrounding agricultural operations. The medical marihuana agricultural use will be within existing greenhouses with a total approximate footprint of 31 hectares. The proposed crop will be regulated by federal legislation and licensing. The proposed use is known for incompatibilities related to odour. The odour will be mitigated via setbacks as determined by the Zoning By-law and mitigation technologies.</p>	

The proposal will repurpose existing greenhouses to maintain an agricultural use, being a medical marihuana production facility, that will maintain the rural landscape of the Township of Kingsville. The proposed use will not have negative impacts on the surrounding natural environment or existing agricultural operations. The operation will be supported by existing on-site private infrastructure and provide residential accommodations for farm help. The proposed crop is in response with the changing Federal and Provincial markets and legislation. The proposed crop will contribute to agricultural diversity within the Town and the County.

The proposal is **consistent** with the PPS, 2014.

3.2 County of Essex Official Plan

The County of Essex Official Plan came into force and effect in April 2014 with the general purpose of providing goals and policies to represent the overall public interest for all seven local municipalities within the County of Essex.

Schedule A1-Land Use Plan of the County of Essex Official Plan designates the subject lands **Agricultural** within the Town of Kingsville boundary (See Figure 3 - COP Land Use Plan).

3.3 Agricultural Policies	
Policy	Planning Comment
3.3.3.1	The proposal is for an agricultural use, being a medical marihuana production facility. The proposal will maintain all greenhouses, ancillary buildings (i.e. distribution and

	offices) and the seven (7) existing single detached houses for on-site farm help accommodation. The uses are typically permitted for an agricultural use.
3.3.3.2	The proposed agricultural use does not include secondary uses, therefore this policy shall not apply.
3.3.3.3	Agriculture-Related Uses on the site will include storage and processing facilities for on-farm crops. The existing distribution building and office building will be utilized for logistic operations of the farm. Existing residential dwellings will be used for housing farm help on-site. As such, the farm-related uses are a continuation of typical farming operations and will utilize existing buildings. Therefore, the proposal conforms to this policy.
3.3.3.4	The proposal does not intend to create lots, therefore this policy shall not apply.
3.3.3.5	The proposal will require the employment of full time farm help. The dwellings that will house the farm help are existing and are located along the boundaries of the subject lands, therefore they do not have a negative impact on the farm's viability. The farm help living on site will be aware of the impacts typically associated with medical marihuana production and harvesting.
3.3.3.6	The extraction of mineral resources are not proposed, therefore this policy shall not apply.
3.3.4	<ul style="list-style-type: none"> a) The proposed agricultural use is not for livestock. Therefore, the MDS does not apply. However, due to the nature of the proposed crop, mitigation measures including an appropriate setback from abutting residential uses will be implemented via Zoning By-law standards. b) The subject lands are not within an identified prime agricultural area. c) A land use redesignation to a non-agricultural designation is not proposed. d) The subject lands are not identified as having significant environmental features, therefore policies of the Natural Environment section shall not apply. e) The proposed agricultural crop will be grown with normal farm practices, typical of other flowering crops.

The proposal will maintain the agricultural land use of the subject lands and therefore is in keeping with the agricultural land use policies of the County of Essex Official Plan. The existing structures, including greenhouses, ancillary buildings and the single-detached houses will be maintained and utilized. The proposed agricultural crop and associated operations are not expected to have negative impacts to the surrounding area.

The proposed land use **conforms** to the County of Essex Official Plan.

3.3 Town of Kingsville Official Plan

The Town of Kingsville Official Plan ("OP") was approved by County Council on February 1, 2012. The intent of the OP is to provide goals, objectives and policies to manage land use and growth within the township.

Schedule "A" - Land Use Plan of the OP designates the subject lands **Agricultural** (See Figure 4 - Town of Kingsville Land Use Map).

The following reviews the proposal in context with the applicable policies of the Agriculture designation.

3.1 Agriculture Land Use Policies	
Policy	Planning Comment
3.1	<ul style="list-style-type: none"> a) The proposal is for agriculture and associated land uses including the growing and cultivation of medical marihuana crops. Therefore, the proposal is a permitted use. b) The proposal will maintain and utilize the existing greenhouse structures on site to perform all agricultural related uses including packing and shipping facilities. On-site housing for farm help will take place within the existing single detached dwellings. c) A mushroom farm is not proposed. d) Livestock uses are not proposed. e) Retail-related uses for the trade of goods produced on-site are not proposed. f) Residential uses to house farm help are proposed to occur on the subject lands within the existing dwellings. Due to the make-up of the subject lands, each dwelling is on a separate parcel of land. Therefore, the existing site maintains the policy that permits one residence per lot. g) Secondary small scale farm occupations are not proposed. h) Small scale commercial and dry industrial uses are not proposed. i) Mineral resource exploration and extraction are not proposed. j) Extractive industrial uses are not proposed. k) Part of the subject lands are depicted for Mineral Aggregate Resources, however, the proposal is not for mineral resource uses. l) Lot creation is not proposed. m) Expansion of the built up area is not proposed. n) The subject lands are existing agricultural lands with existing greenhouse structures. The existing agricultural operation is serviced by private sanitary and water services and the proposed agricultural operation intends to utilize the existing private services. o) A restaurant is not proposed. p) The subject lands are not remnants from the Highway No. 3 By-pass construction project.
3.1.1	The proposal is not for the described uses that are applicable to the MDS policy, therefore the MDS policies shall not apply.

The proposed use, a medical marihuana production facility, will utilize the existing greenhouse and ancillary use buildings for the cultivation, processing, storage and distribution of the proposed crop. The existing dwellings on the subject lands will be used to house farm help. The proposal does not intend to create lots, have livestock, or extract mineral resources. The proposal's operations will be contained to the boundaries of the subject lands, with appropriate distance and odour mitigation measures to ensure compatibility to the surrounding land uses.

The proposal **conforms** for the Town of Kingsville Official Plan.

Figure 3
 County of Essex Official Plan Land Use Map

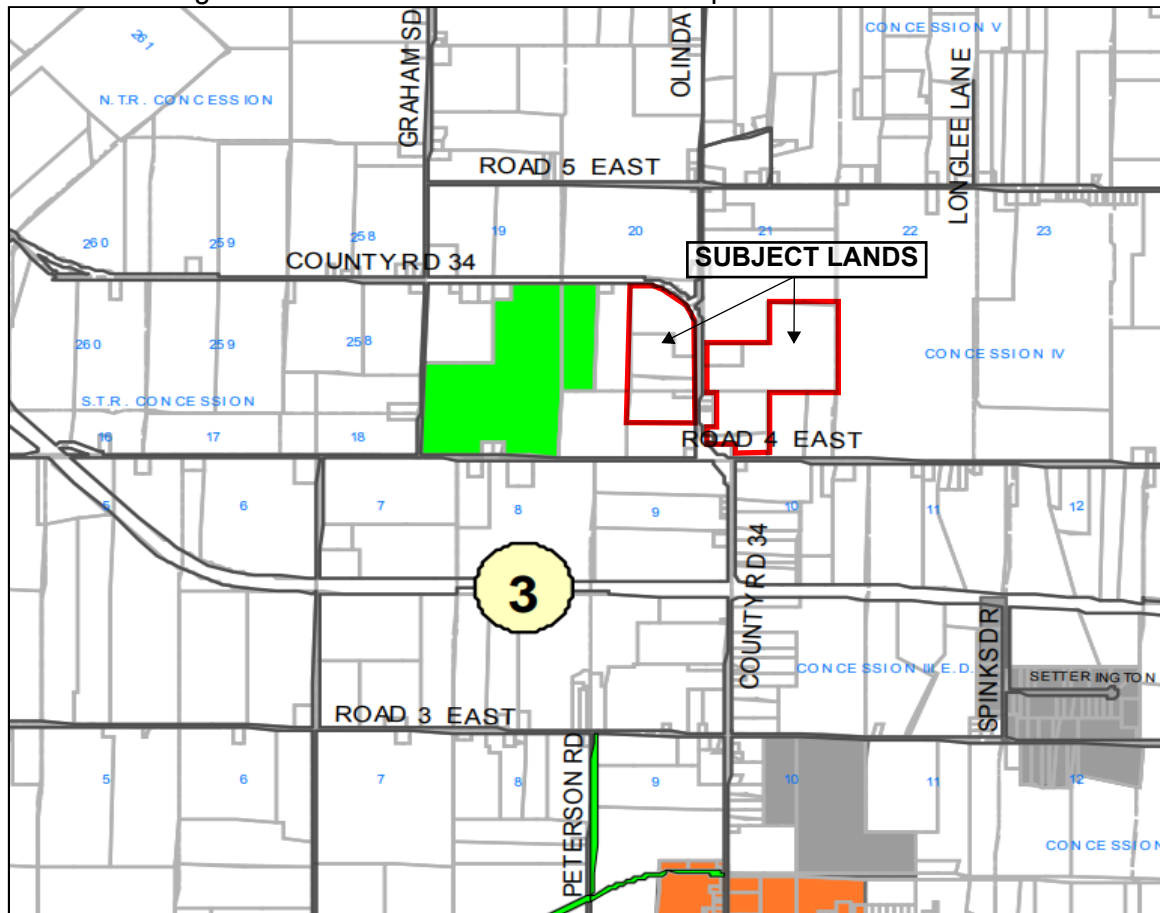


County of Essex Official Plan
 Excerpt from Schedule A1
 Land Use Plan

LEGEND









— Local Roads	□ Lot Fabric
— County Roads	■ Settlement Areas
— Provincial Highway	□ Agricultural
— Railway	■ Natural Environment
— Essex County Municipalities	

Figure 4
 Town of Kingsville Official Plan Land Use Map



Town of Kingsville Official Plan
 Excerpt from Schedule "A"
 Land Use Plan

LEGEND

	Agricultural		Special Residential
	Rural Residential		Hamlet
	Lakeshore Residential East		Industrial
	Lakeshore Residential West		Parks and Open Space

3.4 Town of Kingsville Comprehensive Zoning By-law 1-2014

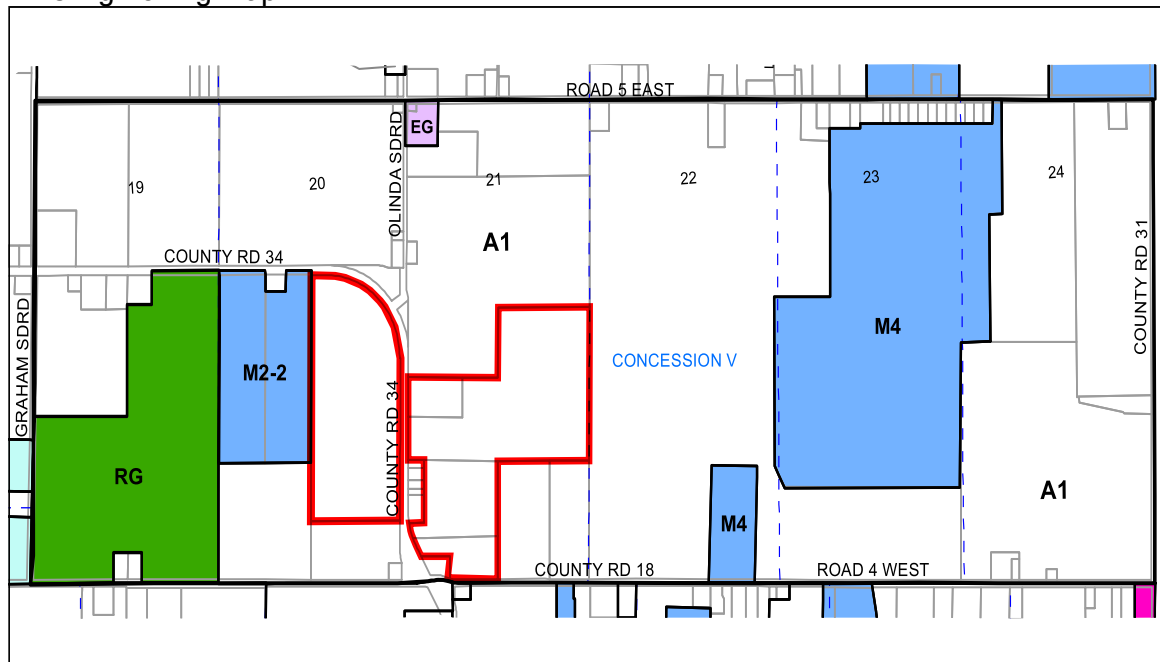
The Town of Kingsville Comprehensive Zoning By-law 1-2014, as amended (“ZBL 1-2014”) is in effect and zones the subject lands **Agricultural (A1) Zone 1 (See Figure 5 - Existing Zoning Map)**.

The A1 Zone permits uses and structures typical of agricultural land uses including agriculture, research, operations, produce storage, processing facility and/or shipping, fruit/vegetable processing facility, greenhouses, etc.

To facilitate the proposed use, to grow medical marihuana within the existing greenhouses, a Zoning By-law Amendment (“ZBA”) is required to modify the existing A1 Zone. The amendment will also address the provisions of Section 4.46. A draft site specific By-law has been prepared for each of the subject lands and can be found as Appendix B and C.

A change of zone from the A1 Zone to a site specific A1 Zone will maintain the agricultural land use goals determined by the County of Essex and the Town of Kingsville in terms of maintaining agricultural lands within the rural area for agricultural purposes.

Figure 5
Existing Zoning Map



Town of Kingsville Comprehensive Zoning By-law 1-2014
Excerpt from Schedule "A" - Map 44

LEGEND

- A1 Agriculture
- M2 General Industrial
- M4 Extractive Industrial
- EG Education
- RG Recreational
- SUBJECT LANDS

Modifications to the A1 Zone include:

1. Permit Medical Marihuana as a permitted use

Per the Zoning By-law, a Zoning By-law Amendment is required to permit the use of a medical marihuana production facility. As the subject lands are existing with greenhouses, the proposed use will be cultivated in a secure and controlled environment. Impacts such as odour will be mitigated with appropriate setbacks and technology. The proposed use is an agricultural production and will require certified agricultural specialists and farm help to manage the facility. Thus, the proposed use will support and maintain agricultural-related jobs in Kingsville.

2. Permit residential uses accessory to or supportive of on-site agricultural uses

Policy 4.4.6 c) states that residential uses shall be prohibited on lots having a medical marihuana production facility. It is requested that this policy shall not apply. The subject lands on the east side of County Road 34 have three (3) existing single-detached dwellings. The subject lands on the west side of County Road 34 have four (4) existing single-detached dwellings. The agricultural production for medical marihuana will rely on farm help for daily operations. It is proposed that farm help will reside in the on-site residences. It is typical in the agricultural industry that farm help is provided accommodations on-site, as such, it is reasonable to permit the existing residential uses on the property and any residents of these dwellings will be aware of possible odours related to the production of medical marihuana. The proposed medical marihuana crop is known to have impacts such as odour, however, the proposed medical marihuana production facility will employ mitigative measures that will contain or mask odours. The farm help that is planned to be accommodated within the existing dwellings will be aware of the facilities implications.

3. Policy 4.46 d) shall not apply

It is important to note that Policy 4.4.6 d) states that a medical marihuana production facility shall be prohibited from being a secondary/accessory use. It is requested that it is recognized that a use of an agricultural nature is not considered secondary or accessory use as is part of a diversified agricultural production. As such, it is requested that this policy shall not apply.

In order for the proposed MMPF to be implemented, sections of the greenhouses will be converted in a phased approach. As such, the phasing of implementation will allow for vegetables to continue to be grown while sections of the greenhouse are converted for medical marihuana production. This will ensure the financial viability of the farm during the transition of crops and allow for the on-going production of vegetables during the phase in process which is good for agricultural production. At the beginning of the transition, the majority of crops may be vegetables, however, the MMPF will be the primary use. The intent is to eventually have an agricultural operation that is 100% for medical marihuana production. However, since the landowner may continue to utilize

sections of the greenhouses in the interim for existing vegetable production, it is important to recognize this point.

4. Permit Other Uses to Co-exist with Medical Marihuana

Policy 4.4.6 i) requires that the use of a medical marihuana production facility on a lot not co-exist with any other use on the lot. It is requested that this item shall not apply. This item restricts residential uses that support the proposed production facility. Further, phased implementation would not be viable as the greenhouses would be limited to one crop type at a time (i.e. vegetable or medical marihuana). The item is not aligned with the PPS, 2014 which states that agricultural uses, agriculture-related uses and on-farm diversified uses are permitted uses and shall be supported to expand to be viable and adaptable with change.

4. 4.4.6 g) shall not apply

Policy 4.4.6 g) requires a minimum distance separation of 100 metres between a MMPF and any structure currently used for residential or institutional uses. It is understood that the 100 metre separation was implemented by rounding up the 70 metre setback established by MOECC for light industrial uses to mitigate MMPF impacts such as odour generation. It is requested to permit the beginning stages (i.e. germination, propagation) of the marihuana growth cycle within 25 metres of an off-site residential use for subject lands locally known as 1506,1508,1526,1640 County Road 34. The greenhouses on the subject lands locally known as 1501, 1521, 1523, 1527 County Road 34 are not within 100 metres of off-site residential uses and as such the zoning amendment for this property does not request relief from this provision and there will be no restrictions of location of operations within the greenhouse. The policy shall be further amended to ensure the minimum distance separation will not apply to on-site residential uses for both subject lands.

There are four (4) stages of marihuana plant growth; germination, propagation, vegetation and flowering. The public perception is that the entire growing and production process of marihuana has offensive odours. However, the first two stages of the growing process are not scientifically known to produce odours. As typical with most flowering plants, odours are present when the plant is reaching its most mature state, the flowering stage or when the plants produce “buds” (**Refer to Appendix D - Cannabis Growth Cycle Diagram**).

As such, the sections of the greenhouses within a 25 metre proximity of residential uses will be used for the germination and propagation of the medical marihuana plant. During the vegetation and flowering stages, the plants will be moved to other sections of the existing greenhouses, outside of the required 100 metre setback from off-site residential uses. This will be ensured by implementing a standardized growing methodology that the employees will follow as standard practice. Further, best practices for odour mitigation will be employed throughout the growing facilities of odour cannons and exhaust filtration filters to help reduce odour and mask scent.

It is important to note that the existing dwellings on site that will be used to house farm employees will be within 100 metres of the entire growing process. However, they will be aware and accept the potential negative impacts, such as odour. It is a common farming practice to house farm employees within a required MDS setback.

5. Minimum Interior Side Yard

The required minimum interior side yard setback is 3 metres whereas the requested minimum interior side yard is 2.90 metres. The 0.1 metre relief is to accommodate the northerly side yard of an existing single detached dwelling, on the parcel locally known as 1506 County Road 34.

6. Minimum Front Yard Setback

The required minimum front yard setback is 15 metres whereas the requested minimum front yard setback is 12.0 metres. The relief is to accommodate the existing greenhouse on the subject lands on the east side of County Road 34. The existing front yard provides space for functional storm water mitigation (i.e. swales). The front yard does not have a negative impact on the adjacent rural residential uses or the rural character of the landscape.

7. Minimum Rear Yard Setback

The required minimum rear yard setback is 15 metres whereas the requested minimum rear yard setback is 6.5 metres. The relief is to accommodate the rear yard of the existing greenhouse on the subject lands on the west side of County Road 34. The rear property line is buffered with vegetation and the adjacent property is occupied with a compatible land use being a greenhouse. The existing rear yard will continue to provide a safe distance between parcels and maintain space for maintenance purposes while ensuring compatibility.

4.0 Planning Analysis

The proposal is consistent with the goals and policies of the PPS, as it retrofits existing greenhouses supported by existing private services. The proposal will retain agricultural lands for agricultural land uses.

The proposal conforms to the County of Essex Official Plan as it maintains the goals identified within the Agriculture designation within the Rural Area of the County. Permitted uses within the County's Agriculture designation include agricultural crops, greenhouses and residential dwellings. Therefore, the proposal is aligned with the permitted uses. Further, the proposal conforms to the Township of Kingsville Official Plan Agriculture designation. The proposed uses are permitted subject to a zoning by-law amendment. The proposal does not involve lot creation.

The existing agricultural lands will be retained for agricultural production. Therefore, an Official Plan Amendment is not required.

The subject lands are zoned General Agriculture (A1) Zone. In order to accommodate the proposed medical marihuana production facility, a Zoning By-law Amendment is required to rezone the subject lands from A1 Zone to a site-specific A1 Zone to permit the proposed use and to modify applicable criteria. The amendment will permit residential uses on-site in support of the agricultural production, permit secondary uses to facilitate the implementation of the crop change over. The subject lands are surrounded by agricultural and rural residential land uses. The existing site design and placement of greenhouses are within 100 metres of residential uses however the operations inside the greenhouse will be arranged to ensure the odour-producing portions of the growing facilities are a minimum setback of 100 metres. The detailed design stage will ensure all required procedures and standards are implemented to maintain public health and safety.

The Zoning By-law Amendment is appropriate for the lands as the proposed agricultural uses are similar in nature to other crops. It will retain greenhouses for agricultural purposes and will provide long-term and seasonal employment utilizing existing private on-site infrastructure.

In conclusion, the proposal, and Zoning By-law Amendment, is consistent with the PPS, conforms to the County of Essex Official Plan and the Township of Kingsville Official Plan and will comply with the Township of Kingsville Comprehensive Zoning By-law 1-2014 General Agriculture (A1) Zone and the Medical Marihuana Production Facility provisions per Section 4.4.6 upon adoption of the proposed by-law amendment. Overall, the proposal demonstrates good land use planning.

5.0 Implementation

This proposed development is to be implemented through the Zoning By-law Amendment process. The amendment will allow for the proposed agricultural uses. A draft site specific by-law has been prepared for each of the subject lands and can be found as **Appendices B and C**. An amendment to the existing site plan agreement will be required to ensure appropriate odour mitigation and security measures are implemented.

6.0 Conclusions

A Zoning By-law Amendment is required to modify the Agriculture (A1) Zone to permit a medical marihuana production facility with site specific provisions to accommodate the proposed use including permitting on-site residential uses in support of the use, reduce the require minimum distance separation to 25 metres that will specifically apply to the germination and propagation stages of the growth cycle and to permit secondary uses to allow for a feasible transition of crops.

The proposed changes to the Township of Kingsville Comprehensive Zoning By-law 1-2014 are consistent with and conform to the applicable planning policy framework as follows:

- They are consistent with the Provincial Policy Statement in that rural lands be used for agricultural uses;
- The lands are suitable for continued agricultural land use as the proposal will retrofit existing greenhouse structures;
- Will not require any capacity increase or expansion of the existing municipal services and infrastructure;
- Represents good planning, retaining agricultural land uses and associated employment within the municipal boundaries of the Township of Kingsville.

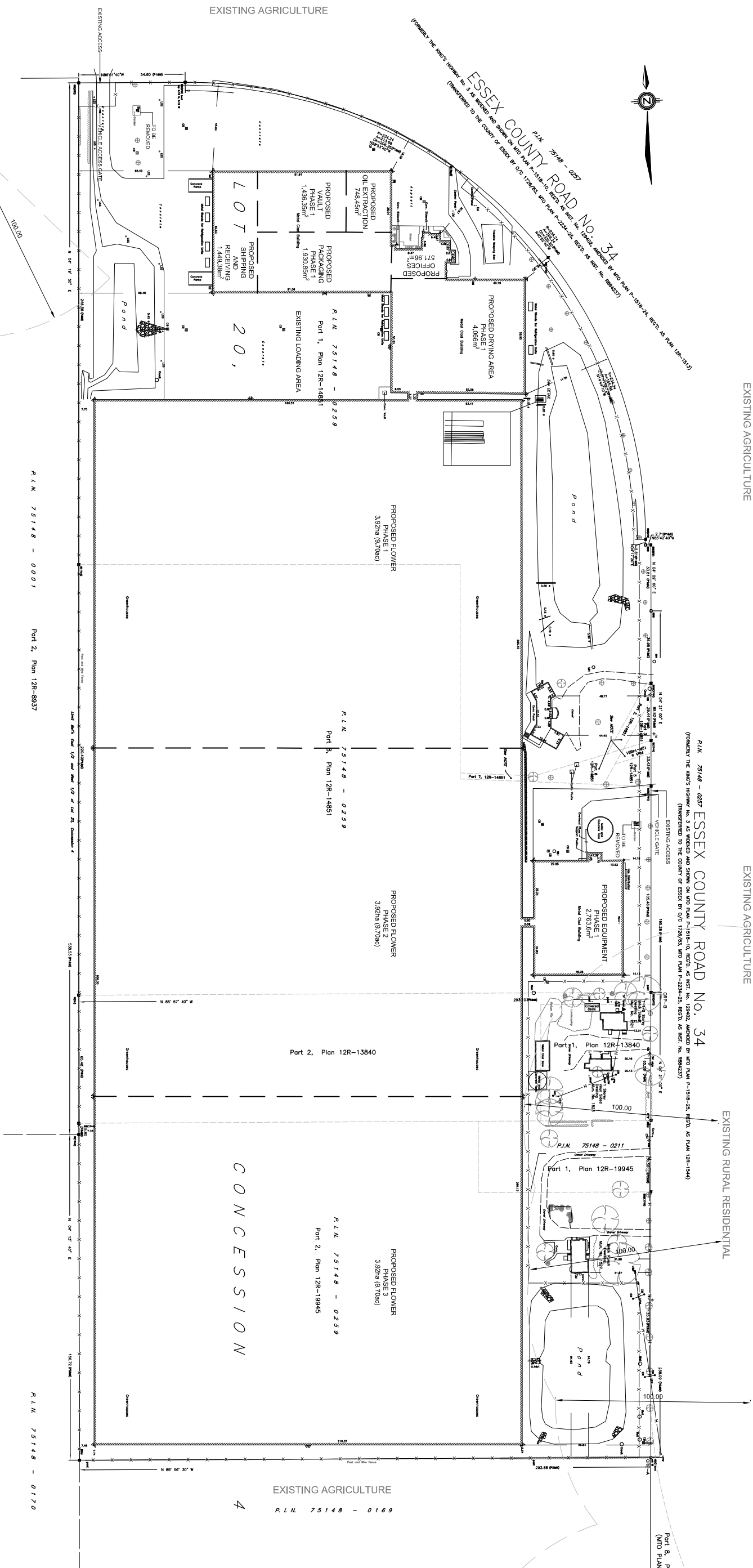
In summary, implementation of the proposal through the site specific by-law is appropriate. The proposed development and associated amendment to the Township of Kingsville Comprehensive Zoning By-law 1-2014 is appropriate, desirable and reflects good land use planning for the subject lands.

Respectfully Submitted,
T. Johns Consulting Group Ltd.



Cheryl Selig, MCIP, RPP
Associate


Appendix A: Zoning Sketches




ZONING CHART				
EXISTING ZONE	AGRICULTURE (A1) ZONE 1	PROPOSED ZONE: AGRICULTURE (A1) ZONE 1, MODIFIED		
		PERMITTED USE	REQUIRED	PROPOSED
7.1.a	MIN. LOT AREA	2ha	MMF	NO
7.c.i	MIN. LOT FRONTAGE	25m	881m	YES
7.c.ii	MIN. LOT FRONTAGE	3m	7.5m	YES
7.c.iii	MIN. FRONT YARD SETBACK	15m	15.5m	YES
7.c.v	MIN. EXTERIOR SIDE YARD	4.5m	12.1m	YES
7.c.vi	MIN. REAR YARD	15m	6.5m	NO
7.c.vii	MAX. LOT COVERAGE	80%	68%	YES
7.c.viii	MAX. BUILDING HEIGHT	15m	15m	YES
7.c.ix	MAX. ACCESSORY STRUCTURE HEIGHT	15m	15m	YES

—X— PROPOSED SECURITY FENCE
100m BUFFER

LEGEND

 N

REVISIONS			
A	REV.	DATE	BY
1	22A SUBMISSION	15-MAY-2018	NO
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PROJECT TITLE		CANNAUCURE GREENHOUSES	
DRAWING TITLE		1501, 1521, 1523, 1527 TOWN OF KINGSTOWN, ONTARIO	
<h1>ZONING SITE PLAN</h1>			
DRAWN BY DATE 28-MAY-2018 REVISION A	DESIGNED BY PROJECT NUMBER 11001	DRAWING NUMBER Z1-1	
SCALE		1:1000	

LEGAL DESCRIPTION



LEGEND

- SECURITY CAMERA
- PROPOSED SECURITY FENCE
- 100m BUFFER

NOTES			
1. ALL DIMENSIONS AND MEASUREMENTS APPROXIMATE.			
2. EMERGENCY EXIT GATES TO BE LOCATED AT ALL BUILDING			
3. CAMERAS SHIELDED FROM VIEWING ADJACENT			
PROPERTIES.			
ZONING CHART			
EXISTING ZONE	AGRICULTURE (A1) ZONE 1	MODIFIED	
PROPOSED ZONE	AGRICULTURE (A1) ZONE 1	MODIFIED	
ITEM	REGULATION	REQUIRED	PROPOSED
7.1.A	PERMITTED USE		MMPF
7.2.I	MIN. LOT AREA	2ha	28.3ha
7.2.II	MIN. LOT FRONTAGE	25m	158.9m
7.2.III	MIN. INTERIOR SIDE YARD	3m	2.9m
7.2.IV	MIN. FRONT YARD SETBACK	15m	12.0m
7.2.V	MIN. EXTERIOR SIDE YARD	4.5m	36.5m
7.2.VI	MIN. REAR YARD	15m	6.5m
7.2.VII	MAX. LOT COVERAGE	80%	73%
7.2.VIII	MAX. BUILDING HEIGHT	15m	15m
7.2.IX	MAX. ACCESSORY STRUCTURE HEIGHT	15m	15m
			YES

REVISIONS

REV.	DESCRIPTION	DATE	INT.
A	ZBA SUBMISSION	14-MAY-2018	KGS
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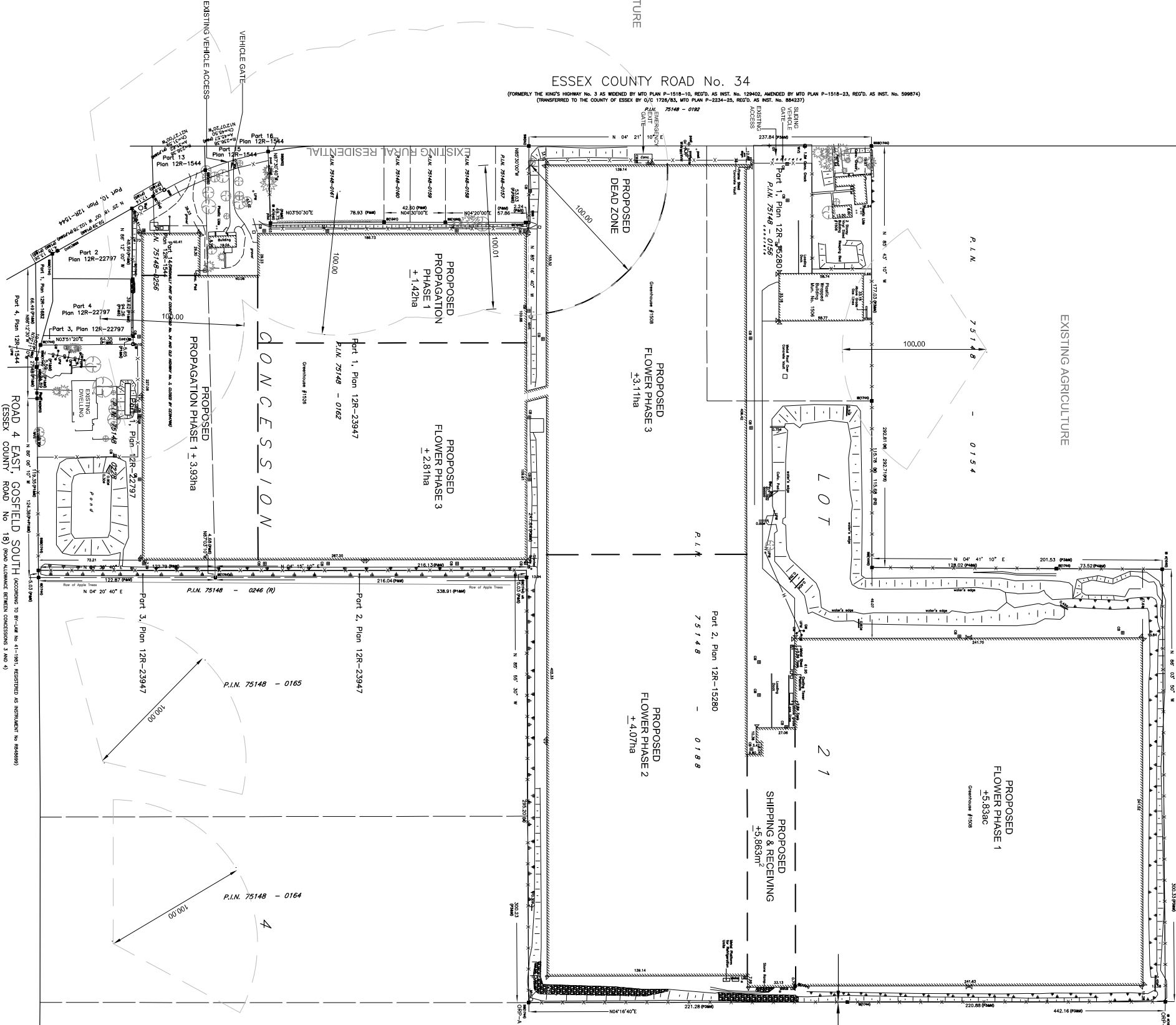
CANNACURE GREENHOUSES

1505, 1508, 1526, 1640 COUNTY ROAD 34
TOWN OF RINGSVILLE, ONTARIO

DRAWING TITLE

ZONING SITE PLAN

DRAWN BY	DESIGNED BY
PRINT DATE	PROJECT NUMBER
29-MAY-2018	11001
REVISION	DRAWING NUMBER
A	Z1-2
SCALE	1:1000



EXISTING AGRICULTURE

EXISTING AGRICULTURE

EXISTING AGRICULTURE

Appendix B:

Draft Zoning Amending By-law 1501,1521,1523,1527 County Road 34

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NO. ____-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 and 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 by adding Subsection XXXX as follows:

7.1. 22 'AGRICULTURE ZONE 1 EXCEPTION ____ (A1-__)

- a) For lands shown as A1-__ on Map ____ 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 provisions of By-law 1-2014, as amended, to the contrary, the lands zoned A1-____ shall be deemed to be a single existing lot or parcel of land for zoning setback purposes.

Notwithstanding Section 7.1 of the by-law to the contrary the following shall apply:

- i) Minimum Rear Yard 6.5 metres

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

- i) Item c) is deleted and replaced with 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-___;
- iii) Item g) is deleted and replaced as follows:
 - a. An MMPF growing area shall be located a minimum of 100m from an existing off-site residential use or institutional use;
 - b. Item g) shall not be applicable to an on-site dwelling.

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

- 2. Schedule "A", Map ___ of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as (legal description) and locally known as 1501, 1521, 1523, 1527 County Road 34 as shown on Schedule "A" cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception ___ (A1-___)'.
- 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 ___ DAY OF _____, 2018.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK

Schedule 'A'



Part of Lot 21, Concession 4
1501, 1521, 1523, 1527 County Road 34
Zoning By-law Amendment ZBA/X/X



Scale:
 1:10000 metres



Schedule 'A', Map XX of By-law 1-2014 to be 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 XX (A1-XX)'

Appendix C:

Draft Zoning Amending By-law 1506,1508,1526,1640 County Road 34

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NO. ____-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 and 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 by adding Subsection XXXX as follows:

7.1. 22 'AGRICULTURE ZONE 1 EXCEPTION ____ (A1-__) – (A1

- a) For lands shown as A1-__ on Map ____ 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 provisions of By-law 1-2014, as amended, to the contrary, the lands zoned A1-__ shall be deemed to be a single existing lot or parcel of land for zoning setback purposes.

Notwithstanding Section 7.1 of the by-law to the contrary the following shall apply:

- | | |
|--------------------------------|-------------|
| i) Minimum Side Yard | 2.90 metres |
| ii) Minimum Front Yard Setback | 12.0 metres |
| iii) Minimum Rear Yard | 6.5 metres |

All other items listed under Section 7.1 remain applicable to lands zoned A1-____.

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

- i) Item c) is deleted and replaced with as follows: A residential use accessory to or supportive of the agricultural uses on-site, including a MMPF, is permitted;
- ii) Items d) and i) are not applicable to lands zoned A1-____;
- iii) Item g) is deleted and replaced as follows:
 - a. An MMPF germination and propagation area shall be located a minimum of 25m from an existing off-site residential use or institutional use;
 - b. An MMPF vegetation and flowering area shall be located a minimum of 100m from an existing off-site residential use or institutional use;
 - c. Item g) shall not be applicable to an on-site dwelling.

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

- 2. Schedule "A", Map ____ of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as (legal description) and locally known as 1506, 1508, 1526, 1640 County Road 34 as shown on Schedule "A" cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception ____ (A1-____)'.
- 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 ____ DAY OF _____, 2018.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK

Schedule 'A'



**Part of Lot 21, Concession 4
1506, 1508, 1526, 1640 County Road 34
Zoning By-law Amendment ZBA/X/X**



Scale:
1:10000 metres



Schedule 'A', Map XX of By-law 1-2014 to be 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 XX (A1-XX)'

Appendix D:

Cannabis Growth Cycle Diagram

Cannabis Growth Cycle

Impact on odor emissions



Images source: Leafly – Amy Phung



Germination

- No odour generated
- 1-2 weeks



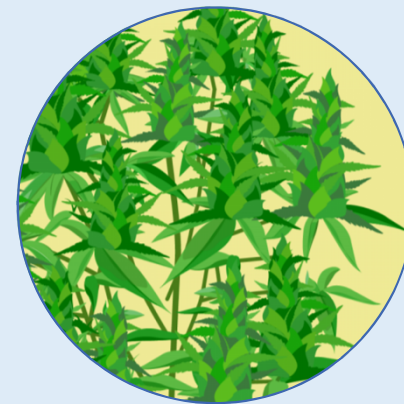
Propagation

- No odour
- 2-3 weeks
- Nursery plants



Vegetation

- No to low odour closer to flowering
- 2-8 weeks



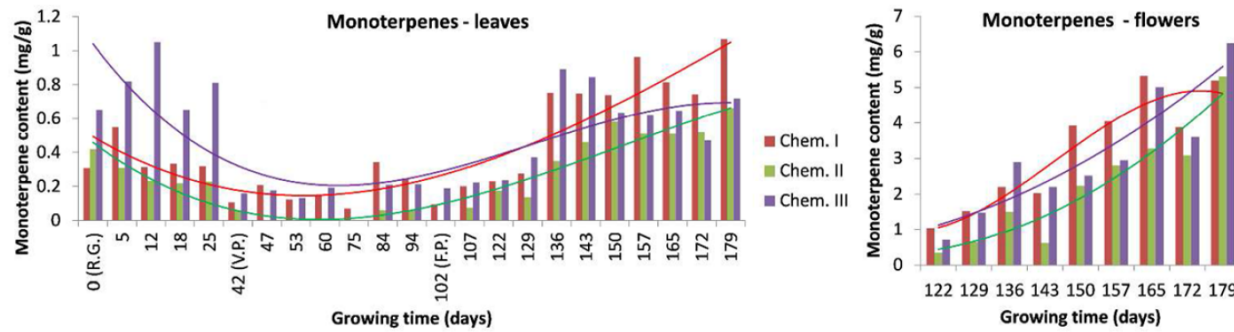
Flowering

- Odour creation step
- 6 to 8 weeks



Images source: Leafly – Amy Phung

Terpenes evolution



- Responsible for odour creation in many plants.
- Monoterpenes (such as myrcene) are volatile and represent most of the long range odour in cannabis.
- Largest concentration during flowering: 7mg/g VS 1 mg/g in leaves before flowering.

Reference: Aizpurua-Olaizola, O; Soydaner, U; Öztürk, E; Schibano, D; Simsir, Y; Navarro, P; Etxebarria, N; Usobiaga, A: *J. Nat. Prod.* 2016, 79, 324–331

- NOTES:
1. ALL DIMENSIONS AND MEASUREMENTS APPROXIMATE.
 2. EMERGENCY EXIT GATES TO BE LOCATED AT ALL BUILDING ENTRANCES ALONG STREET FRONTAGE.
 3. CAMERAS SHIELDED FROM VIEWING ADJACENT PROPERTIES.

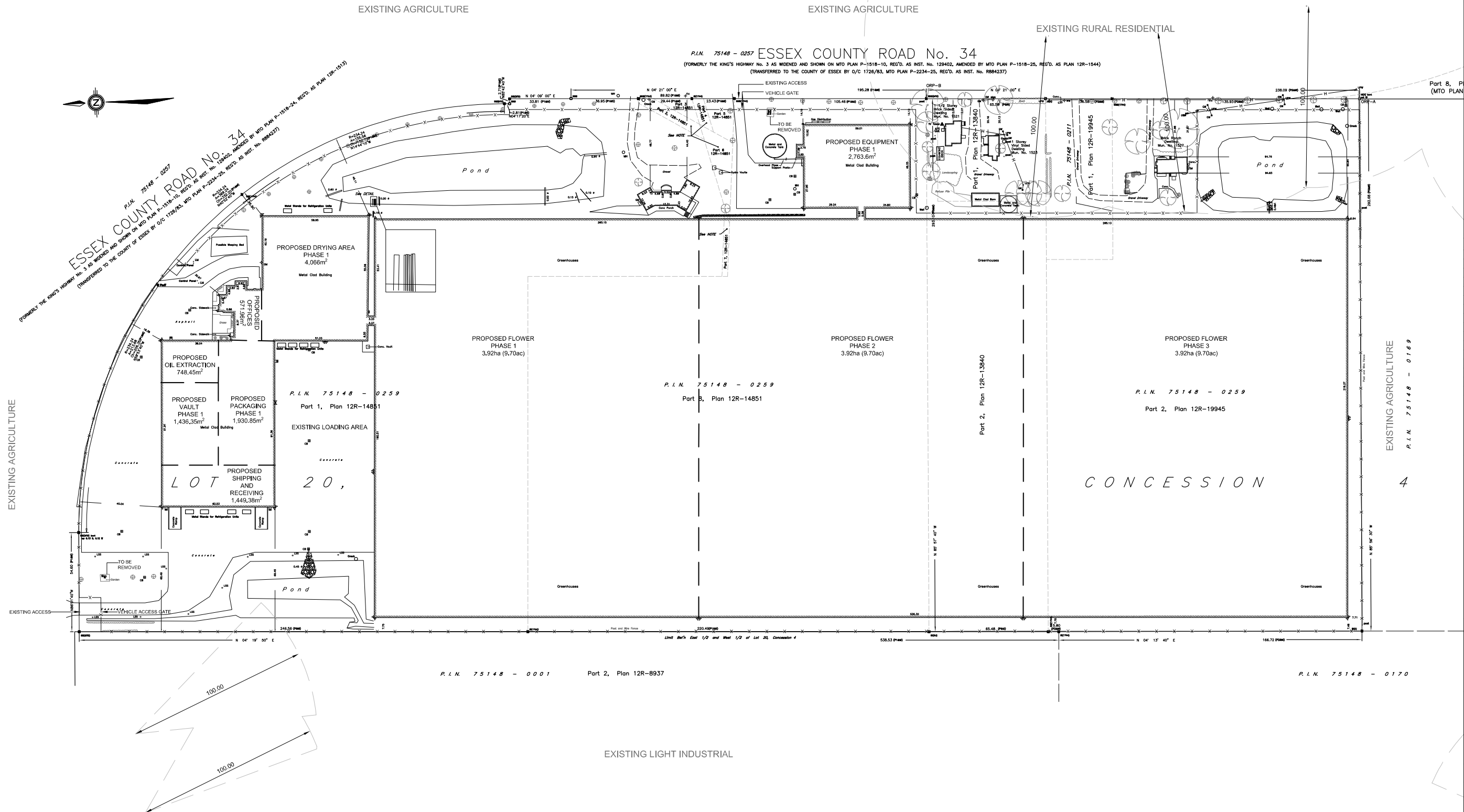
ZONING CHART

EXISTING ZONE: AGRICULTURE (A1) ZONE 1

PROPOSED ZONE: AGRICULTURE (A1) ZONE 1, MODIFIED

ITEM	REGULATION	REQUIRED	PROPOSED	COMPLY (YES/NO)
7.1.a	PERMITTED USE		MMPF	NO
7.c.i	MIN. LOT AREA	2ha	19.4ha	YES
7.c.ii	MIN. LOT FRONTAGE	25m	891m	YES
7.c.iii	MIN. INTERIOR SIDE YARD	3m	7.5m	YES
7.c.iv	MIN. FRONT YARD SETBACK	15m	15.9m	YES
7.c.v	MIN. EXTERIOR SIDE YARD	4.5m	12.1m	YES
7.c.vi	MIN. REAR YARD	15m	6.5m	NO
7.c.vii	MAX. LOT COVERAGE	80%	68%	YES
7.c.viii	MAX. BUILDING HEIGHT	15m	15m	YES
7.c.ix	MAX. ACCESSORY STRUCTURE HEIGHT	15m	15m	YES

Appendix D



LEGAL DESCRIPTION



LEGEND

- △ SECURITY CAMERA
- X— PROPOSED SECURITY FENCE
- 100m BUFFER

REVISIONS

REV.	DESCRIPTION	DATE	INIT.
A	ZBA SUBMISSION	15-MAY-2019	KG
DISCLAIMER			
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.			
ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.			
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.			



310 LINERIDGE ROAD WEST, SUITE 6 P 905-574-1993
HAMILTON ONTARIO, L9C 2V2 F 905-527-9559

PROJECT TITLE

CANNACURE GREENHOUSES

1501, 1521, 1523, 1527
TOWN OF KINGSVILLE, ONTARIO

DRAWING TITLE

ZONING SITE PLAN

DRAWN BY	DESIGNED BY
PRINT DATE	PROJECT NUMBER
29-MAY-2018	11601
REVISION	DRAWING NUMBER
A	Z1-1
SCALE	
1:1000	



regs@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

June 27, 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-16-18 1501 COUNTY RD 34
ARN 371139000004400; PIN: 751480259
Applicant: MOS Enterprises Ltd.

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-16-18. The intent of the application is to provide relief from specific sections of the by-law 4.46 as it relates to medical marihuana production facilities.

ERCA has no objection to this zoning by-law amendment.

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

Sincerely,

Michael Nelson
Watershed Planner
/mn



Legend

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

Notes
Impact Area

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.

0 109.99 220.0 Meters

1: 6,598

9/27/2018

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 95-2018

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:

7.1.71 'AGRICULTURE ZONE 1 EXCEPTION 71 (A1-71)'

- a) For lands shown as A1-71 on Map 44 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 A1-71 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 A1-71;
- 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 A1-71.

All other items listed under Section 4.46 remain applicable to lands zoned A1-71.

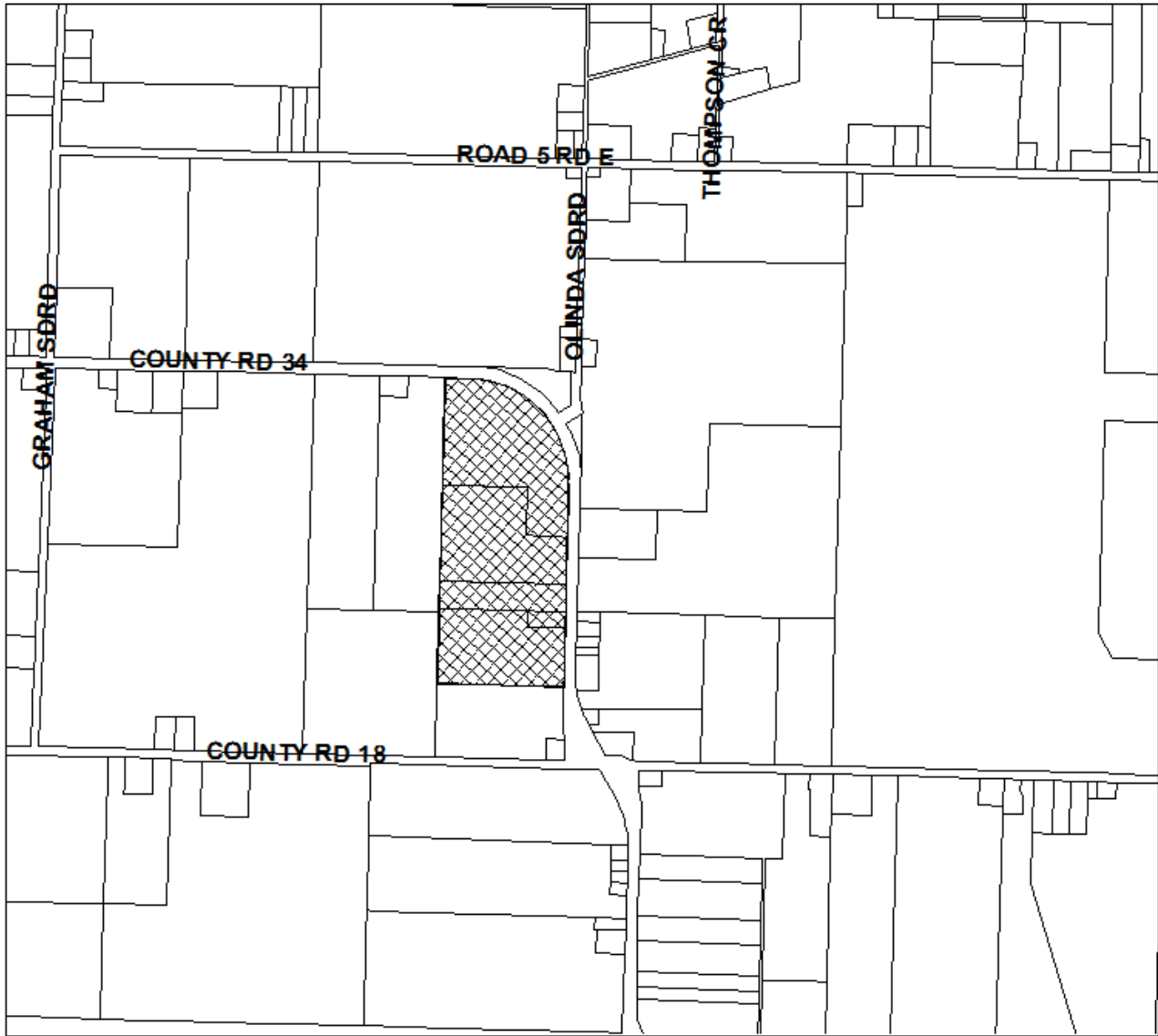
2. Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 20, Concession 4 ED, Parts 1 to 8, RP 12R 14851 & Parts 1 & 2 RP 12R 13840 & Parts 1 & 2, RP 12R 19945 and locally known as 1501, 1521, 1523 & 1527 County Road 34 as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 71 (A1-71)'.
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 OCTOBER, 2018.

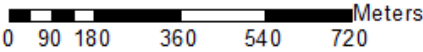
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 20, Concession 4 ED
1501, 1521, 1523 & 1527 County Road 34
Zoning By-law Amendment ZBA/16/18



 Schedule "A", Map 44 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 71 (A1-71)'



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

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/17/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Kaptial Produce Ltd.**

LOCATION OF PROPERTY: **1506, 1508, 1526 & 1640 County Road 34**
Part of Lot 21, Concession 4 ED, Parts 1 & 2, RP 12R
15280, Part 14, RP 12R 1554 & Part 1, RP 12R 22797

PURPOSE OF APPLICATION:

The subject land is a 28.3 ha (70 ac.) farm parcel containing approximately 19.87 ha (49.1 ac.) of greenhouse along with support facilities. The property is subject to an existing site plan approval dating back to 2006 with at least two subsequent amendments since then in 2009 and 2010. 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 a medical marihuana production facility (MMPF) 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) In order to permit the proposed use on the subject property relief in part or in whole will need to be granted from Section c), d), e) g) and i). Recent changes to the requested zoning for MMPFs has led to the addition of odour control provisions as a requirement of the zoning. Please note that this application was originally heard at the August 13, 2018 meeting of Council and deferred to a later date.

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

WHEN: **October 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 September 18, 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 (*dwelling, 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: July 26, 2018

To: Mayor and Council

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

RE: Zoning By-law Amendment Application ZBA/17/18 by
Kapital Produce Ltd. – 1506, 1508 & 1526 County Road 34 & 1636
Road 4 E, Part of Lot 21, Concession 4 ED, Parts 1 & 2, RP 12R 15280,

Report No.: PDS 2018-045

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 is to add a medical marihuana production facility as a permitted use utilizing up to 19.87 ha (49.1 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. As supplementary information to the planning report the applicant has provided additional background in the form of a planning justification report (PJR) which is attached as Appendix B. The prospective operator of the greenhouse is also in the process of acquiring lands on the west side of County Road 34 which would operate in concert with the subject property. Those lands are part of a separate application for similar zoning approval.

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 replacement 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 ongoing experience with ACMPR 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 have also seen interest in or development of medical marihuana facilities.

There are five dwellings which are located within the required 100 m setback. (1518, 1520, 1522 & 1524 County Road 34 and 1632 Road 4 E.). As noted on past approval requests no reductions in the 100 m setback will be considered until such time as any given operation can clearly demonstrate that there will be no impact on an abutting use. Any potential reduction request would require additional approval through a public process.

Mapping has been provided (Appendix C) which shows the impact of the 100 m setback on the existing greenhouse. The applicant has also provided details on the exclusion areas. (Appendix D) There is impact to the greenhouse however the applicant has also included details in the PJR that highlight the fact that not all stages of the plant growing process generate odour making it possible to utilize areas within the exclusion zones for other stages of growth. It is further important to understand that each stage of development in the plants is done in segregation of the other. Growing facilities for medical cannabis are subdivided internally to accommodate the various stages of growth. The traditional understanding of greenhouse vegetable production is considerably different from that of how cannabis production occurs.

- 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 off-site dwellings if any 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.

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.

To address this the approach involves two steps. First to determine, as part of the odour control system design, if and what will be used for neutralization and second to require in the zoning provision that no transmission of odour control agents be permitted 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. The subject lands do currently have an approved site plan and associated site plan agreement in place starting in 2006 with subsequent amendments in 2009 and 2010. As noted above the applicant does have a prospective purchaser for the property and will be proceeding with licensing, if

approved. Once the formal licensing process is started the applicant should initiate the site plan amendment process. At that time issues such as fencing, lighting, buffering, landscaping and location of ventilation equipment will be incorporated as part of the amending agreement along with consultation with surrounding land owners.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

There are no financial considerations at this stage of the approval process.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries are to receive the Notice of Open House/ Public Meeting by mail. With the increased interest in these types of applications, the circulation was increase to 200 m. Information of the proposed amendment was also posted to the Town website.

At the time of writing, a number of public comments both written and verbal have been received primarily about this application but also the associated MOS Enterprises request. Odour, fencing and lighting continue to be the main concerns. As noted with past applications, odour will be a zoning requirement while light and fencing will be included as part of the subsequent site plan amendment that will be required.

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	<ul style="list-style-type: none"> • Comment is attached as Appendix E • No objections
County of Essex	<ul style="list-style-type: none"> • The site has existing accesses to the County Roads. Any modifications, changes or requests for new access will require County approval and permits
Town of Kingsville Management Team	<ul style="list-style-type: none"> • 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/17/18 to:

permit a medical marihuana production facility on property located at 1506, 1508 & 1526 County Road 34 & 1632 Road 4 E;

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

add odour provisions as outlined in the attached amendment, and

adopt the implementing by-law.

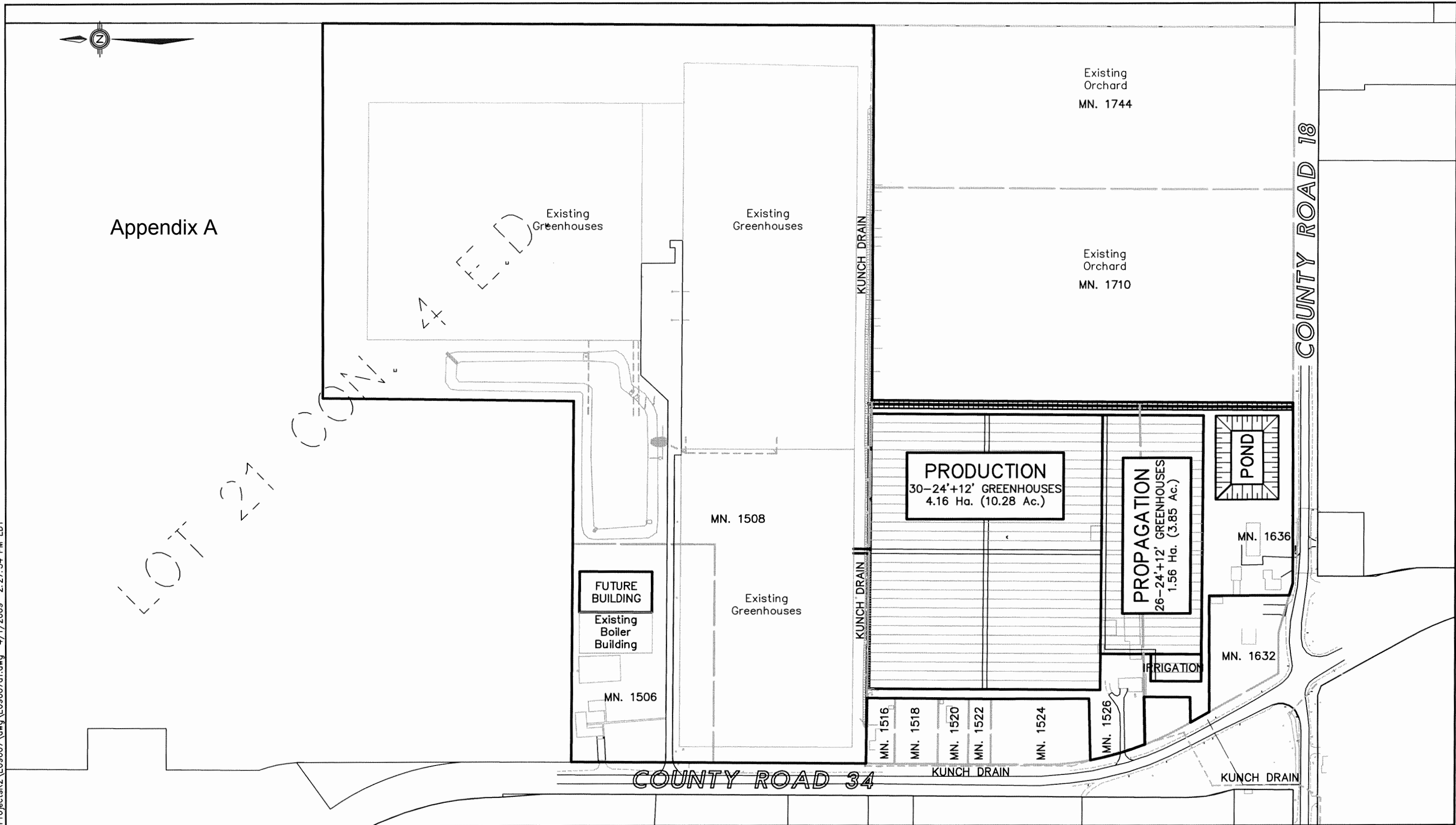
Robert Brown

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

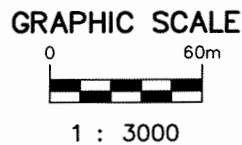
Peggy Van Mierlo-West

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

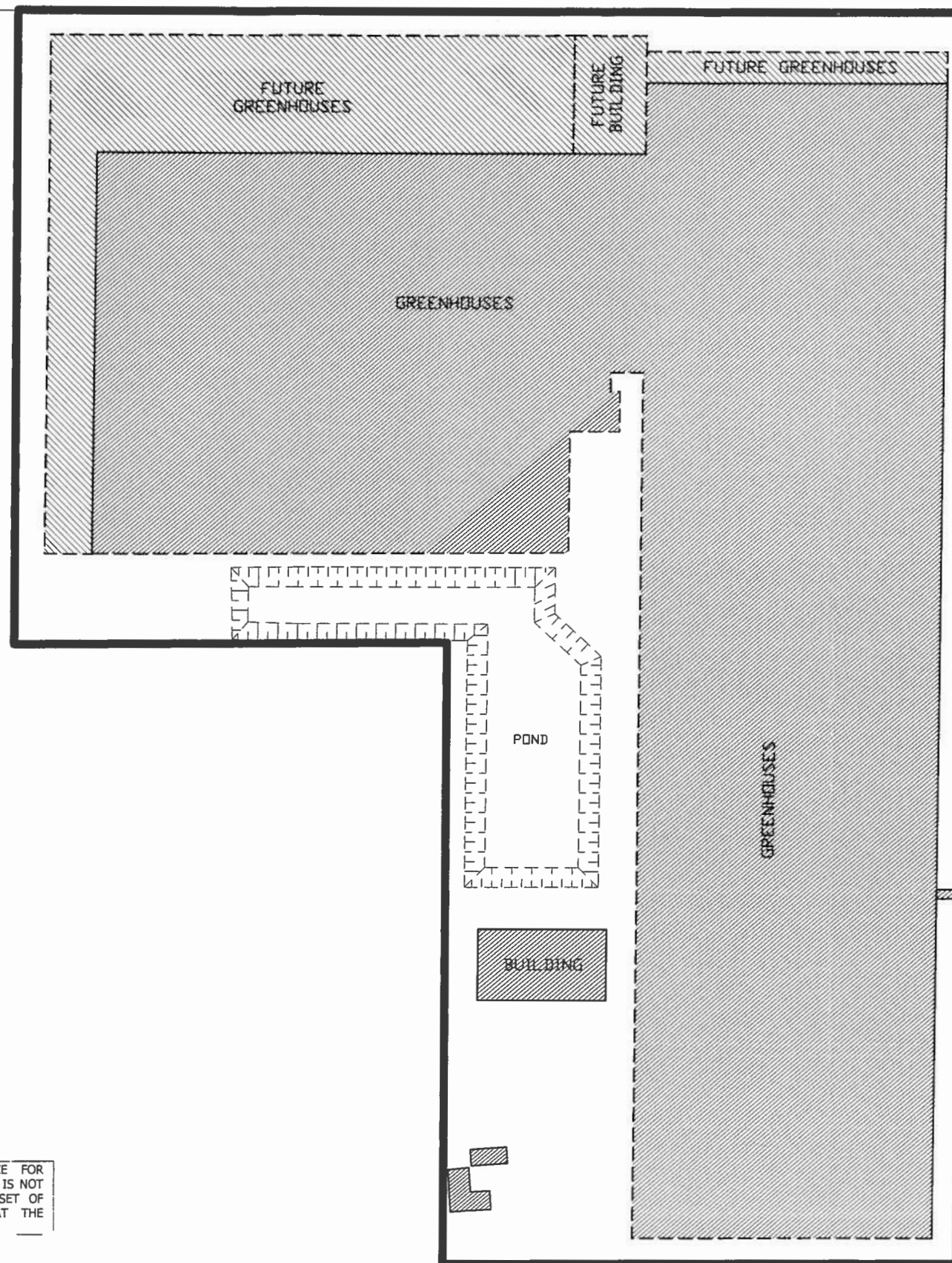
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Appendix A



SITE DETAILS		<div>KAPITAL PRODUCE GREENHOUSE EXPANSION FOR OLLIE MASTORNARDI - 1508 COUNTY ROAD 34 IN THE TOWN OF KINGSVILLE IN THE COUNTY OF ESSEX • ONTARIO</div>	<div>N. J. Peralta Engineering Ltd.</div> <div>45 DIVISION STREET NORTH KINGSVILLE, ONTARIO N9Y 1E1</div> <div>DATE: APRIL 1st, 2009</div>		
TOTAL PROPERTY AREA = 28.182 Ha.			<div>FILE No.: E09-007</div>	<div>DRAWN BY: H.C.M. PLOT CODE: 1:1 FILE: E09-007D1.DWG</div>	SITE PLAN
EXISTING BUILDING AREA = 12.526 Ha.					
PROPOSED BUILDING AREA = 6.00 Ha.					
COVERAGE = 65.8%					



LEGEND		
EXISTING GREENHOUSES/BUILDINGS	44.52 ACRES	64.02%
FUTURE GREENHOUSES/BUILDING	5.24 ACRES	7.54%
OPEN SPACE	19.78 ACRES	28.44%
TOTAL AREA	69.54 ACRES	100.00%

Appendix A-2

COUNTY ROAD NO. 18

EXISTING BUILDING
(TYPICAL)

THIS PLAN HAS BEEN REDUCED IN SIZE FOR
PRESENTATION PURPOSES AND THEREFORE IT IS NOT
TO THE SCALE INDICATED. A FULL SIZE SET OF
DRAWINGS IS AVAILABLE FOR REVIEW AT THE
MUNICIPAL OFFICE.

(COUNTY ROAD NO. 34)



date: FEBRUARY 05, 2010

Bruce D. Crozier
BRUCE D. CROZIER, P.Eng.

DATE	REVISIONS



BRUCE D. CROZIER
ENGINEERING INC.
CONSULTING ENGINEER
89 QUEEN'S AVENUE, SUITE #1,
LEAMINGTON, ONTARIO
N8H 3H1

project title: KAPITAL PRODUCE
TOWN OF KINGSVILLE
sheet title: SITE PLAN

date: FEB 05/10
scale: 1" = 100'
drawn by: A.P.
checked by: A.P.
project no: BC-09-065
sheet no: 1

Appendix B



Planning Justification Report

1501,1521,1523,1527 & 1506,1508,1526,1640 County Road 34
Town of Kingsville, County of Essex, Ontario

May 2018

Prepared For:
Cannacure Corporation
333 Jarvis Street
Fort Erie, ON L2A 2S9

Prepared By:
T. Johns Consulting Group Ltd.
310 Limeridge Road West, Suite 6
Hamilton, ON L9C 2V2

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2.0	Proposed Development	2
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List of Appendices

- Appendix A - Zoning Sketches**
- Appendix B - Draft Amending Zoning By-law**
- Appendix C - Draft Amending Zoning By-law**
- Appendix D - Cannabis Growth Cycle Diagram**

1.0 Introduction

T. Johns Consulting Group Ltd. has been retained by the prospective purchasers, Cannucure Corporation, to provide a Planning Justification Report in support of the Zoning By-law amendment application to rezone the lands municipally known as 1506, 1508, 1526, 1640 and 1501, 1521, 1523, 1527 County Road 34, Town of Kingsville in the County of Essex to permit a Medical Marihuana Production Facility. This report includes an overview of the subject lands in context with surrounding lands uses, a detailed description of the proposed use, and a detailed review of the pertinent planning framework in support of the proposed amendments.

1.1 Property Description

The subject lands are made up of multiple parcels located on both the east and west side of County Road 34, north of County Road 18 (Road 4 East). The subject lands on the east side of the County Road 34 are legally described Part of Lot 21, Concession 4, Eastern Division Gosfield Designated As Part 1 on Plan 12R15280; Part 2 Plan 12R15280; As R1372997; Part 14 on Plan 12R1554; Part 1 on Plan 12R22797, Town of Kingsville, and County of Essex, Ontario; and municipally known as 1506, 1508, 1526, 1640 County Road 34.

The subject lands on the west side of County Road 34 legally described as Part of Lot 20 Concession 4 Eastern Division Gosfield Designated As Parts 1 to 8 on Plan 12R14851, Parts 1 & 2 on Plan 12R13840 & Parts 1 & 2 on Plan 12R19945, Town of Kingsville, and County of Essex, Ontario; and municipally known as 1501, 1521, 1523, 1527 County Road 34 (**See Figure 1 - Location Plan**).

1506, 1508, 1526, 1640 County Road 34, make up an irregular shaped parcel with an approximate total land area of 28.25 hectares (69.81 acres) with an approximate total frontage of 332.17 metres along County Road 34. 1640 County Road 34 has approximately 156.85 metres of frontage along County Road 18. The subject lands contain three (3) greenhouse buildings with an approximate total growing area of 19.6 hectares (48.4ac) and three (3) one-storey single detached dwellings, one being on the north side of the subject lands with a side yard along County Road 34, another more south on the property fronting County Road 34 and the other being on the far south side of the subject lands with frontage along County Road 18 (**See Figure 2 - Aerial Map**).

1501, 1521, 1523, 1527 County Road 34 are rectangular shape with a curved northerly lot line, following the bend of County Road 34. The subject lands have an approximate area of 19.40 hectares (47.9 acres) with approximately 891 metres of frontage along County Road 34. The subject lands contain multiple existing buildings typical of an agricultural operation. From the most northerly end of the site access will be maintained, one (1) cooler/distribution building and one (1) office building with a packing area. A greenhouse with a total growing area of 11.70 ha. The site also contains four (4) single detached dwellings along County Road 34 and three (3) stormwater management ponds (**See Figure 2 - Aerial Map**).

1.2 Surrounding Land Uses

The lands are located within the Rural area of the Town of Kingsville. The immediate surrounding uses are made up of agricultural, medium industrial, recreational and rural residential uses.

2.0 Proposed Development

The intent is to rezone the subject lands to permit the use of a medical marihuana production facility (“MMPF”). The proposed agricultural operation will utilize the existing buildings on site. The marihuana will be grown and processed in the existing greenhouses with ancillary uses such as drying, oil extraction, distribution and office uses in the buildings as described. The existing single-detached dwellings will be kept and used for housing of the farm employees.

The proposed operation will follow the policies and standards pursuant to the *Access to Cannabis for Medical Purposes Regulations* imposed by Health Canada licensing including security and odour mitigation. All existing accesses from County Road 34 will be maintained (**See Appendix A - Zoning Sketches**).

2.1 Planning Applications

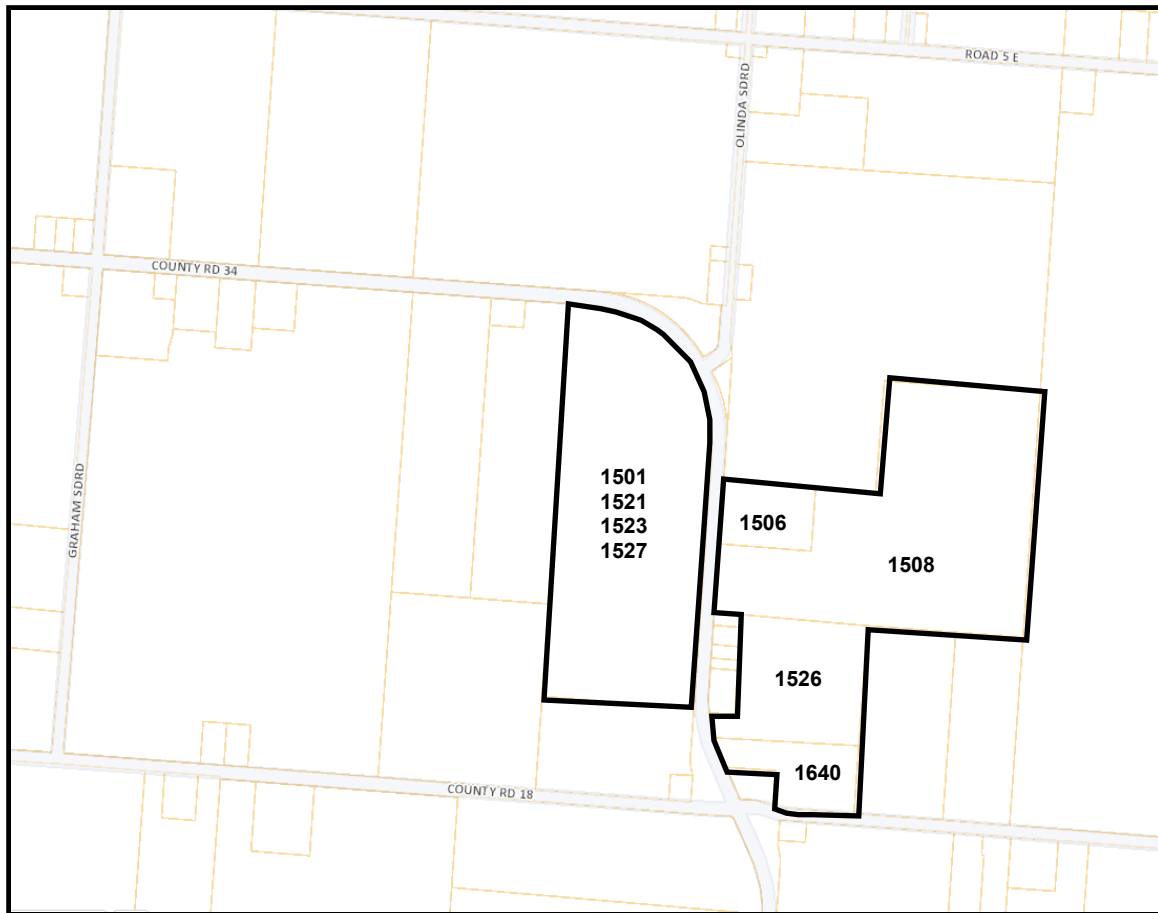
A meeting was held with Town and County Staff on March 26th, 2018 to discuss the proposal. The meeting confirmed that approval of a Zoning By-law Amendment (“ZBA”) is required to amend the zoning on the subject lands to facilitate the proposed Medical Marihuana Production Facility. A Planning Justification Report and an Odour Mitigation Strategy are required to be completed and submitted in support of the application.

The requested ZBA will rezone the subject lands from Agricultural (A1) Zone to a site specific Agricultural (A1) Zone (**See Appendix B & C - Draft Amending Zoning By-law**).

2.2 Odour Mitigation Strategy

Cannacure Corporation will use best practice efforts to mitigate odour by using odour cannons and exhaust filtration filters to help reduce odour and mask scent. A specific odour mitigation strategy will be finalized and employed during the federal licensing process.

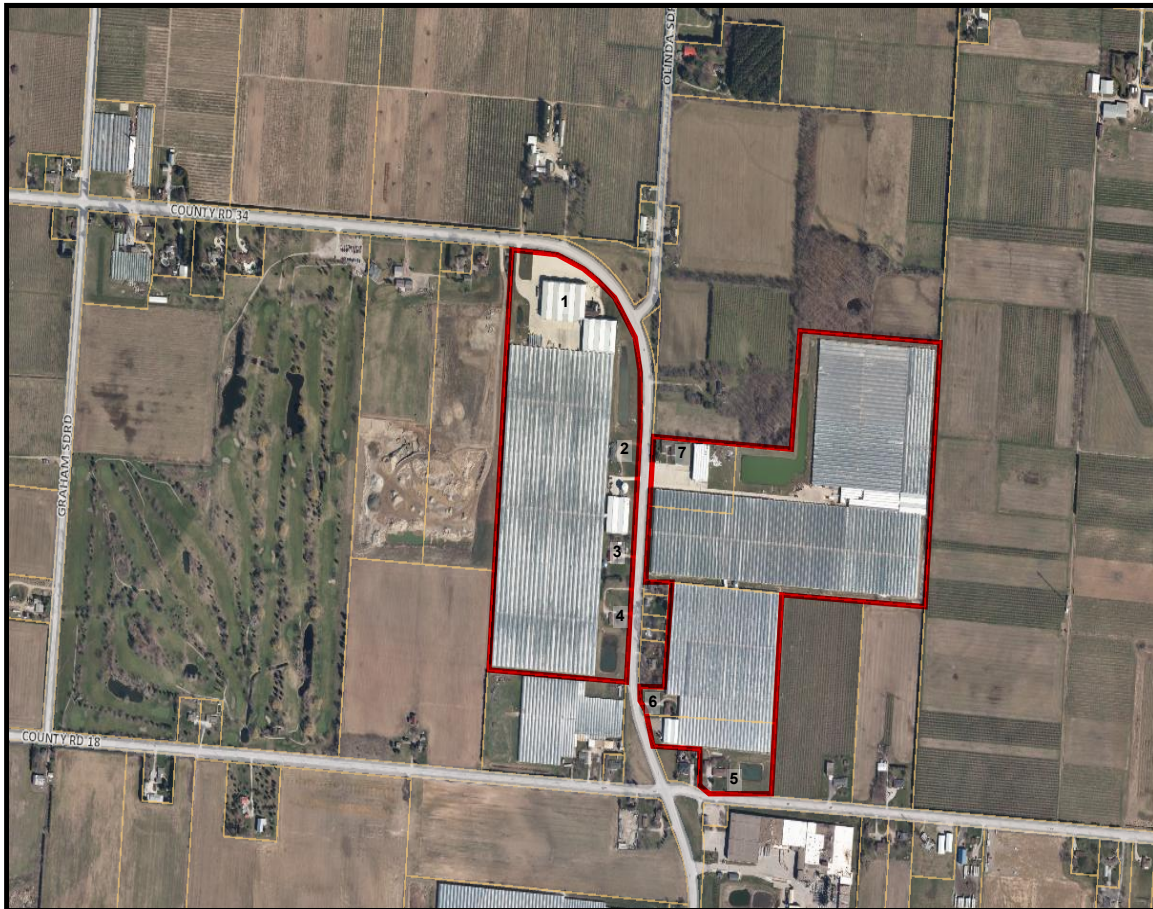
Figure 1
Location Plan



SUBJECT LANDS

1501, 1521, 1523, 1527 & 1506, 1508, 1526, 1640 County Road 34,
Township of Kingsville, County of Essex

Figure 2
Aerial Plan



SUBJECT LANDS

1501, 1521, 1523, 1527 & 1506, 1508, 1526, 1640 County Road 34,
 Township of Kingsville, County of Essex

LEGEND

- 1** Distribution Centre and Office
- 2** Single Detached Dwelling
- 3** Two Single Detached Dwellings & Accessory Structure
- 4-7** Single Detached Dwelling

3.0 Planning Framework

This section reviews the planning documents applicable to the subject property, which include the Provincial Policy Statement, Essex County Official Plan, Town of Kingsville Official Plan and the Town of Kingsville Comprehensive Zoning By-law 1-2014, as amended.

3.1 Provincial Policy Statement, 2014

The Provincial Policy Statement (“PPS”) came into effect on April 30, 2014 as a policy-led regulating document that provides direction on provincial interest related to managing land use planning and development. The subject lands are within the rural area of the Township of Kingsville in the County of Essex.

The following applicable policies have been noted and reviewed:

1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a. building upon rural character, and leveraging rural amenities and assets;*
- b. promoting regeneration, including the redevelopment of brownfield sites;*
- c. accommodating an appropriate range and mix of housing in rural settlement areas;*
- d. encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
- e. using rural infrastructure and public service facilities efficiently;*
- f. promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management of resources;*
- g. providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- h. conserving biodiversity and considering the ecological benefits provided by nature; and*
- i. providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.

Planning Comment:

The proposal will maintain the rural character of Kingsville, as the proposed site plan retains the existing residential and greenhouse buildings. The proposal does leverage on the fact the greenhouses exist on the subject lands and therefore maintain important agricultural assets. The proposal will regenerate the subject lands by retrofitting the existing greenhouse buildings to produce a crop that is being introduced as a commodity in the future growth of the Province. The existing distribution building with loading docks and the office building will be retained for the operation of the proposed use. The existing single-detached houses will be conserved to house farm help on-site. The proposed agricultural use, medical marihuana, will promote diversification of the agricultural economy and provide employment opportunities. Medical Marihuana requires specialized professionals and farm help to maintain the production facilities' daily operations. As the operation will occur within the existing greenhouses, the surrounding natural environment will be conserved. The subject lands are existing with on-site private water services and storm water ponds that have the capacity to withstand the needs of the operations, thereby mitigating unintended consequences such as water-infiltration into the surrounding natural environment. The proposed agricultural use is appropriate for the rural lands and will provide a commodity that is in demand due to new Federal and Provincial legislation.

2.3 Agriculture

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

2.3.3 Permitted Uses

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

- 2.3.3.2 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.
- 2.3.3.3 New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the *minimum distance separation formulae*.

Planning Comment:

The proposal will maintain an agricultural land use. The proposed medical marihuana production facility's daily operations will be contained within the greenhouses. Surrounding agricultural land uses include greenhouses and traditional farming fields. The proposed use will be compatible with the surrounding agricultural operations. The medical marihuana agricultural use will be within existing greenhouses with a total approximate footprint of 31 hectares. The proposed crop will be regulated by federal legislation and licensing. The proposed use is known for incompatibilities related to odour. The odour will be mitigated via setbacks as determined by the Zoning By-law and mitigation technologies.

The proposal will repurpose existing greenhouses to maintain an agricultural use, being a medical marihuana production facility, that will maintain the rural landscape of the Township of Kingsville. The proposed use will not have negative impacts on the surrounding natural environment or existing agricultural operations. The operation will be supported by existing on-site private infrastructure and provide residential accommodations for farm help. The proposed crop is in response with the changing Federal and Provincial markets and legislation. The proposed crop will contribute to agricultural diversity within the Town and the County.

The proposal is **consistent** with the PPS, 2014.

3.2 County of Essex Official Plan

The County of Essex Official Plan came into force and effect in April 2014 with the general purpose of providing goals and policies to represent the overall public interest for all seven local municipalities within the County of Essex.

Schedule A1-Land Use Plan of the County of Essex Official Plan designates the subject lands **Agricultural** within the Town of Kingsville boundary (See Figure 3 - COP Land Use Plan).

3.3 Agricultural Policies	
Policy	Planning Comment
3.3.3.1	The proposal is for an agricultural use, being a medical marihuana production facility. The proposal will maintain all greenhouses, ancillary buildings (i.e. distribution and

	offices) and the seven (7) existing single detached houses for on-site farm help accommodation. The uses are typically permitted for an agricultural use.
3.3.3.2	The proposed agricultural use does not include secondary uses, therefore this policy shall not apply.
3.3.3.3	Agriculture-Related Uses on the site will include storage and processing facilities for on-farm crops. The existing distribution building and office building will be utilized for logistic operations of the farm. Existing residential dwellings will be used for housing farm help on-site. As such, the farm-related uses are a continuation of typical farming operations and will utilize existing buildings. Therefore, the proposal conforms to this policy.
3.3.3.4	The proposal does not intend to create lots, therefore this policy shall not apply.
3.3.3.5	The proposal will require the employment of full time farm help. The dwellings that will house the farm help are existing and are located along the boundaries of the subject lands, therefore they do not have a negative impact on the farm's viability. The farm help living on site will be aware of the impacts typically associated with medical marihuana production and harvesting.
3.3.3.6	The extraction of mineral resources are not proposed, therefore this policy shall not apply.
3.3.4	<ul style="list-style-type: none"> a) The proposed agricultural use is not for livestock. Therefore, the MDS does not apply. However, due to the nature of the proposed crop, mitigation measures including an appropriate setback from abutting residential uses will be implemented via Zoning By-law standards. b) The subject lands are not within an identified prime agricultural area. c) A land use redesignation to a non-agricultural designation is not proposed. d) The subject lands are not identified as having significant environmental features, therefore policies of the Natural Environment section shall not apply. e) The proposed agricultural crop will be grown with normal farm practices, typical of other flowering crops.

The proposal will maintain the agricultural land use of the subject lands and therefore is in keeping with the agricultural land use policies of the County of Essex Official Plan. The existing structures, including greenhouses, ancillary buildings and the single-detached houses will be maintained and utilized. The proposed agricultural crop and associated operations are not expected to have negative impacts to the surrounding area.

The proposed land use **conforms** to the County of Essex Official Plan.

3.3 Town of Kingsville Official Plan

The Town of Kingsville Official Plan ("OP") was approved by County Council on February 1, 2012. The intent of the OP is to provide goals, objectives and policies to manage land use and growth within the township.

Schedule "A" - Land Use Plan of the OP designates the subject lands **Agricultural** (See Figure 4 - Town of Kingsville Land Use Map).

The following reviews the proposal in context with the applicable policies of the Agriculture designation.

3.1 Agriculture Land Use Policies	
Policy	Planning Comment
3.1	<ul style="list-style-type: none"> a) The proposal is for agriculture and associated land uses including the growing and cultivation of medical marihuana crops. Therefore, the proposal is a permitted use. b) The proposal will maintain and utilize the existing greenhouse structures on site to perform all agricultural related uses including packing and shipping facilities. On-site housing for farm help will take place within the existing single detached dwellings. c) A mushroom farm is not proposed. d) Livestock uses are not proposed. e) Retail-related uses for the trade of goods produced on-site are not proposed. f) Residential uses to house farm help are proposed to occur on the subject lands within the existing dwellings. Due to the make-up of the subject lands, each dwelling is on a separate parcel of land. Therefore, the existing site maintains the policy that permits one residence per lot. g) Secondary small scale farm occupations are not proposed. h) Small scale commercial and dry industrial uses are not proposed. i) Mineral resource exploration and extraction are not proposed. j) Extractive industrial uses are not proposed. k) Part of the subject lands are depicted for Mineral Aggregate Resources, however, the proposal is not for mineral resource uses. l) Lot creation is not proposed. m) Expansion of the built up area is not proposed. n) The subject lands are existing agricultural lands with existing greenhouse structures. The existing agricultural operation is serviced by private sanitary and water services and the proposed agricultural operation intends to utilize the existing private services. o) A restaurant is not proposed. p) The subject lands are not remnants from the Highway No. 3 By-pass construction project.
3.1.1	The proposal is not for the described uses that are applicable to the MDS policy, therefore the MDS policies shall not apply.

The proposed use, a medical marihuana production facility, will utilize the existing greenhouse and ancillary use buildings for the cultivation, processing, storage and distribution of the proposed crop. The existing dwellings on the subject lands will be used to house farm help. The proposal does not intend to create lots, have livestock, or extract mineral resources. The proposal's operations will be contained to the boundaries of the subject lands, with appropriate distance and odour mitigation measures to ensure compatibility to the surrounding land uses.

The proposal **conforms** for the Town of Kingsville Official Plan.

Figure 3
 County of Essex Official Plan Land Use Map

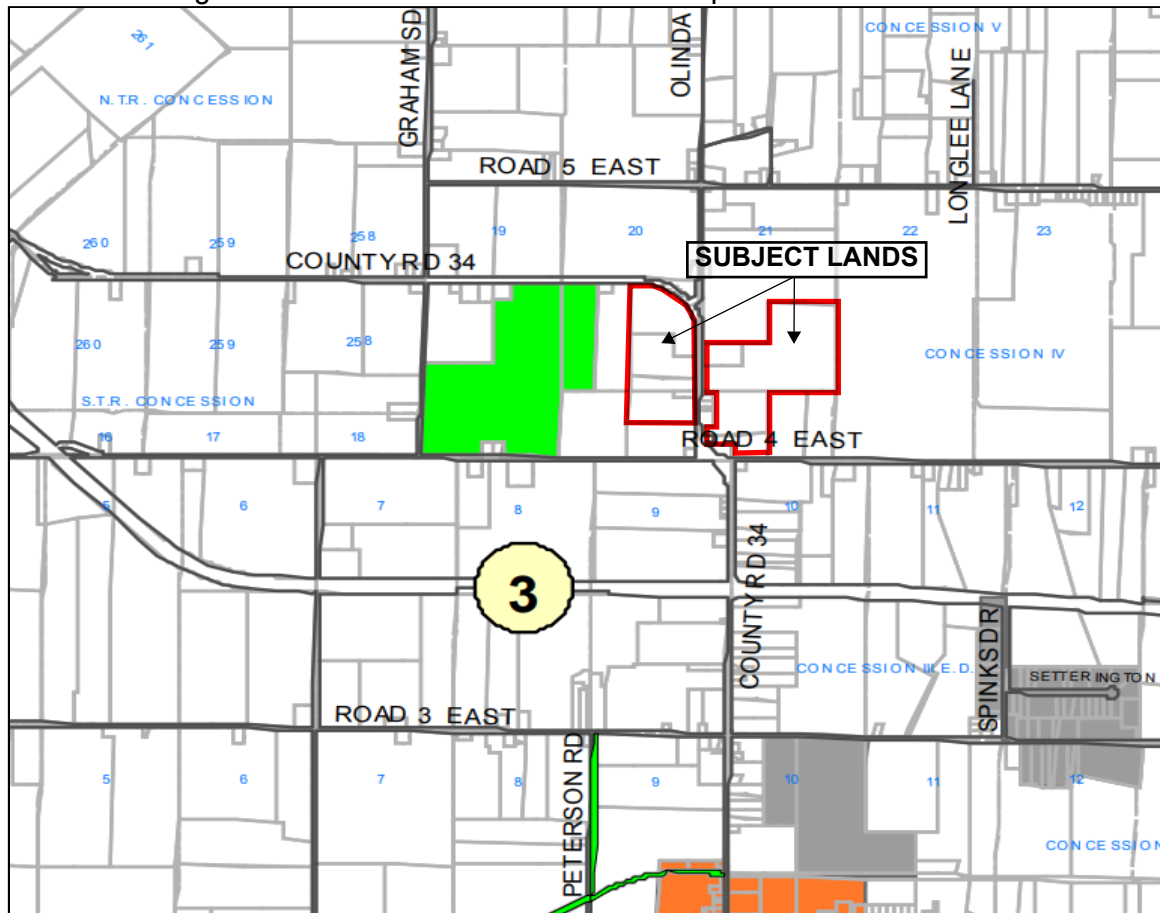


County of Essex Official Plan
 Excerpt from Schedule A1
 Land Use Plan

LEGEND









— Local Roads	□ Lot Fabric
— County Roads	■ Settlement Areas
— Provincial Highway	□ Agricultural
+—+ Railway	■ Natural Environment
— Essex County Municipalities	

Figure 4
 Town of Kingsville Official Plan Land Use Map



Town of Kingsville Official Plan
 Excerpt from Schedule "A"
 Land Use Plan

LEGEND

	Agricultural		Special Residential
	Rural Residential		Hamlet
	Lakeshore Residential East		Industrial
	Lakeshore Residential West		Parks and Open Space

3.4 Town of Kingsville Comprehensive Zoning By-law 1-2014

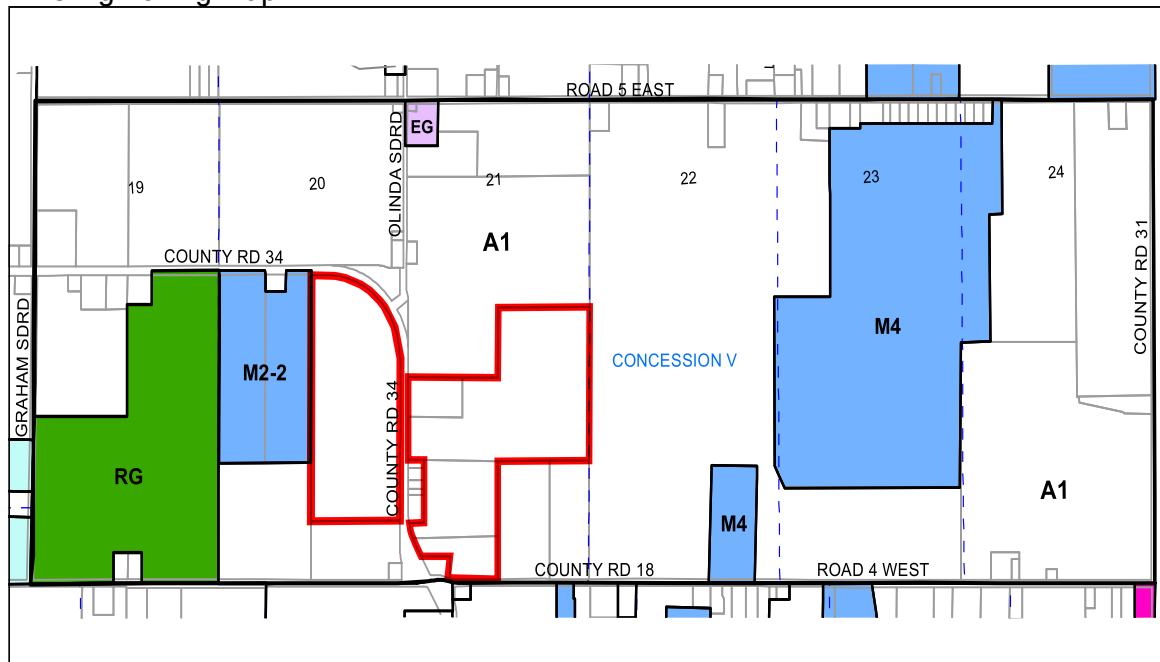
The Town of Kingsville Comprehensive Zoning By-law 1-2014, as amended (“ZBL 1-2014”) is in effect and zones the subject lands **Agricultural (A1) Zone 1 (See Figure 5 - Existing Zoning Map)**.

The A1 Zone permits uses and structures typical of agricultural land uses including agriculture, research, operations, produce storage, processing facility and/or shipping, fruit/vegetable processing facility, greenhouses, etc.

To facilitate the proposed use, to grow medical marihuana within the existing greenhouses, a Zoning By-law Amendment (“ZBA”) is required to modify the existing A1 Zone. The amendment will also address the provisions of Section 4.46. A draft site specific By-law has been prepared for each of the subject lands and can be found as Appendix B and C.

A change of zone from the A1 Zone to a site specific A1 Zone will maintain the agricultural land use goals determined by the County of Essex and the Town of Kingsville in terms of maintaining agricultural lands within the rural area for agricultural purposes.

Figure 5
Existing Zoning Map



Town of Kingsville Comprehensive Zoning By-law 1-2014
Excerpt from Schedule "A" - Map 44

LEGEND

- A1 Agriculture
- M2 General Industrial
- M4 Extractive Industrial
- EG Education
- RG Recreational
- SUBJECT LANDS

Modifications to the A1 Zone include:

1. Permit Medical Marihuana as a permitted use

Per the Zoning By-law, a Zoning By-law Amendment is required to permit the use of a medical marihuana production facility. As the subject lands are existing with greenhouses, the proposed use will be cultivated in a secure and controlled environment. Impacts such as odour will be mitigated with appropriate setbacks and technology. The proposed use is an agricultural production and will require certified agricultural specialists and farm help to manage the facility. Thus, the proposed use will support and maintain agricultural-related jobs in Kingsville.

2. Permit residential uses accessory to or supportive of on-site agricultural uses

Policy 4.4.6 c) states that residential uses shall be prohibited on lots having a medical marihuana production facility. It is requested that this policy shall not apply. The subject lands on the east side of County Road 34 have three (3) existing single-detached dwellings. The subject lands on the west side of County Road 34 have four (4) existing single-detached dwellings. The agricultural production for medical marihuana will rely on farm help for daily operations. It is proposed that farm help will reside in the on-site residences. It is typical in the agricultural industry that farm help is provided accommodations on-site, as such, it is reasonable to permit the existing residential uses on the property and any residents of these dwellings will be aware of possible odours related to the production of medical marihuana. The proposed medical marihuana crop is known to have impacts such as odour, however, the proposed medical marihuana production facility will employ mitigative measures that will contain or mask odours. The farm help that is planned to be accommodated within the existing dwellings will be aware of the facilities implications.

3. Policy 4.46 d) shall not apply

It is important to note that Policy 4.4.6 d) states that a medical marihuana production facility shall be prohibited from being a secondary/accessory use. It is requested that it is recognized that a use of an agricultural nature is not considered secondary or accessory use as is part of a diversified agricultural production. As such, it is requested that this policy shall not apply.

In order for the proposed MMPF to be implemented, sections of the greenhouses will be converted in a phased approach. As such, the phasing of implementation will allow for vegetables to continue to be grown while sections of the greenhouse are converted for medical marihuana production. This will ensure the financial viability of the farm during the transition of crops and allow for the on-going production of vegetables during the phase in process which is good for agricultural production. At the beginning of the transition, the majority of crops may be vegetables, however, the MMPF will be the primary use. The intent is to eventually have an agricultural operation that is 100% for medical marihuana production. However, since the landowner may continue to utilize

sections of the greenhouses in the interim for existing vegetable production, it is important to recognize this point.

4. Permit Other Uses to Co-exist with Medical Marihuana

Policy 4.4.6 i) requires that the use of a medical marihuana production facility on a lot not co-exist with any other use on the lot. It is requested that this item shall not apply. This item restricts residential uses that support the proposed production facility. Further, phased implementation would not be viable as the greenhouses would be limited to one crop type at a time (i.e. vegetable or medical marihuana). The item is not aligned with the PPS, 2014 which states that agricultural uses, agriculture-related uses and on-farm diversified uses are permitted uses and shall be supported to expand to be viable and adaptable with change.

4. 4.4.6 g) shall not apply

Policy 4.4.6 g) requires a minimum distance separation of 100 metres between a MMPF and any structure currently used for residential or institutional uses. It is understood that the 100 metre separation was implemented by rounding up the 70 metre setback established by MOECC for light industrial uses to mitigate MMPF impacts such as odour generation. It is requested to permit the beginning stages (i.e. germination, propagation) of the marihuana growth cycle within 25 metres of an off-site residential use for subject lands locally known as 1506,1508,1526,1640 County Road 34. The greenhouses on the subject lands locally known as 1501, 1521, 1523, 1527 County Road 34 are not within 100 metres of off-site residential uses and as such the zoning amendment for this property does not request relief from this provision and there will be no restrictions of location of operations within the greenhouse. The policy shall be further amended to ensure the minimum distance separation will not apply to on-site residential uses for both subject lands.

There are four (4) stages of marihuana plant growth; germination, propagation, vegetation and flowering. The public perception is that the entire growing and production process of marihuana has offensive odours. However, the first two stages of the growing process are not scientifically known to produce odours. As typical with most flowering plants, odours are present when the plant is reaching its most mature state, the flowering stage or when the plants produce “buds” (**Refer to Appendix D - Cannabis Growth Cycle Diagram**).

As such, the sections of the greenhouses within a 25 metre proximity of residential uses will be used for the germination and propagation of the medical marihuana plant. During the vegetation and flowering stages, the plants will be moved to other sections of the existing greenhouses, outside of the required 100 metre setback from off-site residential uses. This will be ensured by implementing a standardized growing methodology that the employees will follow as standard practice. Further, best practices for odour mitigation will be employed throughout the growing facilities of odour cannons and exhaust filtration filters to help reduce odour and mask scent.

It is important to note that the existing dwellings on site that will be used to house farm employees will be within 100 metres of the entire growing process. However, they will be aware and accept the potential negative impacts, such as odour. It is a common farming practice to house farm employees within a required MDS setback.

5. Minimum Interior Side Yard

The required minimum interior side yard setback is 3 metres whereas the requested minimum interior side yard is 2.90 metres. The 0.1 metre relief is to accommodate the northerly side yard of an existing single detached dwelling, on the parcel locally known as 1506 County Road 34.

6. Minimum Front Yard Setback

The required minimum front yard setback is 15 metres whereas the requested minimum front yard setback is 12.0 metres. The relief is to accommodate the existing greenhouse on the subject lands on the east side of County Road 34. The existing front yard provides space for functional storm water mitigation (i.e. swales). The front yard does not have a negative impact on the adjacent rural residential uses or the rural character of the landscape.

7. Minimum Rear Yard Setback

The required minimum rear yard setback is 15 metres whereas the requested minimum rear yard setback is 6.5 metres. The relief is to accommodate the rear yard of the existing greenhouse on the subject lands on the west side of County Road 34. The rear property line is buffered with vegetation and the adjacent property is occupied with a compatible land use being a greenhouse. The existing rear yard will continue to provide a safe distance between parcels and maintain space for maintenance purposes while ensuring compatibility.

4.0 Planning Analysis

The proposal is consistent with the goals and policies of the PPS, as it retrofits existing greenhouses supported by existing private services. The proposal will retain agricultural lands for agricultural land uses.

The proposal conforms to the County of Essex Official Plan as it maintains the goals identified within the Agriculture designation within the Rural Area of the County. Permitted uses within the County's Agriculture designation include agricultural crops, greenhouses and residential dwellings. Therefore, the proposal is aligned with the permitted uses. Further, the proposal conforms to the Township of Kingsville Official Plan Agriculture designation. The proposed uses are permitted subject to a zoning by-law amendment. The proposal does not involve lot creation.

The existing agricultural lands will be retained for agricultural production. Therefore, an Official Plan Amendment is not required.

The subject lands are zoned General Agriculture (A1) Zone. In order to accommodate the proposed medical marihuana production facility, a Zoning By-law Amendment is required to rezone the subject lands from A1 Zone to a site-specific A1 Zone to permit the proposed use and to modify applicable criteria. The amendment will permit residential uses on-site in support of the agricultural production, permit secondary uses to facilitate the implementation of the crop change over. The subject lands are surrounded by agricultural and rural residential land uses. The existing site design and placement of greenhouses are within 100 metres of residential uses however the operations inside the greenhouse will be arranged to ensure the odour-producing portions of the growing facilities are a minimum setback of 100 metres. The detailed design stage will ensure all required procedures and standards are implemented to maintain public health and safety.

The Zoning By-law Amendment is appropriate for the lands as the proposed agricultural uses are similar in nature to other crops. It will retain greenhouses for agricultural purposes and will provide long-term and seasonal employment utilizing existing private on-site infrastructure.

In conclusion, the proposal, and Zoning By-law Amendment, is consistent with the PPS, conforms to the County of Essex Official Plan and the Township of Kingsville Official Plan and will comply with the Township of Kingsville Comprehensive Zoning By-law 1-2014 General Agriculture (A1) Zone and the Medical Marihuana Production Facility provisions per Section 4.4.6 upon adoption of the proposed by-law amendment. Overall, the proposal demonstrates good land use planning.

5.0 Implementation

This proposed development is to be implemented through the Zoning By-law Amendment process. The amendment will allow for the proposed agricultural uses. A draft site specific by-law has been prepared for each of the subject lands and can be found as **Appendices B and C**. An amendment to the existing site plan agreement will be required to ensure appropriate odour mitigation and security measures are implemented.

6.0 Conclusions

A Zoning By-law Amendment is required to modify the Agriculture (A1) Zone to permit a medical marihuana production facility with site specific provisions to accommodate the proposed use including permitting on-site residential uses in support of the use, reduce the require minimum distance separation to 25 metres that will specifically apply to the germination and propagation stages of the growth cycle and to permit secondary uses to allow for a feasible transition of crops.

The proposed changes to the Township of Kingsville Comprehensive Zoning By-law 1-2014 are consistent with and conform to the applicable planning policy framework as follows:

- They are consistent with the Provincial Policy Statement in that rural lands be used for agricultural uses;
- The lands are suitable for continued agricultural land use as the proposal will retrofit existing greenhouse structures;
- Will not require any capacity increase or expansion of the existing municipal services and infrastructure;
- Represents good planning, retaining agricultural land uses and associated employment within the municipal boundaries of the Township of Kingsville.

In summary, implementation of the proposal through the site specific by-law is appropriate. The proposed development and associated amendment to the Township of Kingsville Comprehensive Zoning By-law 1-2014 is appropriate, desirable and reflects good land use planning for the subject lands.

Respectfully Submitted,
T. Johns Consulting Group Ltd.



Cheryl Selig, MCIP, RPP
Associate

Appendix A: Zoning Sketches

LEGAL DESCRIPTION



LEGEND

- A SECURITY CAMERA
- X— PROPOSED SECURITY FENCE
- 100m BUFFER

REVISIONS

REV.	DESCRIPTION	DATE	INT.
A	ZBA SUBMISSION	16-MAY-2018	KJS
DISCLAIMER			
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ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.			
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.			



3411 WINDSOR ROAD WEST, SUITE 8
MILFORD ON, ONT. N0 2Y0
P: 905-247-4668
F: 905-247-4669
E: info@tjohnsconsulting.com

CANNACURE GREENHOUSES

1501, 1521, 1523, 1527
TOWN OF KINGSTVILLE ONTARIO

DRAWING TITLE

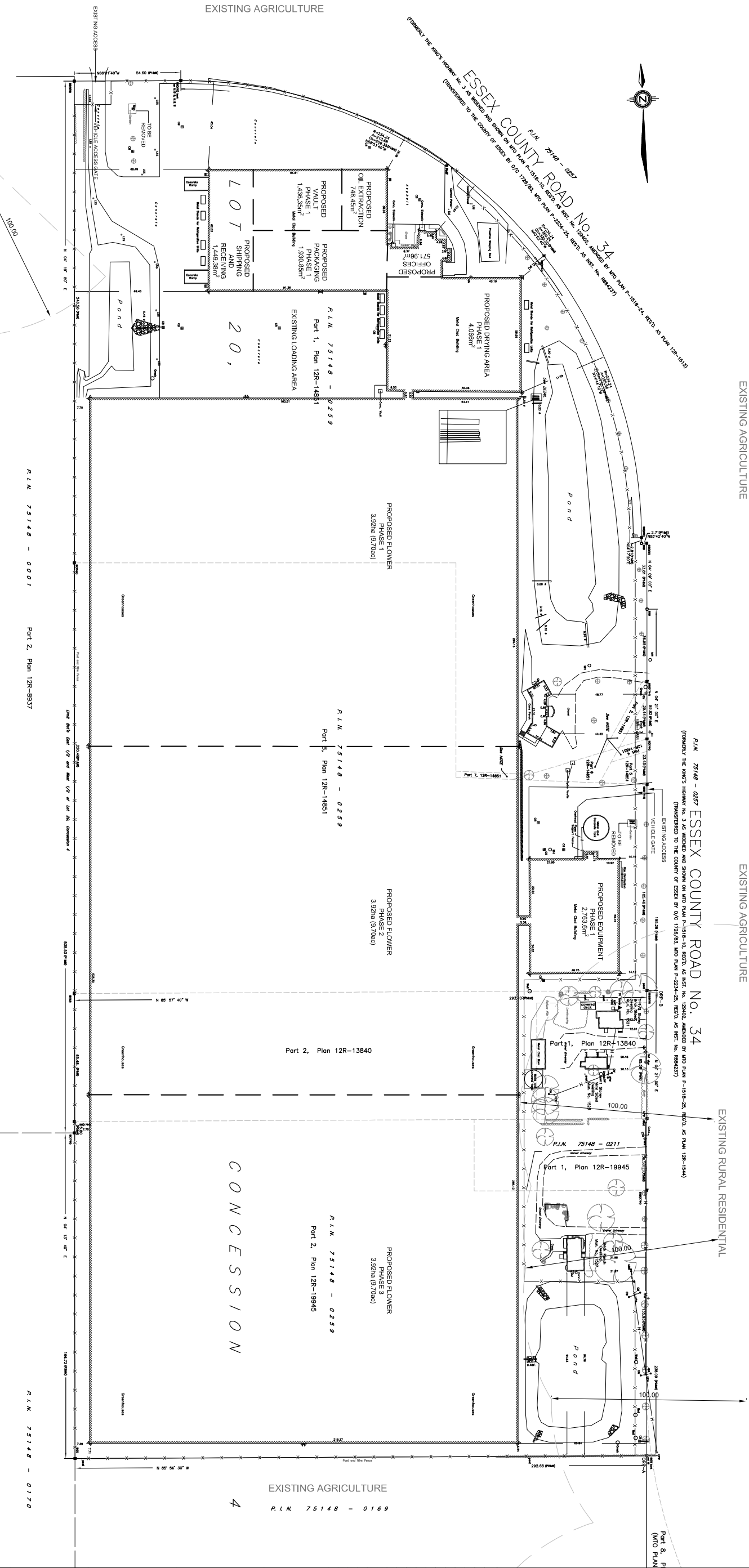
ZONING SITE PLAN

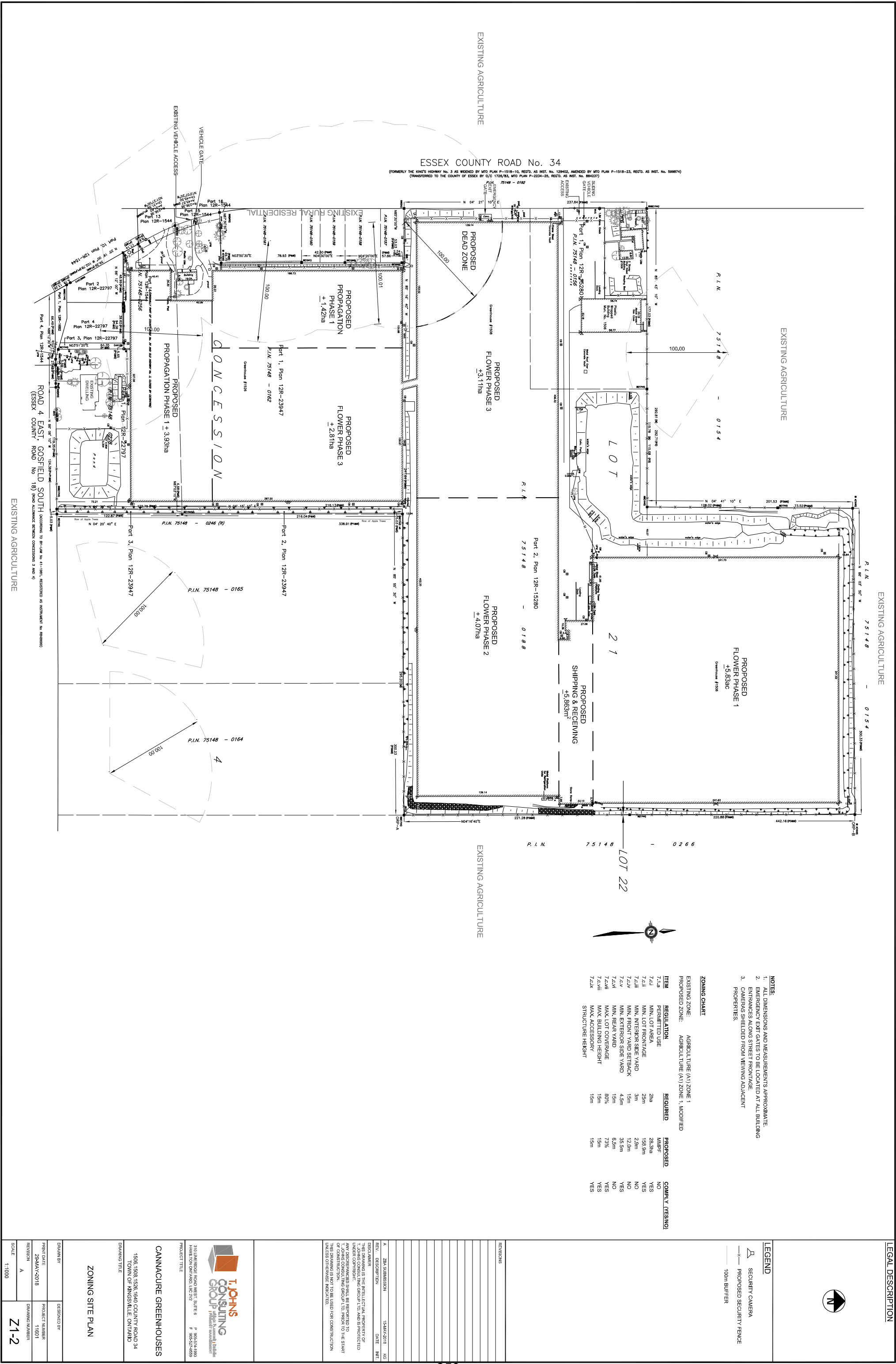
DRAWN BY	DESIGNED BY
PRINT DATE	PROJECT NUMBER
29-MAY-2018	11001
REVISION	DRAWING NUMBER
A	Z1-1
SCALE	1:1000

LEGAL DESCRIPTION

- NOTES:
1. ALL DIMENSIONS AND MEASUREMENTS APPROXIMATE.
 2. EMERGENCY EXIT GATES TO BE LOCATED AT ALL BUILDING ENTRANCES ALONG STREET FRONTAGE.
 3. CAMERAS SHIELDED FROM VIEWING ADJACENT PROPERTIES.

ZONING CHART			
EXISTING ZONE:		AGRICULTURE (A1) ZONE 1	
PROPOSED ZONE:		AGRICULTURE (A1) ZONE 1, MODIFIED	
ITEM	REGULATION	REQUIRED	PROPOSED
7.1.a	PERMITTED USE		NO
7.1.b	MIN. LOT AREA	2ha	19.4ha
7.2.i	MIN. LOT FRONTAGE	25m	891m
7.2.ii	MIN. INTERIOR SIDE YARD	3m	7.5m
7.2.iii	MIN. FRONT YARD SETBACK	15m	15.9m
7.2.iv	MIN. EXTERIOR SIDE YARD	4.5m	12.1m
7.2.v	MIN. REAR YARD	15m	6.5m
7.2.vi	MAX. LOT COVERAGE	80%	68%
7.2.vii	MAX. BUILDING HEIGHT	15m	YES
7.2.viii	MAX. ACCESSORY STRUCTURE HEIGHT	15m	YES
7.2.ix	STRUCTURE HEIGHT	15m	YES





Appendix B:

Draft Zoning Amending By-law 1501,1521,1523,1527 County Road 34

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NO. ____-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 and 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 by adding Subsection XXXX as follows:

7.1. 22 'AGRICULTURE ZONE 1 EXCEPTION ____ (A1-__)

- a) For lands shown as A1-__ on Map ____ 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 provisions of By-law 1-2014, as amended, to the contrary, the lands zoned A1-____ shall be deemed to be a single existing lot or parcel of land for zoning setback purposes.

Notwithstanding Section 7.1 of the by-law to the contrary the following shall apply:

- i) Minimum Rear Yard 6.5 metres

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

- i) Item c) is deleted and replaced with 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-___;
- iii) Item g) is deleted and replaced as follows:
 - a. An MMPF growing area shall be located a minimum of 100m from an existing off-site residential use or institutional use;
 - b. Item g) shall not be applicable to an on-site dwelling.

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

- 2. Schedule "A", Map ___ of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as (legal description) and locally known as 1501, 1521, 1523, 1527 County Road 34 as shown on Schedule "A" cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception ___ (A1-___)'.
- 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 ___ DAY OF _____, 2018.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK

Schedule 'A'



**Part of Lot 21, Concession 4
1501, 1521, 1523, 1527 County Road 34
Zoning By-law Amendment ZBA/X/X**



Scale:
1:10000 metres



Schedule 'A', Map XX of By-law 1-2014 to be 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 XX (A1-XX)'

Appendix C:

Draft Zoning Amending By-law 1506,1508,1526,1640 County Road 34

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NO. ____-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 and 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 by adding Subsection XXXX as follows:

7.1. 22 'AGRICULTURE ZONE 1 EXCEPTION ____ (A1-__) – (A1

- a) For lands shown as A1-__ on Map ____ 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 provisions of By-law 1-2014, as amended, to the contrary, the lands zoned A1-__ shall be deemed to be a single existing lot or parcel of land for zoning setback purposes.

Notwithstanding Section 7.1 of the by-law to the contrary the following shall apply:

- | | |
|--------------------------------|-------------|
| i) Minimum Side Yard | 2.90 metres |
| ii) Minimum Front Yard Setback | 12.0 metres |
| iii) Minimum Rear Yard | 6.5 metres |

All other items listed under Section 7.1 remain applicable to lands zoned A1-____.

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

- i) Item c) is deleted and replaced with as follows: A residential use accessory to or supportive of the agricultural uses on-site, including a MMPF, is permitted;
- ii) Items d) and i) are not applicable to lands zoned A1-____;
- iii) Item g) is deleted and replaced as follows:
 - a. An MMPF germination and propagation area shall be located a minimum of 25m from an existing off-site residential use or institutional use;
 - b. An MMPF vegetation and flowering area shall be located a minimum of 100m from an existing off-site residential use or institutional use;
 - c. Item g) shall not be applicable to an on-site dwelling.

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

- 2. Schedule "A", Map ____ of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as (legal description) and locally known as 1506, 1508, 1526, 1640 County Road 34 as shown on Schedule "A" cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception ____ (A1-____)'.
- 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 ____ DAY OF _____, 2018.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK

Schedule 'A'



**Part of Lot 21, Concession 4
1506, 1508, 1526, 1640 County Road 34
Zoning By-law Amendment ZBA/X/X**



Scale:
1:10000 metres



Schedule 'A', Map XX of By-law 1-2014 to be 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 XX (A1-XX)'

Appendix D:

Cannabis Growth Cycle Diagram

Cannabis Growth Cycle

Impact on odor emissions



Images source: Leafly – Amy Phung



Germination

- No odour generated
- 1-2 weeks



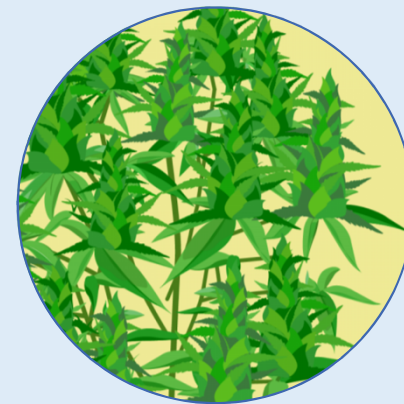
Propagation

- No odour
- 2-3 weeks
- Nursery plants



Vegetation

- No to low odour closer to flowering
- 2-8 weeks



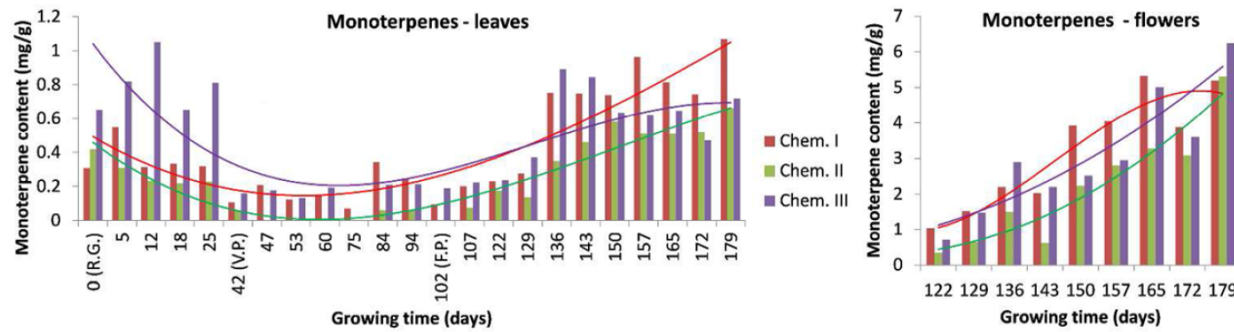
Flowering

- Odour creation step
- 6 to 8 weeks



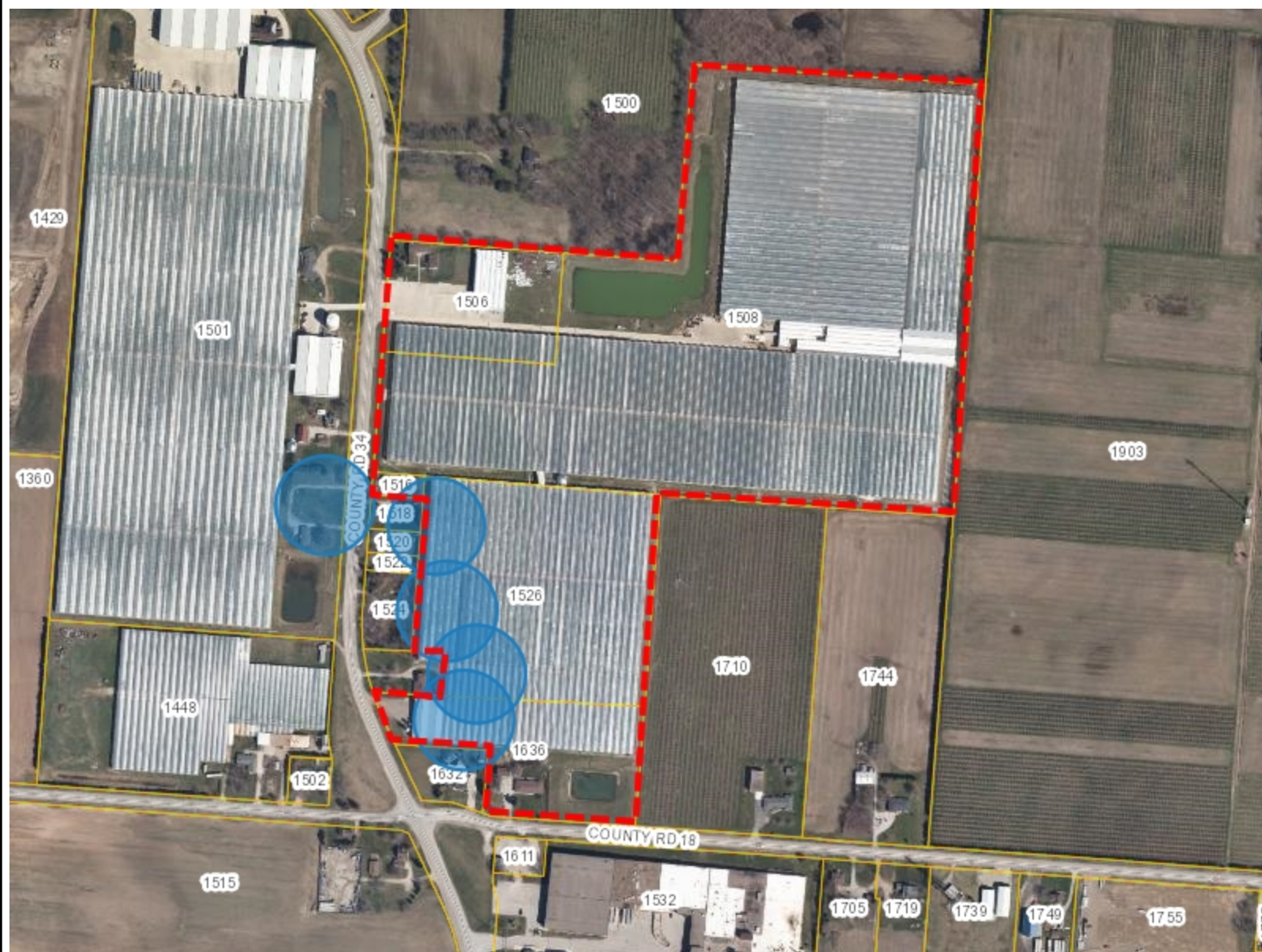
Images source: Leafly – Amy Phung

Terpenes evolution





- Responsible for odour creation in many plants.
- Monoterpenes (such as myrcene) are volatile and represent most of the long range odour in cannabis.
- Largest concentration during flowering: 7mg/g VS 1 mg/g in leaves before flowering.




Reference: Aizpurua-Olaizola, O; Soydaner, U; Öztürk, E; Schibano, D; Simsir, Y; Navarro, P; Etxebarria, N; Usobiaga, A: *J. Nat. Prod.* 2016, 79, 324–331



Legend

Essex Municipalities

-  <all other values>
-  Kingsville

-  Street
-  Severance
-  Kingsville Assessment

Notes

MOS Enterprises

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.

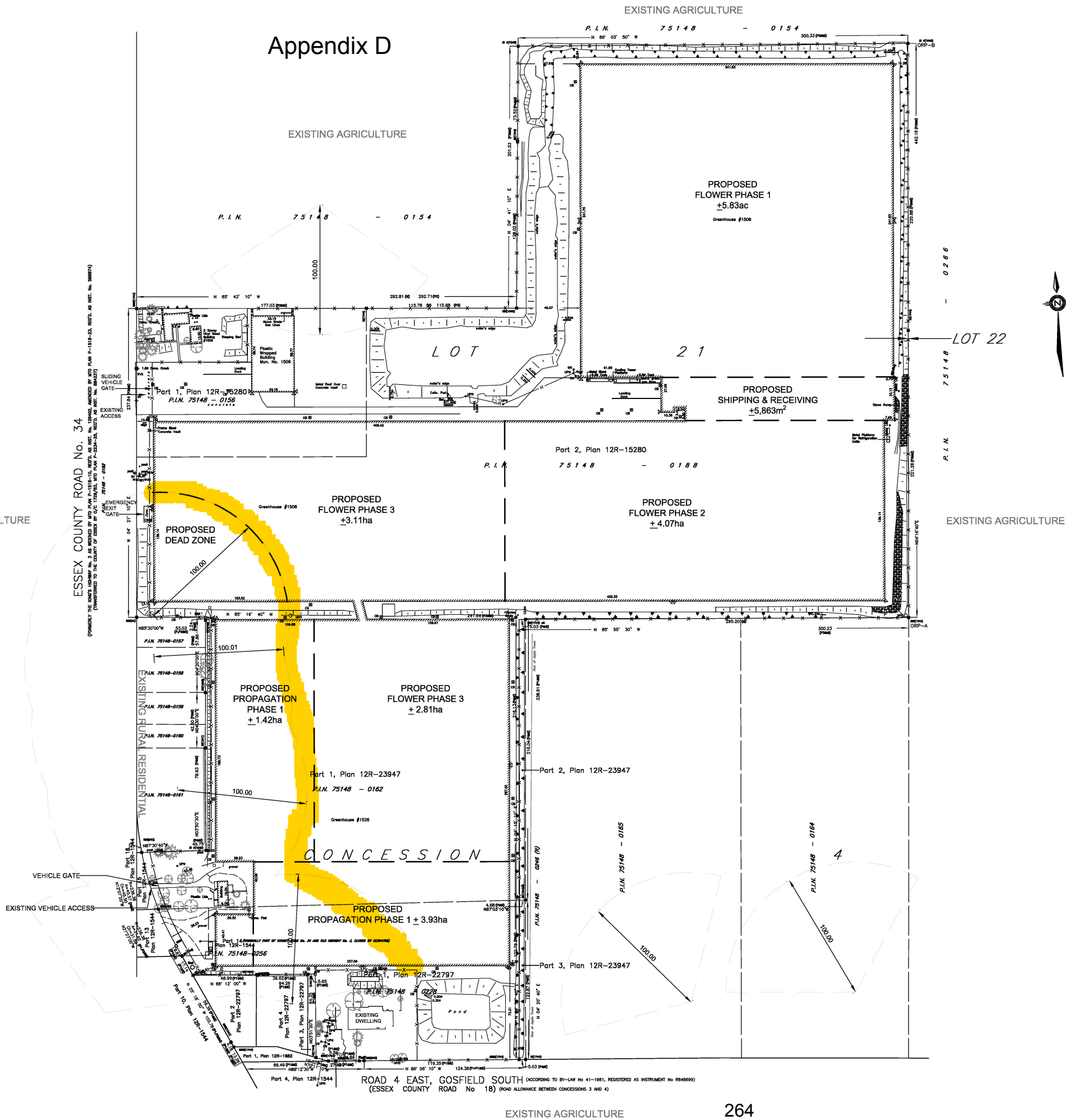
0 101.65 203.3 Meters

1: 6,098



7/26/2018




Appendix D



LEGAL DESCRIPTION



LEGEND

-  SECURITY CAMERA
 PROPOSED SECURITY FENCE
 100m BUFFER

NOTES:

1. ALL DIMENSIONS AND MEASUREMENTS APPROXIMATE.
2. EMERGENCY EXIT GATES TO BE LOCATED AT ALL BUILDING ENTRANCES ALONG STREET FRONTAGE.
3. CAMERAS SHIELDED FROM VIEWING ADJACENT PROPERTIES.

ZONING CHART

EXISTING ZONE: AGRICULTURE (A1) ZONE 1
PROPOSED ZONE: AGRICULTURE (A1) ZONE 1, MODIFIED

ITEM	REGULATION	REQUIRED	PROPOSED	COMPLY (YES/NO)
7.1.a	PERMITTED USE		MMPF	NO
7.c.i	MIN. LOT AREA	2ha	28.3ha	YES
7.c.ii	MIN. LOT FRONTAGE	25m	158.9m	YES
7.c.iii	MIN. INTERIOR SIDE YARD	3m	2.9m	NO
7.c.iv	MIN. FRONT YARD SETBACK	15m	12.0m	NO
7.c.v	MIN. EXTERIOR SIDE YARD	4.5m	35.5m	YES
7.c.vi	MIN. REAR YARD	15m	6.5m	NO
7.c.vii	MAX. LOT COVERAGE	80%	73%	YES
7.c.viii	MAX. BUILDING HEIGHT	15m	15m	YES
7.c.ix	MAX. ACCESSORY STRUCTURE HEIGHT	15m	15m	YES

REVISIONS

A	ZBA SUBMISSION	15-MAY-2018	KG
REV.	DESCRIPTION	DATE	INIT.

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310 LIMERIDGE ROAD WEST, SUITE 6 P 905-574-1993
HAMILTON ONTARIO, L9C 2V2 F 905-527-9559

PROJECT TITLE

CANNACURE GREENHOUSES

1506,1508,1526,1640 COUNTY ROAD 34
TOWN OF KINGSVILLE, ONTARIO

DRAWING TITLE

ZONING SITE PLAN

DRAWN BY	DESIGNED BY
PRINT DATE 29-MAY-2018	PROJECT NUMBER 11601
REVISION A	DRAWING NUMBER Z1-2
SCALE 1:1000	



regs@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

June 27, 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-17-18 1506, 1508 & 1526 COUNTY RD 34 & 1640 (1636) RD 4
EARN 371139000002600, 371139000002610, 371139000003200, 371139000000100; PIN:
751480156, 751480188, 751480162, 751480228Applicant: Kapital Produce Ltd.

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-17-18. The intent of the application is to provide relief from specific sections of the by-law 4.46 as it relates to medical marihuana production facilities.

ERCA has no objection to this zoning by-law amendment.

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

Sincerely,

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 96-2018

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:

7.1.72 'AGRICULTURE ZONE 1 EXCEPTION 72 (A1-72)'

- a) For lands shown as A1-72 on Map 44 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 A1-72 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 A1-72;
- 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 A1-72.

All other items listed under Section 4.46 remain applicable to lands zoned A1-72.

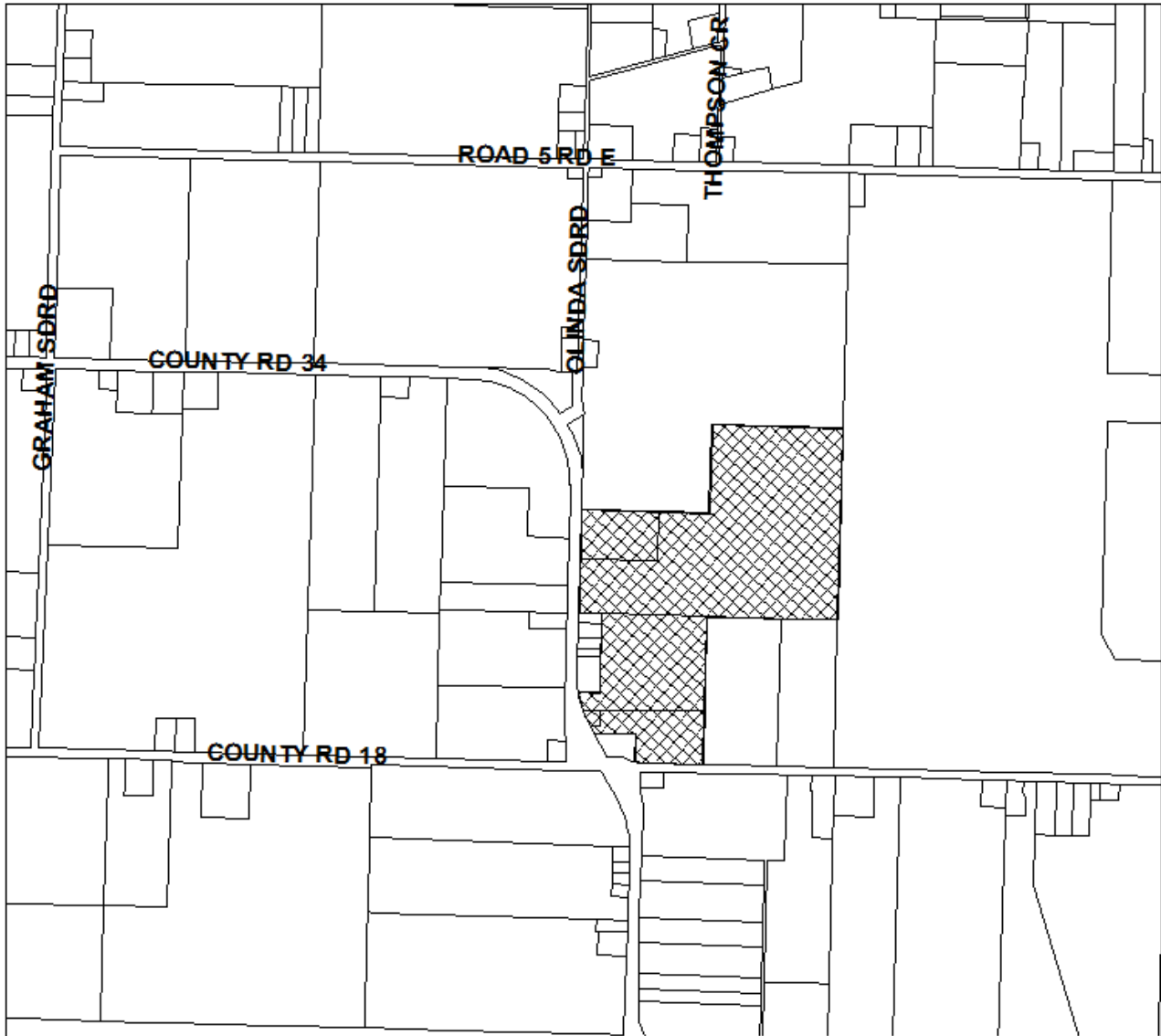
2. Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 21, Concession 4 ED, Parts 1 & 2, RP 12R 15280 & Part 14 RP 12R 1554 & Part 1, RP 12R 22797 and locally known as 1506, 1508, 1526 & 1640 County Road 34 as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 72 (A1-72)'.
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 OCTOBER, 2018.

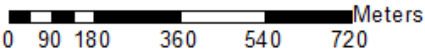
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 21, Concession 4 ED
1506, 1508, 1526 & 1640 County Road 34
Zoning By-law Amendment ZBA/17/18



Schedule "A", Map 44 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 72 (A1-72)'



**Town of Kingsville
Council Summary Report
2018**

Cheque Distributions for the Month of: SEPTEMBER

Department Summary:

Dept. No.	Department Name	Amount
	Credit Card Transactions	\$ 6,277.44
000	Default - Clearing	\$ 323,013.16
110	Council	\$ 1,577.32
112	General Administration	\$ 36,074.03
114	Information Technology	\$ 348.59
120	Animal Control	\$ 1,319.70
121	Fire	\$ 10,271.05
122	OPP	\$ 258,178.53
124	Building	\$ 4,414.87
130	Transportation - Public Works	\$ 100,988.57
131	Sanitation	\$ 115,023.65
151	Cemetery	\$ 5,055.04
170	Arena	\$ 35,814.64
171	Parks	\$ 82,842.87
172	Fantasy of Lights	\$ 612.59
173	Marina	\$ 13,410.92
174	Migration Festival	\$ -
175	Recreation Programs	\$ 958.12
176	Communities in Bloom	\$ -
178	Facilities	\$ 162,809.61
180	Planning	\$ 3,093.15
181	BIA	\$ 1,956.60
184	Accessibility Committee	\$ 172.99
185	Tourism & Economic Development Committee	\$ 13,317.85
186	Heritage Committee	\$ 748.84
201	Environmental - Water	\$ 82,929.45
242	Kingsville/Lakeshore West Wastewater	\$ 105,638.65
243	Cottam Wastewater	\$ 6,455.81

Total of Current Expenditures: \$ 1,373,304.04

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

Total Number of Current Cheques Issued: 261

Comparison Data: SEPTEMBER 2017

Total of Approved Expenditures: \$ 1,064,618.67

Total Number of Cheques Issued: 282

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

**Council Summary Report
Credit Card Transactions
September 2018**

Cheque Number	Cheque Date	Vendor Name	Description	Account	Amount
66663	9/18/2018	TD Canada Trust - RM Visa	E Commerce Test	01-000-099-60348	\$ 75.00
66663	9/18/2018	TD Canada Trust - RM Visa	E Commerce Test	01-000-099-60348	\$ 20.00
66663	9/18/2018	TD Canada Trust - RM Visa	E Commerce Test	01-000-099-60348	\$ 40.00
66663	9/18/2018	TD Canada Trust - RM Visa	E Commerce Test	01-000-099-60348	\$ 75.00
66663	9/18/2018	TD Canada Trust - RM Visa	AMO Refund - G Queen	01-110-101-60253	\$ (697.06)
66663	9/18/2018	TD Canada Trust - RM Visa	OMTRA Hotel - L Brohman	01-112-098-60254	\$ 425.36
66663	9/18/2018	TD Canada Trust - RM Visa	Debit Rolls	01-112-099-60301	\$ 122.56
66663	9/18/2018	TD Canada Trust - RM Visa	Shield - Eaton	01-121-099-60701	\$ 123.43
66663	9/18/2018	TD Canada Trust - RM Visa	Large Buildings Training	01-124-098-60254	\$ 81.36
66663	9/18/2018	TD Canada Trust - RM Visa	Conf Reg - P Valore	01-124-098-60254	\$ 813.06
66663	9/18/2018	TD Canada Trust - RM Visa	H&S Training - J Godin	01-130-098-60254	\$ 1,045.25
66663	9/18/2018	TD Canada Trust - RM Visa	Arena - Facility Mtce	01-170-099-60316	\$ 75.21
66663	9/18/2018	TD Canada Trust - RM Visa	SOP - Toast to Kingsville	01-171-179-40524	\$ 150.00
66663	9/18/2018	TD Canada Trust - RM Visa	Domain Reg - Heritage Website	01-186-099-63203	\$ 33.84
66663	9/18/2018	TD Canada Trust - RM Visa	OIT Testing - E Allen	02-201-098-60254	\$ 50.00
66663	9/18/2018	TD Canada Trust - RM Visa	Waste Water Cert - S Branch	02-201-098-60254	\$ 145.00
66663	9/18/2018	TD Canada Trust - RM Visa	Waste Water Cert - K Scratch	02-201-098-60254	\$ 145.00
66663	9/18/2018	TD Canada Trust - RM Visa	OIT Testing - J Godin	02-201-098-60254	\$ 50.00
66663	9/18/2018	TD Canada Trust - RM Visa	Waste Water Cert - D Levy	02-201-098-60254	\$ 145.00
66663	9/18/2018	TD Canada Trust - RM Visa	Water Meter Mtce	02-201-099-63017	\$ 168.42
66663	9/18/2018	TD Canada Trust - RM Visa	Water Meter Mtce	02-201-099-63017	\$ 119.94
66663	9/18/2018	TD Canada Trust - RM Visa	Water Meter Mtce	02-201-099-63017	\$ 235.88
66663	9/18/2018	TD Canada Trust - RM Visa	Water Meter Mtce	02-201-099-63017	\$ 119.94
66663	9/18/2018	TD Canada Trust - RM Visa	Orion Cellular Nodes	02-201-099-63017	\$ 167.92
66662	9/18/2018	TD Canada Trust - PVMW	OACA Registration - G Queen	01-110-101-60253	\$ 175.00
66662	9/18/2018	TD Canada Trust - PVMW	AMO Hotel - L Patterson	01-110-106-60253	\$ 555.61
66662	9/18/2018	TD Canada Trust - PVMW	AMO Conference - Taxi	01-112-095-60254	\$ 15.28
66662	9/18/2018	TD Canada Trust - PVMW	AMO Conference - Taxi	01-112-095-60254	\$ 15.45
66662	9/18/2018	TD Canada Trust - PVMW	ROMA Hotel - PVMWest	01-112-098-60254	\$ 229.65
66662	9/18/2018	TD Canada Trust - PVMW	ROMA Hotel - N Santos	01-112-098-60254	\$ 229.65
66662	9/18/2018	TD Canada Trust - PVMW	Food - Mayor's Round Table	01-112-099-60317	\$ 131.48
66662	9/18/2018	TD Canada Trust - PVMW	Coffee - Meeting w/Bellchambe	01-112-099-60317	\$ 5.36
66662	9/18/2018	TD Canada Trust - PVMW	VISA interest charges	01-112-099-60346	\$ 62.70
66662	9/18/2018	TD Canada Trust - PVMW	Tourism Summit - M Durocher	01-175-099-60254	\$ 789.87
66662	9/18/2018	TD Canada Trust - PVMW	Photo Credits Conference Ads	01-185-099-63113	\$ 36.00
66662	9/18/2018	TD Canada Trust - PVMW	Facebook Ad for KEDC	01-185-099-63113	\$ 6.49
66662	9/18/2018	TD Canada Trust - PVMW	Facebook Ad for KEDC	01-185-099-63113	\$ 30.00
66662	9/18/2018	TD Canada Trust - PVMW	Facebook Ad for KEDC	01-185-099-63113	\$ 60.00
66765	9/25/2018	TD Canada Trust - NS Visa	AMO Hotel - N Santos	01-110-100-60253	\$ 195.79
66765	9/25/2018	TD Canada Trust - NS Visa	AMO - Parking	01-110-100-60253	\$ 9.00
Total Credit Card Transactions					\$ 6,277.44

Town of Kingsville
Council Summary Report

Ranges:
Vendor ID:
Vendor Name:
Cheque Date:
Sorted By:

From:
First
First
9/1/2018
Cheque Number

To:
Last
Last
9/30/2018

Distribution Types Included: PURCH

Cheque Number		Cheque Date	Vendor Name	Description	Amount
		-			
Total For Department					\$0.00
000		-			
0066524	✕	9/11/2018	Anthony Abraham	Deposit Refund - 117 Golfview 01-000-000-21410	\$1,000.00
0066528	✕	9/11/2018	Edward Lloyd Arnew	Deposit Refund - 1213 Canal St 01-000-000-21410	\$1,000.00
0066533	✕	9/11/2018	Bondy, Riley, Koski	Site Plan Reg SPA/02/05 01-000-006-13199	\$363.80
0066533	✕	9/11/2018	Bondy, Riley, Koski	Site Plan Reg SPA/05/18 01-000-020-22271	\$366.03
0066533	✕	9/11/2018	Bondy, Riley, Koski	Registration AGR/02/17 01-000-020-22246	\$363.89
0066533	✕	9/11/2018	Bondy, Riley, Koski	Registration SPA/20/17 01-000-020-22259	\$366.03
0066535	✕	9/11/2018	Michelle Branco	Deposit Refund - 1703 Noah Cr 01-000-000-21410	\$1,000.00
0066541	✕	9/11/2018	Chris King & Sons Construction	Deposit Refund - 53 Robin Crt 01-000-000-21410	\$1,000.00
0066541	✕	9/11/2018	Chris King & Sons Construction	Deposit Refund - 57 Robin Crt 01-000-000-21410	\$1,000.00
0066541	✕	9/11/2018	Chris King & Sons Construction	Deposit Refund - 11 Robin Crt 01-000-000-21410	\$800.00
0066541	✕	9/11/2018	Chris King & Sons Construction	Deposit Refund - 9 Robin Crt 01-000-000-21410	\$800.00
0066549	✕	9/11/2018	Diamond Home Improvement	Deposit Rfnd -1230 Heritage Rd 01-000-000-21410	\$1,000.00
0066552	✕	9/11/2018	John Dyck	Deposit Refund - 233 Division 01-000-000-21410	\$1,000.00
0066558	✕	9/11/2018	Erie Accent Pools & Spas	Deposit Rfnd-825 Cottage Grove 01-000-000-21410	\$1,000.00
0066558	✕	9/11/2018	Erie Accent Pools & Spas	Deposit Rfnd-53 Conservation 01-000-000-21410	\$1,000.00
0066567	✕	9/11/2018	Golden Acre Farms Inc.	Deposit Refund - 2011 Graham 01-000-000-21410	\$1,000.00
0066576	✕	9/11/2018	I.B.E.W. #636	Payroll Remittance 01-000-000-21006	\$792.02
0066577	✕	9/11/2018	Carrie Izsak-Lenson	Deposit Rfnd - 495 Wigle Grove 01-000-000-21410	\$800.00
0066578	✕	9/11/2018	Jo Jacks of Windsor	Deposit Rfnd-28 Cameron Sdrd 01-000-000-21410	\$1,000.00
0066579	✕	9/11/2018	Mitch Kaczmarski	27 Deposit Refund-141 Station Crt 01-000-000-21410	\$1,000.00

Town of Kingsville Council Summary Report

Cheque Number		Cheque Date	Vendor Name	Description	Cheque Amount
0066581	X	9/11/2018	Kingsville Gosfield Heritage	2 Book Sets 01-000-030-21376	\$70.00
0066582	X	9/11/2018	Kingsville Fire Fighter Assoc	Payroll Remittance 01-000-000-21014	\$348.00
0066584	X	9/11/2018	Paul Lemire	Deposit Refund - 171 Main St E 01-000-000-21410	\$1,000.00
0066590	X	9/11/2018	Wayne Michael MacDonald	Deposit Rfnd - 372 Lakeview 01-000-000-21410	\$1,000.00
0066591	X	9/11/2018	Ross and Patricia McKenzie	Deposit Refund - 8 Vallochie 01-000-000-21410	\$1,000.00
0066600	X	9/11/2018	Noah Homes	Deposit Refund - 1683 Nevan 01-000-000-21410	\$1,000.00
0066614	X	9/11/2018	Pro Bid Contractors Ltd.	Ruscom River Drain 01-000-023-14080	\$43,196.13
0066617	X	9/11/2018	RC Spencer Associates Inc.	Services to May 31, 2018 01-000-006-13201	\$624.55
0066620	X	9/11/2018	Rood Engineering Inc.	Ruscom River Bank Repair 01-000-023-14080	\$8,442.00
0066626	X	9/11/2018	Sims Publications Incorporated	Tax Sale Ad 01-000-030-21307	\$299.00
0066626	X	9/11/2018	Sims Publications Incorporated	Tax Sale Ad 01-000-030-21307	\$299.00
0066626	X	9/11/2018	Sims Publications Incorporated	Tax Sale Ad 01-000-030-21307	\$299.00
0066632	X	9/11/2018	Stantec Consulting Ltd.	Construction Period Services 01-000-006-13200	\$593.46
0066633	X	9/11/2018	Billie Stapleton	Deposit Refund-1699 Cottonwood 01-000-000-21410	\$1,000.00
0066646	X	9/11/2018	V.LaSala Construction Ltd.	Deposit Rfnd-1215 Heritage Rd 01-000-000-21410	\$1,000.00
0066649	X	9/11/2018	Douglas Whaley	Deposit Rfnd - 1911 Road 5E 01-000-000-21410	\$1,000.00
0066654	X	9/11/2018	Workplace Safety & Insurance E	Payroll Remittance 01-000-000-21007	\$18,904.51
0066659	X	9/19/2018	Chery Janik	E 3rd Conc Road Drain-Bridge 01-000-023-14080	\$11,370.56
0066659	X	9/19/2018	Chery Janik	E 3rd Conc Road Drain-Bridge 01-000-023-14080	-\$5,685.28
0066663		9/19/2018	TD Canada Trust - RM Visa	E Commerce Test 01-000-099-60348	\$75.00
0066663		9/19/2018	TD Canada Trust - RM Visa	E Commerce Test 01-000-099-60348	\$20.00
0066663		9/19/2018	TD Canada Trust - RM Visa	E Commerce Test 01-000-099-60348	\$40.00
0066663		9/19/2018	TD Canada Trust - RM Visa	E Commerce Test 01-000-099-60348	\$75.00
0066700	X	9/25/2018	Evergreen Lawns	Weed Cutting 01-000-006-12062	\$1,450.00
0066701	X	9/25/2018	First Choice Building Renovatio	Deposit Rfnd - 914 Erie Ave 01-000-000-21410	\$600.00
0066709	X	9/25/2018	I.B.E.W. #636	Payroll Remittance 01-000-000-21006	\$1,541.38
0066729	X	9/25/2018	Thomas Marshall	Deposit Refund - 94 Chelsea 01-000-000-21413	\$150.00
0066732	X	9/25/2018	Minister of Finance (Misc)	Tax Sale Ad 270-38801 01-000-030-21307	\$169.50
0066736	X	9/25/2018	HYDRO ONE	272 Conc Lot 22 Moroun Pump Stn 01-000-023-14080	\$3,238.50

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066740 ✖	9/25/2018	Peter Penner	Deposit Refund -1722 Union Ave 01-000-000-21413	\$150.00
0066748 ✖	9/25/2018	RC Spencer Associates Inc.	Smith Newman Drain 01-000-023-14080	\$3,337.73
0066748 ✖	9/25/2018	RC Spencer Associates Inc.	Morley/Wigle Drain 01-000-023-14080	\$647.45
0066748 ✖	9/25/2018	RC Spencer Associates Inc.	Morley/Wigle Drain 01-000-023-14080	\$3,311.01
0066748 ✖	9/25/2018	RC Spencer Associates Inc.	Morley/Wigle Drain 01-000-023-14080	\$1,877.47
0066748 ✖	9/25/2018	RC Spencer Associates Inc.	Smith Newman Drain 01-000-023-14080	\$2,990.47
0066748 ✖	9/25/2018	RC Spencer Associates Inc.	Contract Admin Services 01-000-006-13201	\$737.76
0066755	9/25/2018	Royal Benefits Inc	Benefit Claims - August 01-000-006-12002	\$8.43
0066759 ✖	9/25/2018	Shilson Excavation & Trucking I	McDonald Drain Improvements 01-000-023-14080	\$199,881.76
0066761 ✖	9/25/2018	Sims Publications Incorporated	Tax Sale Ad - 270-38801 01-000-030-21307	\$299.00

Total For Department 000 \$323,013.16

110 -

0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-110-099-60327	\$45.79
0066639	9/11/2018	Tourism Windsor Essex Pelee I	Golf Registration - T Gaffan 01-110-103-60253	\$175.61
0066657	9/13/2018	Larry Patterson	AMO Conference 2018 01-110-106-60253	\$955.31
0066665	9/19/2018	Salute to Veteran's Banner Proj	Veteran Banner Project Sponsor 01-110-103-60253	\$225.00
0066770	9/25/2018	Tourism Windsor Essex Pelee I	Golf Tournament - T Neufeld 01-110-105-60253	\$175.61

Total For Department 110 \$1,577.32

112 -

0066537 ✖	9/11/2018	Isabel Carreira	Byrne & Conway, Aug 25/18 01-112-072-60129	\$275.00
0066537 ✖	9/11/2018	Isabel Carreira	Byrne & Conway, Aug 25/18 01-112-072-60129	\$9.21
0066542	9/11/2018	Cintas Canada Limited	Town Hall - Mats 01-112-099-60315	\$81.69
0066543	9/11/2018	Compugen Inc.	CAO Copies 01-112-099-60311	\$0.79
0066543	9/11/2018	Compugen Inc.	Treasury Copies 01-112-099-60311	\$549.49
0066546	9/11/2018	Culligan Water	Water Cooler - Lunchroom 01-112-099-60311	\$28.44
0066551	9/11/2018	Dominion Voting Systems	2018 Election Equipment 01-112-099-60325	\$8,328.03

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066565	9/11/2018	Jennifer Galea	Snacks -Crossing Guard Meeting 01-112-099-60368	\$19.99
0066586	9/11/2018	Lloyd Burns McInnis LLP	Porrone/GI Farms 01-112-099-60313	\$4,222.21
0066589 *	9/11/2018	Linda Lyman	Fouk & Thomas, Sept 1/18 01-112-072-60129	\$275.00
0066589 ✕	9/11/2018	Linda Lyman	Fouk & Thomas, Sept 1/18 01-112-072-60129	\$15.55
0066601	9/11/2018	Olinda-Ruthven United Church	Hall Rental for Election 01-112-099-60325	\$125.00
0066603	9/11/2018	HYDRO ONE	2021 Division Admin #J027150 01-112-099-60314	\$2,365.30
0066608	9/11/2018	Pearsall Marshall Halliwell & Se	Delete Order to Comply 01-112-099-60319	\$328.84
0066610	9/11/2018	Phasor Industrial	Emergency Light Repair 01-112-099-60315	\$1,882.96
0066610	9/11/2018	Phasor Industrial	Controller Repair 01-112-099-60315	\$111.94
0066626	9/11/2018	Sims Publications Incorporated	October Council Meeting Ad 01-112-099-60306	\$125.01
0066631	9/11/2018	Southpoint Publishing Inc	August Ads 01-112-099-60306	\$189.27
0066631	9/11/2018	Southpoint Publishing Inc	August Ads 01-112-099-60306	\$189.27
0066631	9/11/2018	Southpoint Publishing Inc	August Ads 01-112-099-60325	\$363.28
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-112-099-60327	-\$35.11
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-112-099-60327	\$183.17
0066638	9/11/2018	The Information Professionals	Records Retention - TOMRMS 01-112-099-60317	\$305.28
0066641	9/11/2018	Tri-County Copiers Plus	Arena/Admin Copies 01-112-099-60311	\$141.39
0066644	9/11/2018	Peggy Van Mierlo-West	Mileage 01-112-099-60400	\$289.74
0066662	9/19/2018	TD Canada Trust - PVMW	Visa Interest Charges 01-112-099-60346	\$62.70
0066668	9/25/2018	ATM Pharmacies Ltd	Rent - Unit 10, 59 Main St E 01-112-099-60376	\$1,664.08
0066671	9/25/2018	Bell Canada	2021 Division (pipe) 01-112-099-60327	\$559.68
0066671	9/25/2018	Bell Canada	2021 Division Rd N 01-112-099-60327	\$656.16
0066675	9/25/2018	Canada Post Corporation	Water and Tax Notices 01-112-099-60303	\$655.62
0066678	9/25/2018	Cintas Canada Limited	Town Hall - Mats 01-112-099-60315	\$81.69
0066680	9/25/2018	Natalie Cobby	Mileage 01-112-099-60400	\$38.04
0066682	9/25/2018	Compugen Finance Inc.	Town Hall Copier Leases 01-112-099-60311	\$768.95
0066689	9/25/2018	Delta Integrated Building Solutic	Town Hall - Facility Mtce 01-112-099-60315	\$127.45
0066690	9/25/2018	D.H.Kingsville Investments Inc	Medical Centre Rent 01-112-099-60366	\$3,013.68
0066691	9/25/2018	Elegant Touch	Linens-Mayor's Round Table 01-112-099-60317	\$122.11

**Town of Kingsville
Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066695	9/25/2018	Essex Free Press	Cottam Rotary Horseshow Ad 01-112-099-60306	\$121.38
0066705	9/25/2018	Global Leasing	Folder/Inserter - Lease 01-112-099-60311	\$887.84
0066706	9/25/2018	Graphic Gourmet	Highland Games-Graphic Design 01-112-006-12085	\$305.28
0066712	9/25/2018	Ketchum Manufacturing Inc.	2019 Dog Tags 01-112-006-12085	\$1,039.98
0066714	9/25/2018	Kingsville Home Hardware	Insecticide 01-112-099-60315	\$11.18
0066714	9/25/2018	Kingsville Home Hardware	Insecticide 01-112-099-60315	\$30.52
0066722	9/25/2018	Leamington District Chamber of	Learn Chamber Bus Awards 01-112-099-60317	\$63.04
0066726	✖ 9/25/2018	Linda Lyman	Jenkins & Gosnell, Sept 8/18 01-112-072-60129	\$275.00
0066726	✖ 9/25/2018	Linda Lyman	Jenkins & Gosnell, Sept 8/18 01-112-072-60129	\$14.96
0066731	9/25/2018	Merchant Paper Company	Town Hall - Supplies 01-112-099-60315	\$525.32
0066734	9/25/2018	Municipal World Inc.	Ballot Boxes 01-112-099-60325	\$120.41
0066737	9/25/2018	Ontario Recreation Facilities As:	P&R Supervisor - Job Ad 01-112-099-60306	\$432.48
0066743	9/25/2018	Douglas J. Plumb	Highland Games - Bus Cards 01-112-006-12085	\$116.50
0066749	✖ 9/25/2018	Deanna Reid	French & Lane - Sept 22/18 01-112-072-60129	\$275.00
0066749	✖ 9/25/2018	Deanna Reid	French & Lane - Sept 22/18 01-112-072-60129	\$3.56
0066753	9/25/2018	R. Moir Cleaning Service	September Cleaning-Town Hall 01-112-099-60341	\$2,442.24
0066755	9/25/2018	Royal Benefits Inc	Benefit Claims - August 01-112-072-60222	\$782.44
0066760	9/25/2018	Shred-It International ULC	Records Archive Destruction 01-112-099-60317	\$95.95
0066761	9/25/2018	Sims Publications Incorporated	Business Cards - N Santos 01-112-099-60301	\$86.50
0066768	9/25/2018	Thomson Reuters Canada	Subscription - Aug 2018 01-112-099-60320	\$118.68
0066772	9/25/2018	Union Gas Limited	2021 Division Rd N - Town Hall 01-112-099-60314	\$87.87
0066776	9/25/2018	Warkentin Plumbing	HVAC Repair 01-112-099-60315	\$117.00

Total For Department 112

\$36,074.03

114

0066548	9/11/2018	Jeff Dean	Domain Name Renewal - 2 Year 01-114-099-60320	\$23.39
0066575	9/11/2018	Tony Iacobelli	Mileage 01-114-099-60400	\$34.17
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-114-099-60327	\$91.58

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066692	9/25/2018	Empire Communications	Card Access System 01-114-099-60309	\$199.45
Total For Department 114				\$348.59
120	-			
0066525	9/11/2018	ABSOLUTE CANADIAN	OPP Water 01-120-099-60317	\$44.70
0066777	9/25/2018	Windsor Essex County Humane	Spay Neuter Vouchers 01-120-280-60377	\$200.00
0066777	9/25/2018	Windsor Essex County Humane	Stray Cats - August 2018 01-120-280-60125	\$1,075.00
Total For Department 120				\$1,319.70
121	-			
0066526	9/11/2018	Allstream Business Inc	Fire Emerg Calls - 733-2399 01-121-099-60327	\$41.80
0066542	9/11/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	\$70.67
0066542	9/11/2018	Cintas Canada Limited	Fire - Mat Service 01-121-099-60315	\$40.56
0066545	9/11/2018	County Towing Inc.	Scrap Cars for Training 01-121-072-60118	\$305.28
0066548	9/11/2018	Jeff Dean	Fire Services Mgmt Textbook 01-121-098-60254	\$134.07
0066553	9/11/2018	Economy Rental Centre	Oil 01-121-099-60340	\$10.16
0066555	9/11/2018	E.L.K. Energy Inc	120 Fox St 01-121-099-60314	\$264.47
0066563	9/11/2018	Fireservice Management Ltd.	Equipment Repair 01-121-099-60316	\$127.12
0066564	9/11/2018	Fisher's Regalia & Uniform Ac	North Badge 01-121-072-60216	\$115.68
0066568	9/11/2018	Gosfield North Communications	Cottam Fire Hall 01-121-099-60327	\$126.46
0066595	9/11/2018	M&L Supply	Helmets 01-121-099-60701	\$1,270.03
0066597	9/11/2018	Scott Moore	NFPA13Sprinkler Install Course 01-121-072-60118	\$568.46
0066607	9/11/2018	Chuck Parsons	Water 01-121-099-60317	\$12.45
0066615	9/11/2018	Purolator Courier Service	Courier fees 01-121-099-60305	\$3.99
0066615	9/11/2018	Purolator Courier Service	Courier Fees 01-121-099-60305	\$4.42
0066624	9/11/2018	Dorothy Shepley (fire)	Janitorial 01-121-099-60341	\$333.33
0066625	9/11/2018	Signs by Nommel	Car 3 Lettering 01-121-099-60316	\$671.03
0066629	9/11/2018	Southern Collision	Car 1 Rust Repair 01-121-099-60316	\$507.78

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066630	9/11/2018	Southwest Diesel Service Inc	Unit 220 Air Leaks 01-121-099-60316	\$868.67
0066635	9/11/2018	Talbot Marketing Inc.	Uniform - L Bilokraly 01-121-072-60216	\$107.54
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-121-099-60327	\$157.73
0066637	9/11/2018	Thames Communications Ltd.	Equipment Repair 01-121-099-60316	\$69.20
0066650	9/11/2018	Thomas Windibank	Food - North Stn Personnel 01-121-099-60317	\$122.33
0066655	9/11/2018	Xerox Canada Ltd.	Fire - Copies 01-121-099-60311	\$31.64
0066669	9/25/2018	B&T Waechter Holdings Ltd (Cc	Fire - Equipment Repair 01-121-099-60316	\$11.02
0066673	9/25/2018	Laurie Bilokraly	Temp Housing Seminar 01-121-099-60317	\$66.99
0066678	9/25/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	\$40.56
0066678	9/25/2018	Cintas Canada Limited	Fire - Mats 01-121-099-60315	\$70.67
0066687	9/25/2018	Jeff Dean	Bunker Gear Detergent 01-121-099-60316	\$44.75
0066688	9/25/2018	DeLage Landen	Copier Lease - Fire 01-121-099-60311	\$137.82
0066702	9/25/2018	Fisher's Regalia & Uniform Ac	Name Plate 01-121-072-60216	\$25.44
0066702	9/25/2018	Fisher's Regalia & Uniform Ac	2019 Recognition Pins 01-121-072-60216	\$149.81
0066731	9/25/2018	Merchant Paper Company	Fire - Supplies 01-121-099-60315	\$77.96
0066733	9/25/2018	Scott Moore	OMFPOA Symposium Sep3-7/18 01-121-098-60254	\$630.91
0066736	9/25/2018	HYDRO ONE	1720 Division Rd N 01-121-099-60314	\$766.86
0066736	9/25/2018	HYDRO ONE	1720 Division Rd N 01-121-099-60314	\$90.44
0066739	9/25/2018	Chuck Parsons	Water 01-121-099-60317	\$14.94
0066746	9/25/2018	Purolator Courier Service	Courier Fees 01-121-099-60305	\$8.19
0066758	9/25/2018	Security One Alarm Systems	Monitoring 08/18/18-08/17/19 01-121-099-60315	\$561.46
0066761	9/25/2018	Sims Publications Incorporated	Smoke/CO Forms 01-121-099-60301	\$272.72
0066763	9/25/2018	Speedprint Inc.	Lockbox Stickers 01-121-099-60317	\$309.52
0066767	9/25/2018	Thames Communications Ltd.	Fire - Equipment Repair 01-121-099-60316	\$80.09
0066767	9/25/2018	Thames Communications Ltd.	Radios & Pagers 01-121-099-60702	\$615.60
0066772	9/25/2018	Union Gas Limited	120 Fox St 01-121-099-60314	\$27.48
0066778	9/25/2018	Windsor Factory Supply	Masks 01-121-099-60316	\$95.65
0066778	9/25/2018	Windsor Factory Supply	Batteries 01-121-099-60316	\$165.40
0066778	9/25/2018	Windsor Factory Supply	Equipment Repair 01-121-099-60316	\$41.90

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
Total For Department 121				\$10,271.05
<u>122</u>	-			
0066542	9/11/2018	Cintas Canada Limited	OPP - Mats 01-122-099-60315	\$81.17
0066555	9/11/2018	E.L.K. Energy Inc	41 Division St S 01-122-099-60314	\$705.65
0066568	9/11/2018	Gosfield North Communications	OPP Talbot St Cottam 01-122-099-60327	\$121.88
0066640	9/11/2018	Town of Kingsville (water)	41 Division St S 01-122-099-60314	\$185.73
0066648	9/11/2018	Warkentin Plumbing	Plumbing Repair 01-122-099-60315	\$119.14
0066660	9/19/2018	Minister of Finance (OPP)	OPP Contract - September 2018 01-122-072-60120	\$253,599.00
0066678	9/25/2018	Cintas Canada Limited	OPP - Mats 01-122-099-60315	\$81.17
0066710	9/25/2018	John and Michelle Ivanisko	Cottam OPP Lease 01-122-260-60342	\$540.31
0066714	9/25/2018	Kingsville Home Hardware	Light Bulbs 01-122-099-60315	\$40.68
0066731	9/25/2018	Merchant Paper Company	OPP - Supplies 01-122-099-60315	\$246.56
0066752	9/25/2018	Ricoh Canada	Copier Lease - OPP 01-122-099-60311	\$333.96
0066753	9/25/2018	R. Moir Cleaning Service	September Cleaning -Cottam OPP 01-122-099-60341	\$203.52
0066753	9/25/2018	R. Moir Cleaning Service	September Cleaning-Kville OPP 01-122-099-60341	\$1,424.64
0066758	9/25/2018	Security One Alarm Systems	Monitoring 08/18/18-08/17/19 01-122-099-60315	\$445.71
0066772	9/25/2018	Union Gas Limited	41 Division St S 01-122-099-60314	\$49.41
Total For Department 122				\$258,178.53
<u>124</u>	-			
0066538	9/11/2018	CDW Canada	Building Permit System Software 01-124-360-71823	\$476.73
0066609	9/11/2018	Albert J Peach	Contracted Services 01-124-072-60120	\$360.00
0066609	9/11/2018	Albert J Peach	Contract Services 01-124-072-60120	\$2,720.00
0066613	9/11/2018	Preview Inspections and Consul	Contracted Services 01-124-072-60120	\$488.45
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-124-099-60327	\$183.17
0066730	9/25/2018	MC Business Solutions Ltd	Office Supplies 01-124-099-60301	\$186.52

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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
Total For Department			124	\$4,414.87
130	-			
0066527	9/11/2018	Erica Allen	Gatorade for Staff 01-130-099-60347	\$30.51
0066540	9/11/2018	Chapman Signs	Streetname Sign Replacements 01-130-132-60428	\$2,444.19
0066544	9/11/2018	County Wide Tree Service	Trim Tree - 114 Fox 01-130-099-60426	\$284.93
0066544	9/11/2018	County Wide Tree Service	Remove Tree - 345 Timberlake 01-130-099-60426	\$234.05
0066544	9/11/2018	County Wide Tree Service	Remove Tree - 384 Lakeview 01-130-099-60426	\$382.62
0066544	9/11/2018	County Wide Tree Service	Remove Tree - 248 Cherrywood 01-130-099-60426	\$234.05
0066544	9/11/2018	County Wide Tree Service	Trim Trees - 3025 Rowley Park 01-130-099-60426	\$284.93
0066544	9/11/2018	County Wide Tree Service	Remove Tree - 77 Remark 01-130-099-60426	\$437.57
0066544	9/11/2018	County Wide Tree Service	Trim Tree - 1539 Woodfern 01-130-099-60426	\$569.86
0066544	9/11/2018	County Wide Tree Service	Remove/Trim - 257 Applewood 01-130-099-60426	\$1,170.24
0066547	9/11/2018	D & L Digging	Repair CB on Graham 01-130-141-60439	\$671.62
0066550	9/11/2018	DiMenna Excavating	Flush Storm Sewer Graham 01-130-099-60452	\$793.73
0066553	9/11/2018	Economy Rental Centre	Sharpen Chainsaw 01-130-099-60357	\$12.16
0066554	9/11/2018	Edgewater Sewer Services Inc.	Rd 10 & N Talbot - Culvert Rep 01-130-141-60414	\$16,790.39
0066555	9/11/2018	E.L.K. Energy Inc	390 Mains St E Traffic Lights 01-130-110-60402	\$51.93
0066555	9/11/2018	E.L.K. Energy Inc	Wigle Traffic Lights 01-130-110-60402	\$39.75
0066555	9/11/2018	E.L.K. Energy Inc	Jasperson Traffic Lights 01-130-110-60402	\$138.23
0066555	9/11/2018	E.L.K. Energy Inc	Streetlights - Kingsville 01-130-114-60412	\$4,823.93
0066555	9/11/2018	E.L.K. Energy Inc	Division Traffic Lights 01-130-110-60402	\$107.57
0066555	9/11/2018	E.L.K. Energy Inc	Spruce Traffic Lights 01-130-110-60402	\$138.23
0066555	9/11/2018	E.L.K. Energy Inc	Santos & Main St 01-130-110-60402	\$25.61
0066555	9/11/2018	E.L.K. Energy Inc	Streetlights - Cottam 01-130-114-60412	\$998.56
0066561	9/11/2018	Essex Free Press	Indemnity Refund - Ad 01-130-099-60306	\$197.24
0066593	9/11/2018	MetroCount USA Inc	New Traffic Counter 01-130-099-60357	\$1,766.00
0066603	9/11/2018	HYDRO ONE	Streetlights - Road 3E 01-130-114-60412	\$4.26

**Town of Kingsville
Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066603	9/11/2018	HYDRO ONE	Streetlights - Regent St 01-130-114-60412	\$29.93
0066603	9/11/2018	HYDRO ONE	Streetlights - Mucci Dr 01-130-114-60412	\$23.53
0066603	9/11/2018	HYDRO ONE	Streetlights - Kratz 01-130-114-60412	\$4.26
0066603	9/11/2018	HYDRO ONE	Streetlights - Woodland 01-130-114-60412	\$60.26
0066616	9/11/2018	Queens Auto Supply	13-04 Tire Valve 01-130-099-60316	\$0.41
0066616	9/11/2018	Queens Auto Supply	Exhaust Fluid for Sweeper 01-130-110-60422	\$14.30
0066616	9/11/2018	Queens Auto Supply	Exhaust Fluid for Sweeper 01-130-110-60422	\$28.59
0066616	9/11/2018	Queens Auto Supply	Bearing for Sweeper 01-130-110-60422	\$21.65
0066616	9/11/2018	Queens Auto Supply	Air Hose & Gage for Shop 01-130-099-60335	\$28.44
0066616	9/11/2018	Queens Auto Supply	Bulk Absorbent 01-130-099-60335	\$31.04
0066616	9/11/2018	Queens Auto Supply	Bulk Absorbent 01-130-099-60335	\$46.56
0066616	9/11/2018	Queens Auto Supply	Bulk Fluids for Shop 01-130-099-60335	\$145.23
0066616	9/11/2018	Queens Auto Supply	13-03 Batteries 01-130-099-60316	\$507.14
0066616	9/11/2018	Queens Auto Supply	16-01 Diesel Exhaust Fluid 01-130-110-60422	\$28.82
0066616	9/11/2018	Queens Auto Supply	Shampoo Wax for Shop 01-130-099-60335	\$128.97
0066621	9/11/2018	Sam's Service Facility	17-01 Power Invertor 01-130-099-60316	\$274.73
0066623	9/11/2018	Security One Alarm Systems	Monitoring09/01/18 to 11/30/18 01-130-099-60452	\$51.87
0066626	9/11/2018	Sims Publications Incorporated	Traffic ByLaws Meeting 01-130-099-60306	\$201.94
0066626	9/11/2018	Sims Publications Incorporated	Indemnity Deposit Refund Ad 01-130-099-60306	\$153.86
0066628	9/11/2018	Southwestern Sales Corp. Ltd.	Bulk Stone for Yard 01-130-138-60432	\$2,627.38
0066631	9/11/2018	Southpoint Publishing Inc	August Ads 01-130-099-60306	\$341.91
0066631	9/11/2018	Southpoint Publishing Inc	August Ads 01-130-099-60306	\$228.96
0066631	9/11/2018	Southpoint Publishing Inc	August Ads 01-130-099-60306	\$290.02
0066634	9/11/2018	Strongco Limited Partnership	Backhoe - Replace Hyd Oil Tank 01-130-099-60316	\$5,783.42
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-130-099-60327	\$45.79
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-130-099-60327	\$457.92
0066647	9/11/2018	Waddick Fuels	Clear ULS 01-130-099-60340	\$1,012.42
0066647	9/11/2018	Waddick Fuels	UNLD Gas 01-130-099-60340	\$1,940.91
0066647	9/11/2018	Waddick Fuels	UNLD Gas 01-130-099-60340	\$792.33

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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066677	9/25/2018	Chapman Signs	Plaque - Memorial Bench 01-130-099-60424	\$298.50
0066683	9/25/2018	County Wide Tree Service	Tree Removal - 1315 Patricia 01-130-099-60426	\$4,062.51
0066683	9/25/2018	County Wide Tree Service	Tree Removal - Cty Rd 27 01-130-099-60426	\$630.91
0066683	9/25/2018	County Wide Tree Service	Tree Removal - 102 Elm St 01-130-099-60426	\$2,613.19
0066683	9/25/2018	County Wide Tree Service	Tree Trim - Pump Station #3 01-130-099-60426	\$997.25
0066683	9/25/2018	County Wide Tree Service	Tree Removal - 248 CR 34W 01-130-099-60426	\$651.26
0066683	9/25/2018	County Wide Tree Service	Tree Trim - Stanley St 01-130-099-60426	\$244.22
0066683	9/25/2018	County Wide Tree Service	Tree Trim - 269 Lansdowne 01-130-099-60426	\$244.22
0066683	9/25/2018	County Wide Tree Service	Tree Removal - 25 Golfview 01-130-099-60426	\$132.29
0066685	9/25/2018	D & L Digging	CB Repair - 13 Beech St 01-130-141-60439	\$3,317.37
0066693	9/25/2018	Ennis Paint Canada ULC	White Line Paint 01-130-110-60401	\$406.63
0066694	9/25/2018	E.R.(Bill) Vollans Ltd.	Coupler for Bush Hog 01-130-099-60335	\$71.16
0066694	9/25/2018	E.R.(Bill) Vollans Ltd.	Clevis Pin 01-130-099-60335	\$170.24
0066700	9/25/2018	Evergreen Lawns	Weed Cutting 01-130-118-60416	\$76.32
0066707	9/25/2018	Greenland Irrigation	Repair Sprinkler-10 Cons Blvd 01-130-099-60426	\$136.36
0066708	9/25/2018	Green Stream	Roadside Spraying for 2018 01-130-118-60416	\$18,297.45
0066714	9/25/2018	Kingsville Home Hardware	Hardware for Sign Installs 01-130-132-60428	\$27.84
0066714	9/25/2018	Kingsville Home Hardware	Downtown Spraying 01-130-118-60416	\$79.35
0066714	9/25/2018	Kingsville Home Hardware	Downtown Spraying 01-130-118-60416	\$79.35
0066714	9/25/2018	Kingsville Home Hardware	Rod for 12-01 01-130-099-60316	\$9.15
0066714	9/25/2018	Kingsville Home Hardware	Sprayer for Downtown Weeds 01-130-118-60416	\$70.78
0066714	9/25/2018	Kingsville Home Hardware	Light Fixtures for Shop 01-130-099-60315	\$20.13
0066714	9/25/2018	Kingsville Home Hardware	Accessories for Traffic Counte 01-130-099-60357	\$47.89
0066714	9/25/2018	Kingsville Home Hardware	Hose Nozzle for Shop 01-130-099-60335	\$8.64
0066714	9/25/2018	Kingsville Home Hardware	Small Tools for Line Paint 01-130-110-60401	\$22.85
0066720	9/25/2018	Leamington Int. Trucks	Replace Injector 13-03 01-130-099-60316	\$1,508.18
0066724	9/25/2018	LSI Supply Inc	Hyd. Hose for Sweeper 01-130-110-60422	\$53.36
0066725	9/25/2018	Lucier Glove & Safety Products	Traffic Cones 01-130-099-60347	\$407.04
0066727	9/25/2018	Shaun Martinho	Clothing Issue 01-130-072-60216	\$123.61

**Town of Kingsville
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Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066736	9/25/2018	HYDRO ONE	Combination All Street Lights 01-130-114-60412	\$1,775.04
0066736	9/25/2018	HYDRO ONE	PW Garage 01-130-099-60314	\$638.96
0066744	9/25/2018	Pro Bid Contractors Ltd.	Asphalt Repairs/Catch Basins 01-130-110-60418	\$9,022.39
0066747	9/25/2018	Queens Auto Supply	Diesel Exhaust Cleaner 01-130-099-60335	\$6.10
0066747	9/25/2018	Queens Auto Supply	Absorbant for Shop 01-130-099-60335	\$103.18
0066747	9/25/2018	Queens Auto Supply	Bulk Machine Grease 01-130-099-60335	\$40.60
0066747	9/25/2018	Queens Auto Supply	Shop Towels 01-130-099-60335	\$96.18
0066747	9/25/2018	Queens Auto Supply	11-01 Degreaser 01-130-099-60335	\$10.66
0066747	9/25/2018	Queens Auto Supply	Resistor for 10-01 01-130-099-60316	\$41.47
0066747	9/25/2018	Queens Auto Supply	Refrigerant for Valmet 00-03 01-130-099-60316	\$16.26
0066750	9/25/2018	Rene Blain Trucking Ltd	Bulk Cold Patch 01-130-110-60418	\$2,655.09
0066757	9/25/2018	Sam's Service Facility	11-03 Service 01-130-099-60316	\$188.03
0066757	9/25/2018	Sam's Service Facility	13-01 Service Call 01-130-099-60316	\$422.81
0066757	9/25/2018	Sam's Service Facility	13-04 Service 01-130-099-60316	\$70.16
0066762	9/25/2018	South Western Property Mainte	Clark Subdivision Pond 01-130-118-60416	\$325.63
0066772	9/25/2018	Union Gas Limited	2021 Division Garage 01-130-099-60314	\$35.11
0066772	9/25/2018	Union Gas Limited	2021 Division - PW Garage 01-130-099-60314	\$31.28
0066775	9/25/2018	Waddick Fuels	UNLD Gas 01-130-099-60340	\$935.18
0066775	9/25/2018	Waddick Fuels	Clear ULS 01-130-099-60340	\$792.53
0066780	9/25/2018	Windsor-Essex County Health L	West Nile Virus 01-130-099-60399	\$1,039.11

Total For Department 130 \$100,988.57

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0066652	9/11/2018	Windsor Disposal Services Ltd.	Waste Collection - Crystal Apt 01-131-400-60380	\$231.17
0066652	9/11/2018	Windsor Disposal Services Ltd.	Waste Collection - Cottam Mini 01-131-400-60380	\$231.17
0066652	9/11/2018	Windsor Disposal Services Ltd.	Waste Collection - Sept 2018 01-131-400-60380	\$42,946.34
0066696	9/25/2018	Essex-Windsor Solid Waste	Yard Waste - Aug 2018 01-131-400-60382	\$2,042.82
0066696	9/25/2018	Essex-Windsor Solid Waste	Waste Disposal - Aug 2018 01-131-400-60370	\$21,325.80

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066696	9/25/2018	Essex-Windsor Solid Waste	Perpetual Care - Sept-Oct/18 01-131-400-60404	\$9,427.00
0066696	9/25/2018	Essex-Windsor Solid Waste	Fixed Costs - Aug 2018 01-131-400-60370	\$35,001.00
0066779	9/25/2018	Windsor Disposal Services Ltd.	Waste Collection - Arena 01-131-400-60380	\$30.53
0066779	9/25/2018	Windsor Disposal Services Ltd.	Yard Waste Collection 01-131-400-60382	\$3,787.82

Total For Department 131 \$115,023.65

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0066555	9/11/2018	E.L.K. Energy Inc	Greenhill Cemetery 01-151-099-60314	\$18.45
0066574	9/11/2018	Hutchins Monuments	Graceland - Opening 01-151-072-60121	\$500.00
0066574	9/11/2018	Hutchins Monuments	Graceland - Opening 01-151-072-60121	\$600.00
0066574	9/11/2018	Hutchins Monuments	Graceland - Opening 01-151-072-60121	\$500.00
0066626	9/11/2018	Sims Publications Incorporated	Cemeteries ByLaw Ad 01-151-099-60306	\$151.20
0066640	9/11/2018	Town of Kingsville (water)	Greenhill Cemetery 01-151-099-60314	\$87.55
0066672	* 9/25/2018	Bradley Bertram	Town Repurchase 2 Plots 01-151-066-41802	\$2,000.00
0066695	9/25/2018	Essex Free Press	Cemetery By-Law Ad 01-151-099-60306	\$178.92
0066714	9/25/2018	Kingsville Home Hardware	Seeds for Cemetery 01-151-099-60337	\$16.60
0066714	9/25/2018	Kingsville Home Hardware	Cemetery Signs & Ads 01-151-099-60337	\$102.62
0066751	* 9/25/2018	Dorothy Reneau	Town Repurchase of Plot 01-151-066-41802	\$875.00
0066772	9/25/2018	Union Gas Limited	Mill St Cemetery 01-151-099-60314	\$24.70

Total For Department 151 \$5,055.04

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0066523	* 9/11/2018	2nd Kingsville Scouts	P2P Forms 87 88 89 01-170-000-15000	\$621.00
0066526	9/11/2018	Allstream Business Inc	Carnegie/Arena Elevator 01-170-099-60327	\$41.00
0066526	9/11/2018	Allstream Business Inc	Arena - Fax/Debit - 733-2866 01-170-099-60327	\$82.19
0066540	9/11/2018	Chapman Signs	Stencil 01-170-099-60315	\$112.00
0066542	9/11/2018	Cintas Canada Limited	Arena - Mats 01-170-099-60315	\$48.80
0066569	9/11/2018	Nolan Goyette	Rink Painting 01-170-099-60315	\$875.00

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066580	9/11/2018	Kingsville Home Hardware	Supplies 01-170-099-60315	\$38.15
0066580	9/11/2018	Kingsville Home Hardware	Paint 01-170-099-60315	\$107.52
0066583	9/11/2018	Leamington Source for Sports	Helmets 01-170-099-60347	\$83.99
0066585	9/11/2018	Linde Canada Limited 15687	Propane 01-170-099-60340	\$100.15
0066585	9/11/2018	Linde Canada Limited 15687	Oxygen/Propane 01-170-099-60340	\$311.00
0066585	9/11/2018	Linde Canada Limited 15687	Propane 01-170-099-60335	\$133.17
0066587	9/11/2018	Loblaw Inc.	Students Farewell Lunch 01-170-099-60317	\$11.75
0066592	9/11/2018	Merchant Paper Company	Arena - Supplies 01-170-099-60335	\$373.98
0066606	9/11/2018	Otis Canada, Inc.	Elevator Inspection 01-170-099-60315	\$1,157.31
0066618	9/11/2018	Resurface Corp	Ice Edger 01-170-360-71841	\$5,120.95
0066622 *	9/11/2018	Sarah Parks Horsemanship	P2P Form 86 01-170-000-15000	\$488.16
0066626	9/11/2018	Sims Publications Incorporated	Business Cards - V Murphy 01-170-099-60301	\$85.00
0066627 *	9/11/2018	Skate Kingsville	P2P Forms 73 74 75 96 01-170-000-15000	\$1,243.00
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-170-099-60327	\$450.00
0066641	9/11/2018	Tri-County Copiers Plus	Arena/Admin Copies 01-170-099-60301	\$90.74
0066642	9/11/2018	Truax Lumber	Shower Liner for Ice Flooding 01-170-099-60315	\$7.99
0066642	9/11/2018	Truax Lumber	Metal Bracket 01-170-099-60315	\$7.38
0066647	9/11/2018	Waddick Fuels	Arena - Dyed ULS 01-170-099-60340	\$295.17
0066647	9/11/2018	Waddick Fuels	Arena - Dyed ULS 01-170-099-60340	\$197.35
0066648	9/11/2018	Warkentin Plumbing	Valve Kit 01-170-099-60315	\$232.32
0066667	9/25/2018	Athletica Sport Systems	Rink Board Glass 01-170-099-60315	\$1,590.00
0066678	9/25/2018	Cintas Canada Limited	Arena - Mats 01-170-099-60315	\$48.80
0066681	9/25/2018	Cogeco	1741 Jasperson 01-170-099-60327	\$102.43
0066684	9/25/2018	Culligan Water	Arena - Cooler 01-170-099-60318	\$27.95
0066686 *	9/25/2018	Darcy School of Dance	P2P Forms 64 82 83 92 01-170-000-15000	\$3,543.84
0066714	9/25/2018	Kingsville Home Hardware	Shop Supplies 01-170-099-60335	\$33.98
0066714	9/25/2018	Kingsville Home Hardware	Tape 01-170-099-60315	\$20.98
0066714	9/25/2018	Kingsville Home Hardware	Paint 01-170-099-60315	\$72.96
0066714	9/25/2018	Kingsville Home Hardware	Paint & Masks 01-170-099-60315	\$31.96

Town of Kingsville
Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066714	9/25/2018	Kingsville Home Hardware	Zinc Plates 01-170-099-60315	\$12.95
0066714	9/25/2018	Kingsville Home Hardware	Paint 01-170-099-60315	\$41.99
0066714	9/25/2018	Kingsville Home Hardware	Gloves 01-170-099-60335	\$45.89
0066714	9/25/2018	Kingsville Home Hardware	Hose 01-170-099-60315	\$181.96
0066714	9/25/2018	Kingsville Home Hardware	Rollers 01-170-099-60315	\$15.94
0066714	9/25/2018	Kingsville Home Hardware	Keys 01-170-099-60315	\$5.48
0066714	9/25/2018	Kingsville Home Hardware	Hose 01-170-099-60316	\$79.99
0066714	9/25/2018	Kingsville Home Hardware	Part for Water Line 01-170-099-60315	\$17.27
0066716	9/25/2018	Lakeshore Lightening Girls Hoc	P2P Form 095 01-170-000-15000	\$567.00
0066723	9/25/2018	Linde Canada Limited 15687	Rental Charges - Propane 01-170-099-60340	\$73.41
0066723	9/25/2018	Linde Canada Limited 15687	Rental Charges - Oxygen 01-170-099-60340	\$88.96
0066731	9/25/2018	Merchant Paper Company	Arena - Supplies 01-170-099-60335	\$485.20
0066736	9/25/2018	HYDRO ONE	Arena Complex 01-170-099-60314	\$13,541.63
0066738	9/25/2018	Orkin Canada Corporation	Pest Control 01-170-099-60315	\$87.50
0066741	9/25/2018	Phasor Industrial	Repair to Compressor 01-170-099-60315	\$365.24
0066758	9/25/2018	Security One Alarm Systems	Monitoring 08/18/18-08/17/19 01-170-099-60315	\$1,374.33
0066761	9/25/2018	Sims Publications Incorporated	Subscription Renewal 01-170-099-60320	\$48.80
0066761	9/25/2018	Sims Publications Incorporated	Business Cards - M Durocher 01-170-099-60301	\$85.00
0066772	9/25/2018	Union Gas Limited	1741 Jasperson Lane 01-170-099-60314	\$290.88
0066775	9/25/2018	Waddick Fuels	Arena - Dyed ULS 01-170-099-60340	\$399.17
0066776	9/25/2018	Warkentin Plumbing	Filters 01-170-099-60315	\$124.80
0066776	9/25/2018	Warkentin Plumbing	Plumbing Repair 01-170-099-60315	\$93.28

Total For Department 170 \$35,814.64

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0066522	9/11/2018	1797465 Ontario Limited	Plumbing Service 01-171-176-60315	\$350.00
0066522	9/11/2018	1797465 Ontario Limited	Septic Service 01-171-099-60318	\$559.68
0066522	9/11/2018	1797465 Ontario Limited	Plumbing Service 01-171-099-60315	\$167.90

Town of Kingsville
Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066526	9/11/2018	Allstream Business Inc	Park Pavilion - 733-8952 01-171-155-60327	\$44.30
0066526	9/11/2018	Allstream Business Inc	Lions Hall - 733-2573 01-171-159-60327	\$41.00
0066526	9/11/2018	Allstream Business Inc	Carnegie/Arena Elevator 01-171-171-60327	\$47.98
0066529	9/11/2018	Alan Batke	HS - Flowers 01-171-150-60344	\$244.72
0066553	9/11/2018	Economy Rental Centre	Water Service - Mettawas Park 01-171-360-71154	\$343.34
0066555	9/11/2018	E.L.K. Energy Inc	Queen St - NE Corner 01-171-099-60314	\$17.30
0066555	9/11/2018	E.L.K. Energy Inc	Queen St - NW Corner 01-171-099-60314	\$17.97
0066555	9/11/2018	E.L.K. Energy Inc	21 Mill St - Lions Hall 01-171-159-60314	\$18.64
0066555	9/11/2018	E.L.K. Energy Inc	28 Division St S 01-171-171-60314	\$325.87
0066555	9/11/2018	E.L.K. Energy Inc	315 Queen St - Meter Cab 01-171-099-60314	\$21.02
0066555	9/11/2018	E.L.K. Energy Inc	315 Queen St - Pavilion 01-171-155-60314	\$293.31
0066555	9/11/2018	E.L.K. Energy Inc	21 Mill St - Lions Hall 01-171-159-60314	\$442.31
0066555	9/11/2018	E.L.K. Energy Inc	37 Beech St (42 Main) 01-171-172-60314	\$232.44
0066555	9/11/2018	E.L.K. Energy Inc	124 Fox - Ridgeview Park 01-171-176-60314	\$285.17
0066555	9/11/2018	E.L.K. Energy Inc	122 Fox St 01-171-173-60314	\$369.24
0066555	9/11/2018	E.L.K. Energy Inc	169 Cty Rd 34W (Cottam Rotary) 01-171-099-60314	\$77.42
0066557	9/11/2018	Erie Sand & Gravel Limited	Water Install - Mettawas 01-171-360-71154	\$136.53
0066559	9/11/2018	Erie Landscape & Supply	Instal Edging 01-171-099-60337	\$2,238.72
0066570	9/11/2018	Grossi Plumbing & Heating	Splash Pad Repair 01-171-176-60315	\$482.96
0066587	9/11/2018	Loblaw Inc.	Facility Mtce 01-171-099-60315	\$7.12
0066594	9/11/2018	Metro City Paving Ltd	Asphalt Pathways 01-171-360-71154	\$15,263.99
0066596	9/11/2018	Modular Service Group Inc	Storage Rental 01-171-099-60318	\$76.32
0066605	9/11/2018	Openspace Solutions Inc	Sensor for Splash Pad 01-171-176-60315	\$645.00
0066610	9/11/2018	Phasor Industrial	Diamond Lights 01-171-099-60315	\$3,941.89
0066612	9/11/2018	Plant Products	Grass Seed 01-171-177-60337	\$440.00
0066616	9/11/2018	Queens Auto Supply	Spark Plug 01-171-099-60316	\$29.27
0066616	9/11/2018	Queens Auto Supply	Spark Plug 01-171-099-60316	\$17.87
0066616	9/11/2018	Queens Auto Supply	V-Belt 01-171-099-60316	\$8.56
0066616	9/11/2018	Queens Auto Supply	Exhaust Fluid 01-171-099-60316	\$14.30

Town of Kingsville
Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066616	9/11/2018	Queens Auto Supply	Bulb 01-171-099-60316	\$12.33
0066616	9/11/2018	Queens Auto Supply	Equipment Repair 01-171-099-60316	\$16.20
0066616	9/11/2018	Queens Auto Supply	Battery 01-171-099-60316	\$167.00
0066640	9/11/2018	Town of Kingsville (water)	37 Beech St 01-171-172-60314	\$87.40
0066640	9/11/2018	Town of Kingsville (water)	21 Mill St W 01-171-159-60314	\$393.30
0066640	9/11/2018	Town of Kingsville (water)	28 Division St S 01-171-171-60314	\$67.74
0066640	9/11/2018	Town of Kingsville (water)	Lakeside Park Washrooms 01-171-099-60314	\$201.02
0066640	9/11/2018	Town of Kingsville (water)	Lakeside Park Pavilion 01-171-155-60314	\$1,125.28
0066642	9/11/2018	Truax Lumber	Soccer Net Repair 01-171-176-60315	\$22.25
0066642	9/11/2018	Truax Lumber	Rebar 01-171-099-60315	\$30.43
0066642	9/11/2018	Truax Lumber	PT Wood - Gazebo Steps 01-171-155-60315	\$65.36
0066643	9/11/2018	TSC Stores L.P.	Repair to Gas Pump 01-171-176-60315	\$15.98
0066645	9/11/2018	Vertechs Elevators Ontario Inc.	Elevator Maintenance 01-171-171-60315	\$330.72
0066645	9/11/2018	Vertechs Elevators Ontario Inc.	Elevator Maintenance 01-171-171-60315	\$330.72
0066651	9/11/2018	Windsor Factory Supply	Gloves 01-171-099-60335	\$71.07
0066651	9/11/2018	Windsor Factory Supply	Padlocks 01-171-099-60315	\$59.10
0066676	9/25/2018	Cedar Creek Landscaping	P&R - Grass Cutting 01-171-072-60120	\$17,513.90
0066681	9/25/2018	Cogeco	37 Beech St 01-171-172-60327	\$55.92
0066694	9/25/2018	E.R.(Bill) Vollans Ltd.	Filler & Plug for Weed Whipper 01-171-099-60316	\$19.68
0066697	9/25/2018	Essex Readymix Inc.	Cement for Memorial Benches 01-171-099-60337	\$384.65
0066711	9/25/2018	Kelcom Telemessaging	Emergency Elevator Line 01-171-171-60315	\$27.42
0066713	9/25/2018	Kingsville Equipment Rentals	Equipment for Concrete 01-171-099-60318	\$38.67
0066714	9/25/2018	Kingsville Home Hardware	New Storage Box/Batting Cage 01-171-099-60315	\$25.37
0066714	9/25/2018	Kingsville Home Hardware	Bulbs 01-171-159-60315	\$24.99
0066714	9/25/2018	Kingsville Home Hardware	Hose Clamp 01-171-176-60315	\$5.56
0066714	9/25/2018	Kingsville Home Hardware	Supplies 01-171-175-60315	\$46.27
0066714	9/25/2018	Kingsville Home Hardware	Spade 01-171-099-60335	\$39.67
0066714	9/25/2018	Kingsville Home Hardware	Supplies 01-171-099-60335	\$70.11
0066714	9/25/2018	Kingsville Home Hardware	Paint Tray 01-171-099-60335	\$17.24

Town of Kingsville
Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066714	9/25/2018	Kingsville Home Hardware	Supplies 01-171-175-60315	\$135.48
0066717	9/25/2018	Lakeshore Directional Drilling	Install Water Line 01-171-360-71154	\$3,000.00
0066718	9/25/2018	Landmark Engineers Inc.	Shoreline Engineering 01-171-360-71564	\$4,554.40
0066721	9/25/2018	Leamington Sanitation	Plumbing Repair 01-171-176-60315	\$160.00
0066736	9/25/2018	HYDRO ONE	1741 Jasperson Lane 01-171-177-60314	\$200.05
0066736	9/25/2018	HYDRO ONE	ERCA Ticket Booth 01-171-099-60314	\$30.57
0066741	9/25/2018	Phasor Industrial	Repair Work 01-171-176-60315	\$320.95
0066741	9/25/2018	Phasor Industrial	Electrical Service 01-171-360-71154	\$4,232.49
0066742	9/25/2018	Playpower Lt Canada Inc.	Swings 01-171-360-71734	\$14,531.69
0066745	9/25/2018	Proud House Wash Ltd.	Vegetation Maintenance 01-171-177-60315	\$400.00
0066747	9/25/2018	Queens Auto Supply	Tractor Parts 01-171-099-60316	\$144.20
0066747	9/25/2018	Queens Auto Supply	Part for Equipment 01-171-099-60316	\$35.51
0066747	9/25/2018	Queens Auto Supply	Part for Equipment 01-171-099-60316	\$93.20
0066753	9/25/2018	R. Moir Cleaning Service	September Cleaning - Unico 01-171-172-60315	\$400.00
0066754	9/25/2018	Ron Koudys Landscape Archite	Lions Park - Landscaping 01-171-360-71645	\$4,173.27
0066756	9/25/2018	Ruthven Nursery & Garden Cen	Mulch 01-171-099-60337	\$203.52
0066756	9/25/2018	Ruthven Nursery & Garden Cen	Mulch 01-171-099-60337	\$356.16
0066756	9/25/2018	Ruthven Nursery & Garden Cen	Mulch 01-171-099-60337	\$152.64
0066756	9/25/2018	Ruthven Nursery & Garden Cen	Mulch 01-171-099-60337	\$203.52
0066764	9/25/2018	Sunparlour Locksmiths	Key Cylinder 01-171-176-60315	\$70.00
0066766	9/25/2018	Terry Fox Foundation	Terry Fox T-Shirt Sales 01-171-066-41270	\$260.00
0066772	9/25/2018	Union Gas Limited	124 Fox St 01-171-176-60314	\$23.40
0066772	9/25/2018	Union Gas Limited	122 Fox St 01-171-173-60314	\$57.55
0066772	9/25/2018	Union Gas Limited	21 Mill St - Lions Hall 01-171-159-60314	\$21.73
0066772	9/25/2018	Union Gas Limited	28 Division St S 01-171-171-60314	\$21.37
0066772	9/25/2018	Union Gas Limited	37 Beech St 01-171-172-60314	\$23.97
0066772	9/25/2018	Union Gas Limited	103 Park St 01-171-135-60314	\$72.78
0066774	9/25/2018	Panayiotakys Vourakes	Funnel & Inner Tube 01-171-176-60315	\$25.00
0066776	9/25/2018	Warkentin Plumbing	Plumbing Repair 01-171-176-60315	\$312.00

**Town of Kingsville
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066778	9/25/2018	Windsor Factory Supply	Parts 01-171-099-60316	\$159.93
Total For Department 171				\$82,842.87
<u>172</u>	-			
0066761	9/25/2018	Sims Publications Incorporated	FOL - Rack Cards 01-172-099-60306	\$612.59
Total For Department 172				\$612.59
<u>173</u>	-			
0066526	9/11/2018	Allstream Business Inc	Boat Ramp - 733-6020 01-173-099-60327	\$44.33
0066539	9/11/2018	Cedar Island Yacht Club	Tug Boat Maintenance 01-173-152-60333	\$718.57
0066647	9/11/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$4,612.87
0066647	9/11/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$4,294.28
0066647	9/11/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$2,470.94
0066714	9/25/2018	Kingsville Home Hardware	Parts 01-173-099-60315	\$4.02
0066736	9/25/2018	HYDRO ONE	Cedar Beach Marina-West Dock 01-173-099-60314	\$50.76
0066736	9/25/2018	HYDRO ONE	Boat Ramp Booth - 599 Cedar Dr 01-173-099-60314	\$41.77
0066736	9/25/2018	HYDRO ONE	Cedar Island Boat Slips 01-173-099-60314	\$491.27
0066775	9/25/2018	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$632.12
0066783	9/25/2018	XPlornet Communications Inc	Marina - Communication Service 01-173-099-60327	\$49.99
Total For Department 173				\$13,410.92
<u>175</u>	-			
0066532	9/11/2018	Bluewater First Aid Training Cer	First Aid/Babysitter Training 01-175-099-60254	\$737.76
0066587	9/11/2018	Loblaw Inc.	Movies on the Beach 01-175-099-60628	\$20.01
0066664	9/19/2018	KELLY WOLTERS	PC - Float for Fall Dance Bar 01-175-099-60632	\$150.00
0066677	9/25/2018	Chapman Signs	Donor Wall Decal 01-175-099-60317	\$40.70
0066714	9/25/2018	Kingsville Home Hardware	Bonfire 01-175-099-60628	\$9.65

**Town of Kingsville
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
Total For Department			175	\$958.12
<u>178</u>	-			
0066556	9/11/2018	Elmara Construction Co. Limite	Grovedale House 01-178-360-71630	\$151,712.48
0066656	9/13/2018	E.L.K. Energy Inc	103 Park St - Inspection 01-178-360-71630	\$1,725.34
0066704	9/25/2018	Glos Associates Inc	Kings Landing 01-178-360-71630	\$2,436.13
0066704	9/25/2018	Glos Associates Inc	Kings Landing-Additional Costs 01-178-360-71630	\$600.38
0066741	9/25/2018	Phasor Industrial	Electrical Service 01-178-360-71630	\$6,335.28
Total For Department			178	\$162,809.61
<u>180</u>	-			
0066636	9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 01-180-099-60327	\$45.79
0066658	9/19/2018	FastSigns	Notice Signs # Stakes 01-180-099-60306	\$157.73
0066661	9/19/2018	OACA	OACA Registration - K Brcic 01-180-099-60254	\$150.00
0066746	9/25/2018	Purolator Courier Service	Courier Fees 01-180-099-60305	\$26.81
0066782	9/25/2018	WSP Canada Group Limited	5 Year OP Review PPC #7 01-180-360-71742	\$2,712.82
Total For Department			180	\$3,093.15
<u>181</u>	-			
0066530	9/11/2018	Beach House Grill	BIA Dollars 01-181-170-60812	\$42.50
0066531	9/11/2018	Christina Bedal	Organization Items for Office 01-181-099-60301	\$60.90
0066531	9/11/2018	Christina Bedal	Mileage 01-181-099-60306	\$29.22
0066560	9/11/2018	Ernie's TV and Appliances	Bookcase 01-181-099-60301	\$405.00
0066599	9/11/2018	New Designs Flowers & Gifts	Flower Arrangement 01-181-099-60317	\$35.62
0066611	9/11/2018	Pinstripes	Tourism Map Reimbursement 01-181-099-60306	\$339.00
0066670	9/25/2018	Christina Bedal	Board Meeting Supplies 01-181-099-60317	\$18.07
0066670	9/25/2018	Christina Bedal	Flowers for Carnegie 01-181-170-60839	\$35.60

**Town of Kingsville
Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0066671	9/25/2018	Bell Canada	BIA Internet 01-181-099-60327	\$34.60
0066671	9/25/2018	Bell Canada	BIA Phone 01-181-099-60327	\$103.05
0066678	9/25/2018	Cintas Canada Limited	BIA Mats 01-181-099-60341	\$62.73
0066678	9/25/2018	Cintas Canada Limited	BIA Mats 01-181-099-60341	\$62.73
0066679	9/25/2018	Cindy's Home and Garden	Flowers for Town Clock 01-181-170-60839	\$727.58

Total For Department 181 \$1,956.60

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0066572	9/11/2018	Hall Telecommunications Suppl	Accessible Phone Line 01-184-099-63300	\$172.99
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Total For Department 184 \$172.99

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0066573	9/11/2018	Tara Hewitt	KEDC Music for Video Invite 01-185-099-63113	\$66.98
0066598	9/11/2018	Myron Smarter Business Gifts	USB Flash Drives - EcDev Conf 01-185-099-63113	\$1,383.79
0066666 *	9/25/2018	A.M.A.Plastics Ltd.	Refund KEDC Sponsorship 01-185-066-41325	\$500.00
0066671	9/25/2018	Bell Canada	BIA Toll Free 01-185-099-60327	\$12.16
0066699	9/25/2018	Essex Region Conservation Fo	ERCA Bike Tour Sponsorship 01-185-099-63105	\$500.00
0066719	9/25/2018	LBF Group	Tourist Maps 01-185-099-63106	\$10,404.95
0066746	9/25/2018	Purolator Courier Service	Courier Fees 01-185-066-41323	\$449.97

Total For Department 185 \$13,317.85

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0066608	9/11/2018	Pearsall Marshall Halliwell & Se	Designation of ByLaw 98-2018 01-186-099-60319	\$328.84
0066674	9/25/2018	Veronica Brown	Research Assistant (KMHAC) 01-186-099-63200	\$420.00

Total For Department 186 \$748.84

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Town of Kingsville
Council Summary Report

Cheque Number		Cheque Date	Vendor Name	Description	Cheque Amount
0066534	X	9/11/2018	Jack Henry Brando	Refund on Final 02-201-006-12067	\$98.48
0066536	X	9/11/2018	Manuel Cacilhas	Refund on Final 02-201-006-12067	\$128.35
0066566	X	9/11/2018	Drew Glos	Refund on Final 02-201-006-12067	\$23.86
0066571		9/11/2018	Hach Sales & Service Canada L	Chlorimeter Replacements 02-201-099-60357	\$1,304.56
0066588		9/11/2018	Lucier Glove & Safety Products	Env - Eye Wash Stations 02-201-099-60347	\$155.61
0066604		9/11/2018	Ontario One Call	Notifications - August 02-201-099-63020	\$272.10
0066613		9/11/2018	Preview Inspections and Consul	Backflow Prevention 02-201-180-60405	\$1,831.68
0066614		9/11/2018	Pro Bid Contractors Ltd.	Watermain Break Restoration 02-201-099-60418	\$4,223.04
0066619	X	9/11/2018	Linda J Rettig	Refund on Final 02-201-006-12067	\$40.14
0066621		9/11/2018	Sam's Service Facility	17-03 F250 Oil Change 02-201-099-60316	\$70.16
0066634		9/11/2018	Strongco Limited Partnership	Backhoe - Replace Hyd Oil Tank 02-201-099-60316	\$1,927.81
0066636		9/11/2018	Telus Mobility	Cell Phones Aug 28 to Sep 27 02-201-099-60327	\$320.54
0066643		9/11/2018	TSC Stores L.P.	Fluid Film for Hydrant 02-201-099-63045	\$83.13
0066653		9/11/2018	Wolseley Canada Inc	Paint/Declorination Pucks 02-201-099-63020	\$641.64
0066653		9/11/2018	Wolseley Canada Inc	Paint/Declorination Pucks 02-201-099-63045	\$600.42
0066653		9/11/2018	Wolseley Canada Inc	Replace Broken Locator 02-201-099-63020	\$1,136.50
0066653		9/11/2018	Wolseley Canada Inc	3/4" Stock Supply 02-201-099-63025	\$427.39
0066675		9/25/2018	Canada Post Corporation	Water and Tax Notices 02-201-099-60303	\$2,463.48
0066675		9/25/2018	Canada Post Corporation	Water Arrears 02-201-099-60303	\$318.83
0066703	X	9/25/2018	Peter Friessen	Refund on Final 02-201-006-12067	\$8.85
0066715		9/25/2018	KTI Limited	Touch Pads for Meters 02-201-099-63017	\$1,455.17
0066728		9/25/2018	Mark's Commercial	Workboots - E Allen 02-201-072-60216	\$183.15
0066728		9/25/2018	Mark's Commercial	Workboots - M Dagenais 02-201-072-60216	\$228.95
0066755		9/25/2018	Royal Benefits Inc	Benefit Claims - August 02-201-072-60222	\$120.38
0066769		9/25/2018	Tire Tyme	13-03 Tire Repair 02-201-099-60316	\$120.08
0066771		9/25/2018	TSC Stores L.P.	Fluid Film for Hydrant Mtct 02-201-099-63045	\$32.56
0066771		9/25/2018	TSC Stores L.P.	Stock Chlorine 02-201-099-60335	\$42.72
0066773		9/25/2018	Victory Ford Lincoln Sales Ltd	18-06 Ford F350 Purchase 02-201-360-71859	\$64,532.41
0066781		9/25/2018	Wolseley Canada Inc	201 Meter Couplings 02-201-099-63017	\$137.46

Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
Total For Department 201				\$82,929.45
<u>242</u>	-			
0066555	9/11/2018	E.L.K. Energy Inc	98 McCallum Dr 02-242-099-60314	\$109.59
0066555	9/11/2018	E.L.K. Energy Inc	Bernath Pump Station 02-242-099-60314	\$24.89
0066555	9/11/2018	E.L.K. Energy Inc	67 Heritage Sewage 2 02-242-099-60314	\$2,166.37
0066555	9/11/2018	E.L.K. Energy Inc	250 Queen St 02-242-099-60314	\$392.86
0066562	9/11/2018	Essex Region Conservation Aut	Permit - Install Generator Pad 02-242-360-71866	\$150.00
0066602	9/11/2018	Ontario Clean Water Agency	Operations & Maintenance 02-242-320-64360	\$81,052.65
0066603	9/11/2018	HYDRO ONE	18 Hwy Lane Sewage Lagoon 02-242-099-60314	\$26.67
0066735	9/25/2018	Ontario Clean Water Agency	Emergency Repair 02-242-099-60316	\$20,772.05
0066736	9/25/2018	HYDRO ONE	1460 Road 2E Pump 02-242-099-60314	\$489.66
0066736	9/25/2018	HYDRO ONE	Normandy Pump Station 02-242-099-60314	\$68.42
0066736	9/25/2018	HYDRO ONE	1562 Heritage Rd Pump 4 02-242-099-60314	\$56.59
0066736	9/25/2018	HYDRO ONE	1053 Cedar Dr 02-242-099-60314	\$95.47
0066736	9/25/2018	HYDRO ONE	Forcemain over Bridge 02-242-099-60314	\$26.66
0066736	9/25/2018	HYDRO ONE	1902 Heritage Rd Pump 5 02-242-099-60314	\$41.68
0066736	9/25/2018	HYDRO ONE	Pump Station Cedar Island 02-242-099-60314	\$165.09
Total For Department 242				\$105,638.65
<u>243</u>	-			
0066555	9/11/2018	E.L.K. Energy Inc	168 Cty Rd 27N 02-243-099-60314	\$142.84
0066555	9/11/2018	E.L.K. Energy Inc	Rear of 17 Lyle 02-243-099-60314	\$52.50
0066555	9/11/2018	E.L.K. Energy Inc	16 Whitewood (Behind) 02-243-328-64365	\$15.61
0066555	9/11/2018	E.L.K. Energy Inc	168 Cty Rd 27N - Lagoon 02-243-099-60314	\$272.50
0066568	9/11/2018	Gosfield North Communications	Pump House Alarm 02-243-099-60327	\$48.15
0066602	9/11/2018	Ontario Clean Water Agency	Operations & Maintenance 02-243-320-64360	\$5,924.21

Town of Kingsville
Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
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Total For Department 243 \$6,455.81

* Note GST Rebate details are omitted, but are included in the totals \$1,367,026.60



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

Date: September 5, 2018
To: Mayor and Council
Author: Jennifer Galea, Human Resources Manager
RE: Policy Review- Complaint Processing Policy
Report No.: CS-2018-20

AIM

Obtain council approval to implement the Complaint Processing Policy, Policy #CS-021.

BACKGROUND

Bill 8, the Public Sector and MPP Accountability and Transparency Act, 2014, requires municipalities to have a process in place for receiving and handling of complaints. The Human Resources Manager completed a comprehensive review of the Town's human resources policies and procedures. During this review, it was determined that the Town of Kingsville does not have a formal policy in place to address complaints related to programs, facilities, services, staff or operational procedures. Currently, all complaints are being processed through Kingsville Works, which is our service request system.

The attached draft Policy addresses the above noted legislative requirement by establishing a process for residents, visitors and members of public a formal procedure to express dissatisfaction with a municipal service, facility and/or staff members.

DISCUSSION

Currently, complaints received by the Town are logged in KingsvilleWorks. This system is online and its intended function is to deal with service requests or complaints related to by-law infractions. Requests are filtered to the appropriate department by front line staff. All requests logged in the system can be viewed by any staff member with log-in credentials.

Using KingsvilleWorks as a complaint resolution system is problematic for the following reasons:

- It was not designed to address concerns from members of the public related to employees. The open access nature of the system creates confidentiality issues when complaints are received that pertain to other employees.
- *Bill 8* mandates that municipalities are required to establish a formal process to deal with service, facility and staffing concerns. Additionally, there are privacy considerations under the *Municipal Freedom of Information and Protection of Privacy Act*.
- The “request” form in KingsvilleWorks does not take into consideration the various elements of the complaint process that Administration is recommending. The policy outlines a central receiving department that distributes the complaint appropriately and outlines what information the “Investigator” is to document at each stage of the investigation.

The attached Policy is designed to address all complaints that are received from a member of the public regarding dissatisfaction to a municipal program, service, facility, staff member or volunteer (i.e. complaint about a interaction with staff, or unhappiness with an attended program etc.). The Policy will not deal with requests for service, complaints about a Council decision, feedback, internal employee complaints and issues addressed by legislation/by-laws.

The Policy follows four stages:

1. Complaint is received.

The Corporate Services Department will receive a formal complaint which will be completed on the “Municipal Complaint Form”, acknowledge the receipt of the complaint and assign it a formal tracking number, which shall be supplied to the complainant. The complaint will be forwarded to the appropriate town employee for investigation.

2. Investigation.

The investigating employee will investigate the complaint documenting their investigation on the “Municipal Complaint Tracking Form”. Generally, all investigations and the decision/resolution will be determined within 30 days of the receipt of the complaint. All records and follow up will be completed and forwarded to Corporate Services Department.

3. Communication of the Decision.

The complainant will be notified of the decision/resolution either verbally or in writing. Decisions rendered in writing shall be appended to the Tracking Form. If the decision is communicated verbally, the communication shall be documented on the Tracking Form.

4. Close File and Records Retention.

The investigating employee will close the file and forward the documents to the Corporate Services Department to retain the concern and resolution in accordance with the Town's retention schedule.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

There are no direct financial costs associated with rolling out and training staff on the policy updates. The Human Resources Manager can provide the necessary staff training.

CONSULTATIONS

Senior Management Team

RECOMMENDATION

Council adopt the Complaint Processing Policy.

Jennifer Galea


Jennifer Galea, CHRL
Human Resources Manager

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

	Complaint Processing Policy	
Policy #: CS-021	Issued: Human Resources	Reviewed/Revised: Jennifer Galea
Prepared By: Jennifer Galea	Reviewed By: Senior Management Team	Approved By:

1.0 PURPOSE

The intent of this policy is to establish a procedure for the consistent and efficient response to program and service delivery complaints raised by members of the public.

The Town strives to provide excellent services to its residents and visitors. This policy will enable the Town to respond to concerns in a timely manner and use the information provided to improve program and service delivery.

2.0 SCOPE

This Policy applies to complaints received from members of the public regarding the dissatisfaction related to a municipal program, service, facility, staff members or volunteers.

This policy does not apply to:

- General inquiries about municipal services;
- Requests for service;
- Feedback or opinions;
- Request for accommodations;
- Issues addressed by legislation, or an existing municipal by-law, policy or procedure;
- A decision of Council or of a Committee of Council;
- Internal employee complaints; or
- Complaints about Members of Council

3.0 DEFINITIONS

CAO means the Chief Administrative Officer for the Town.

Complainant means the person who is filing the Complaint.

Complaint means an expression of dissatisfaction related to municipal program, service, facility, staff members or volunteers, where it is believed that the Town has not

provided a service experience to the customer's satisfaction at the point of service delivery.

Department Head means the Director or Manager that is responsible for the overall operation of a specific department.

Investigator means the employee(s) assigned to investigating a specific Complaint.

Policy means the Compliant Processing Policy.

Town means the The Corporation of the Town of Kingsville.

Tracking Number means the unique number assigned to the Complaint as a means to identify the Complaint.

4.0 REFERENCE DOCUMENTS

Employee Code of Conduct
Municipal Complaint Form (Public Use)
Municipal Complaint Tracking Form (Internal Use)
Municipal Complaint Policy Flow Chart

5.0 RESPONSIBILITIES

Employees are responsible to ensure that they understand how the Town processes and responds to Complaints. Department Heads are responsible to ensure that all employees within their department are aware of and understand this Policy.

Department Heads, the Human Resources Manager, CAO and Mayor are responsible for investigating Complaints in accordance with this Policy.

6.0 PROCEDURE

6.1 General

A Complaint may be lodged in person, via telephone or in writing (mail, email etc.).

A formal complaint shall include the following components:

- a) Name and contact information of the Complainant;
- b) Type of complaint;
- c) Summary of complaint (Details, location, Town employee involved, resolution requested, enclosures, date complaint submitted);
- d) Signature and date.

All Complaints should be filed as soon as possible following the occurrence of the incident, or upon identification of the issue. An initial service request should be placed prior to filing a service complaint.

Within thirty (30) calendar days of the receipt of a Complaint, the Investigator shall provide a response in writing to the Complainant.

6.2 Informal Complaint

It is the responsibility of Town employees to attempt to resolve issues or concerns before they become formal complaints, and identify opportunities to improve municipal services.

In cases where informal resolution is successful, complaint logging is not required.

6.3 Formal Complaint

Formal Complaints shall be submitted to the Corporate Services Department on the Municipal Complaint Form, attached as Appendix "A". All complaints must be dated and signed by the Complainant. Complaints will be treated with the utmost confidentiality. However, anonymous complaints will not be accepted or processed.

6.3.1 Acknowledgement

Each Complaint is assigned a tracking number when received by the Corporate Services Department (e.g. COMP-2018-01) and forwarded to the Department Head, or designate, of the responsible department, and the CAO.

In cases of complaints against employees and volunteers, the Complaint shall be forwarded to the Department Head, the CAO and the Human Resources Manager.

The Corporate Services Department shall contact the Complainant, in writing, within seven (7) business days of filing the Complaint, to acknowledge receipt of the Complaint. The Complainant shall be provided with the tracking number.

6.3.2 Transfer and Assessment

A Complaint against a Town employee shall be investigated by the Department Head and Human Resources Manager.

A Complaint against a Department Head shall be investigated by the CAO and Human Resources Manager.

A Complaint against the CAO shall be forwarded to the Mayor, who shall consult with Personnel Committee and may designate a qualified, independent external party to investigate.

A Complaint regarding a municipal program, service, or facility shall be forwarded to the Department Head, or designate for investigation.

If necessary, contact the Complainant in writing to clarify the Complaint. The Complaint may be closed during this stage if:

- a resolution is possible,
- it is a duplicate Complaint, or
- it is not a proper Complaint under this Policy.

6.3.3 Investigation

The investigator shall review the issues identified by the Complainant and in doing so may:

- Review relevant municipal and provincial legislation;
- Review the municipality's relevant policies and procedures;
- Interview employees or persons external to the municipality;
- Review file documents;
- Identify actions that may be taken to address the complaint or improve municipal operations.

The Investigator shall use the Municipal Complaint Tracking Form (the "Form") to record the action taken at the various stages of the investigation. Additional pages can be attached to the Form.

At the discretion of the CAO, Council may be notified of an open complaint for information purposes.

6.3.4 Decision

Within thirty (30) calendar days of receipt of the Complaint, the Investigator shall provide a response to the Complainant. If a decision cannot be provided within 30 days, the Investigator shall contact the Complainant about the delay and provide an estimation of time for the decision to be released.

The decision will consist of the following information:

- Overview of complaint;
- Summary of how the investigation was conducted;
- Summary of the facts;
- Whether the Complaint was substantiated, and if not substantiated, the reasons for that finding; and

- What corrective action(s) or next steps will be taken as a result of the Complaint and if necessary, the rationale to support the proposed resolution.

7.0 APPEAL

There is no appeal process.

8.0 MONITORING AND ADMINISTRATION

Complaints must be tracked from initial receipt to resolution. The assigned Investigator manages this process. The Investigator must complete the Municipal Complaint Tracking Form as the investigation proceeds through each step of the process.

All corrective action and decisions that are made in relation to the complaint must be documented as part of the complaint file. All communication between the Investigating Town Employee and the Complainant must be documented.

9.0 PRIVACY

Town of Kingsville employees will adhere to all applicable legislation regarding privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. Personal information forming part of the Complaint record is treated as confidential. Complainants should be aware that certain circumstances may indirectly identify them during an investigation.

10.0 RECORDS MANAGEMENT

All records relating to the Complaint shall be maintained by the Corporate Services Department in accordance with the Town's record retention schedule. Once a decision has been rendered, the Complaint is deemed resolved/closed and the Investigator will transfer all physical and electronic documents pertaining to the Complaint to the Corporate Services Department.

The Investigator shall not keep any records or documents, or copies of records or document, pertaining to the Complaint once the Complaint is resolved/closed.

APPENDICES

Appendix A – Municipal Complaint Form (Public Use)

Appendix B – Municipal Complaint Tracking Form (Internal Use)

Appendix C – Municipal Complaint Policy Flow

REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
-----	--------------------------------------	-------------	------

1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Questions about this policy can be referred to Human Resources Manager



APPENDIX "A"
Town of Kingsville
Municipal Complaint Form (Public Use)

HOW TO MAKE A COMPLAINT

The Town of Kingsville Corporate Services Department has procedures for receiving and handling complaints from the public who are dissatisfied with service, actions or lack of action by a Town department or staff member. We recommend you first speak directly with the service area where you are having an issue, in person or by telephone. Most complaints that are received verbally and can be resolved promptly by the department in charge of the service.

If you are not satisfied with how your verbal complaint is handled you can submit a written complaint by completing this form which is available at Town of Kingsville Main Office.

COMPLAINT CONTACT DETAILS

First name: *	Last name: *
Email Address (considered the most prompt way we can communicate with you)	
Mailing Address: *	Phone Number:*
<small>Note: If only a mailing address is provided our response timelines may be extended</small>	<small>Note: We only call if we require clarification.</small>

COMPLAINT TYPE

- | | |
|--|---|
| <input type="checkbox"/> Access of Services | <input type="checkbox"/> Programs |
| <input type="checkbox"/> Facilities | <input type="checkbox"/> Staff Conduct |
| <input type="checkbox"/> Outcome of Existing Complaint | <input type="checkbox"/> Timeliness of Services |
| <input type="checkbox"/> Processes of Procedures | <input type="checkbox"/> Other |

SUMMARY OF COMPLAINT

Please record information on what happened, who was involved, dates, and times. Be as detailed as possible. If there is not enough space to describe the complaint, attach extra paper.

Details:

Service area/ location of problem
Staff persons involved (if known and applicable)
List of enclosures (include copies of any documentation in support of the complaint)

RESOLVE

How do you suggest the complaint be resolved?

SIGN OFF

Complainant's signature
Date complaint submitted

TIMELINE

The Corporate Services Department staff will contact you to acknowledge this complaint in the next 1 to 5 business days after receiving this completed form. Your Complaint will be forward to the appropriate staff member for review and investigation. The Investigator will provide you with a response to your Complaint within 30 days of receipt of this Complaint. If this is not possible, you will be contacted and given a reason why this timeline is being adjusted.

NOTICE OF COLLECTION

The personal information you choose to provide on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*. The information you provide will be used to investigate the complaint and may be used for contact purposes but is otherwise considered confidential. Questions about this collection can be directed to the Corporate Services Department, Town Hall, 2021 Division Street North, Kingsville, ON, N9Y2Y9, 519-733-2305.

FOR CORPORATE SERVICES DEPARTMENT ONLY

Date Complaint Received:	Receiver Initials:	Tracking Number:
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APPENDIX "B"
Town of Kingsville
Municipal Complaint Tracking Form (Internal Use)

TRACKING NUMBER: _____ **Complainant's Name:** _____

COMPLAINT STAGE 1- ACKNOWLEDGEMENT

Notification of Receipt of Complaint by Corporate Services Department: _____

Complaint Transferred to: _____ Date Transferred: _____

COMPLAINT STAGE 2- ASSESSMENT

- ☐ Is the complaint misclassified? (Is it actually feedback/ compliment or a services request, etc.?)
- ☐ Is the complaint a duplicate?
- ☐ Is there more detailed information required from the complainant? If yes, check the box and notify complainant.

- Date of notification for additional information: _____

- Additional Information received: _____

- ☐ Can the complaint be resolved informally?

- Date of information resolve: _____

- How it was informally resolved:

- ☐ No additional information required at this time, proceed to Stage 3.

COMPLAINT STAGE 3- INVESTIGATION

Investigation Notes:

Attach additional pages if necessary.

COMPLAINT STAGE 4- RESOLUTION

Once a resolution has been determined follow up to the Complainant is required.

DECISION TO INCLUDE:

- ☐ Overview of Complaint
- ☐ Summary of the facts
- ☐ Outline of investigation findings
- ☐ Summary of how investigation was conducted
- ☐ Suggestions of corrective action or next steps and rationale for the proposed resolution, if necessary

Date of Decision Communicated to Complainant

RESOLUTION:

☐ Verbal Follow Up (Phone or in person): Give detail of content of resolution and what was discussed with complainant:

☐ Written Follow Up (email or written letter): Give detail of content of resolution and what was discussed with complainant:

☐ Letter or Email Attached

COMPLAINT STAGE 5- RECORDS MANAGEMENT

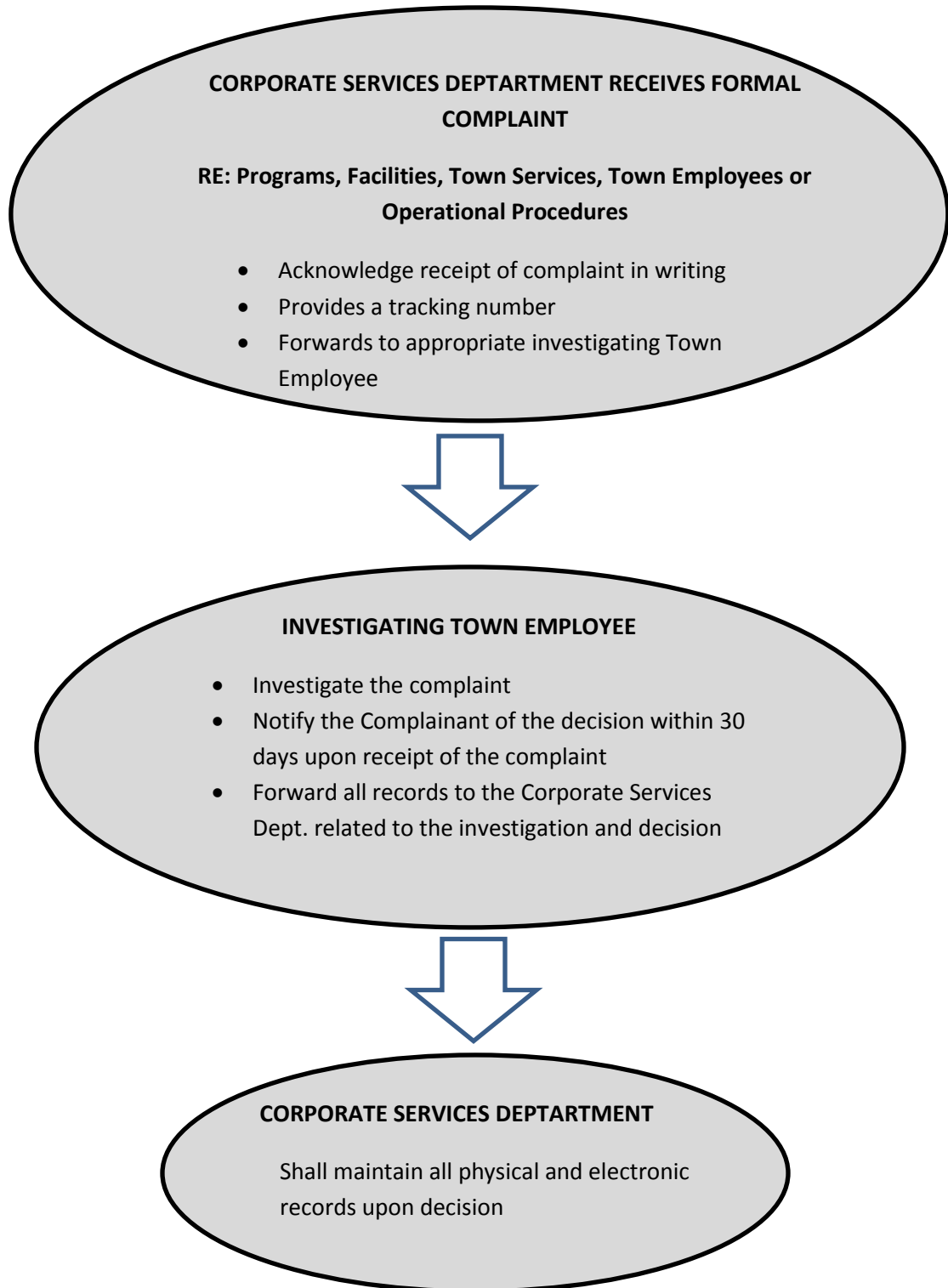
☐ All physical and electronic records been transferred to the Corporate Services Department and uploaded to Laserfiche.

☐ The Investigator confirms that s/he has not retained any copies of the Complaint records? _____
Initials

Date Complaint Closed: _____

Investigator Name: _____ Signature: _____

MUNICIPAL COMPLAINT POLICY FLOW CHART





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

Date: September 26, 2018

To: Mayor and Council

Author: Linda Brohman, Tax Collector

RE: Uncollectable Property Tax Write Off Under Section 354 of the
Municipal Act, 2001

Report No.: FS-2018-13

AIM

Request council authorization to write off uncollectable tax receivable balances on properties for which the owner cannot be located and the tax sale process is inappropriate. These write offs will ensure accurate receivable balances are reported on financial statements.

BACKGROUND

Section 354 of the Municipal Act, 2001 allows for the write off of property taxes under certain circumstances.

Section 354.2(a) allows the Treasurer of a local municipality to remove taxes from the roll if the council of the local municipality, on the recommendation of the Treasurer, writes off the taxes as uncollectible.

Section 354.4(b) permits the local municipality to write off taxes without conducting a tax sale provided the Treasurer includes a written explanation of why conducting a tax sale would be ineffective or inappropriate.

DISCUSSION

The Assessment Act mandates all property be assessed. In some cases the Municipal Property Assessment Corporation (MPAC) is forced to place a nominal value of \$10,000 or less on small strips of vacant land that seem worthless. Neither the Town nor MPAC has the authority to change the assessed value to nil.

Assuming the abutting property owners would be interested in purchasing these parcels, the Town is not in a position to offer them for sale, as the Town is not the legal owner. In order to offer property to abutting landowners the municipality would first have to conduct an unsuccessful tax sale to vest the property in the municipality's name. Considering the high cost of conducting a tax sale (approximately \$5,000 per property) and the low value of the subject properties, it is impractical to proceed with tax sales in these instances.

The tax rolls in question and the proposed write off are summarized in the table below.

Roll Number	Municipal Address	Municipal	County	School Boards	Total Write Off
130-000-07950	THORNCREST REAR	21.79	15.25	5.44	42.48
130-000-08110	THORNCREST REAR	25.87	18.11	6.46	50.44
180-000-01550	S/S ERIE ST	25.19	17.63	6.29	49.11
270-000-37401	CEDAR CREEK S/S	17.36	12.15	4.34	33.85
270-000-37901	CEDAR CREEK S/S	8.17	5.72	2.04	15.93
300-000-31501	COUNTY RD 34	14.30	10.01	3.57	27.88
300-000-31502	COUNTY RD 34	43.58	30.49	10.88	84.95
310-000-09901	ORCHARD BLVD	51.07	35.73	12.75	99.55
	TOTAL	207.33	145.09	51.77	404.19

LINK TO STRATEGIC PLAN

Not Applicable

FINANCIAL CONSIDERATIONS

The municipal portion of the write off expense is \$207.33, which is within the 2018 budget limits.

CONSULTATIONS

The Director of Financial Services was consulted and is in agreement with the write off of the uncollectable taxes listed in the table above.

RECOMMENDATION

It is recommended that Council authorize tax write offs totaling \$404.19.

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



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

Date: October 1, 2018
To: Mayor and Council
Author: Linda Brohman, Tax Collector
RE: Tax Adjustments Under Sections 357 of the Municipal Act, 2001
Report No.: FS-2018-14

AIM

Obtain council authorization to process property tax adjustments for the 2018 tax year under Sections 357 of the Municipal Act.

BACKGROUND

Under Section 357 of the Municipal Act ratepayers are entitled to a property tax adjustment for the *current year and one year prior* for the following reasons:

- Property became exempt.
- Property is deemed damaged and substantially unusable due to fire, demolition or otherwise.
- Repairs or renovations prevented normal use (minimum 3 months).
- Tax classification change or change in use.
- Property became vacant or excess land.
- Mobile unit was removed.
- Gross or manifest error occurred in the preparation of the assessment roll.

DISCUSSION

The properties on the attached listing have applied for a tax reduction under Sections 357 of the Municipal Act.

LINK TO STRATEGIC PLAN

Not applicable

FINANCIAL CONSIDERATIONS

The municipal portion of the expense is \$2,066.66, which is within the 2018 budget limits.

CONSULTATIONS

The Municipal Property Assessment Corporation has reviewed each application and provided assessment information to aid in the tax adjustment calculation.

RECOMMENDATION

Council authorize tax reductions totaling \$4,028.83 for the 2018 taxation year.

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

TOWN OF KINGSVILLE SECTION 357 & 358 APPLICATIONS

LISTING OF PROPERTIES ELIGIBLE FOR REBATE - NOVEMBER 2018

ROLL NUMBER	MUNICIPAL ADDRESS	MUNICIPAL TAXES	COUNTY TAXES	EDUCATION TAXES	BIA	TOTAL REFUND	TAX YEAR	SECTION	REASON FOR WRITE-OFF
270-000-10500	468 Waterview Rd	\$ 244.96	\$ 171.42	\$ 61.16	\$ -	\$ 477.54	2018	357	House Demolished
290-000-22333	Road 2 E	\$ 92.95	\$ 65.04	\$ 23.21	\$ -	\$ 181.19	2018	357	Change Assessment to Exempt
310-000-25600	515 Wigle Grove Rd	\$ 316.01	\$ 221.13	\$ 78.90	\$ -	\$ 616.04	2018	357	House Demolished
310-000-29100	850-876 Seacliff DR	\$ 768.41	\$ 537.71	\$ 191.86	\$ -	\$ 1,497.98	2018	357	House Demolished
470-000-00560	265 Road 7 E	\$ 345.85	\$ 242.01	\$ 86.35	\$ -	\$ 674.21	2018	357	House Demolished
500-000-03400	103 Marsh Rd	\$ 18.98	\$ 13.28	\$ 4.74	\$ -	\$ 37.00	2018	357	Structure Demolished
530-000-01250	152 County Rd 23	\$ 162.74	\$ 113.88	\$ 40.63	\$ -	\$ 317.25	2018	357	House Demolished
600-000-07601	346 County Rd 34 W	\$ 116.76	\$ 81.71	\$ 29.15	\$ -	\$ 227.62	2018	357	House Demolished
	TOTAL	\$ 2,066.66	\$ 1,446.18	\$ 516.00	\$ -	\$ 4,028.83			



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

Date: September 28, 2018
To: Mayor and Council
Author: Tim Del Greco, Manager of Municipal Services
RE: Marsh Sideroad – Cost of Surface Treatment
Report No.: MS 2018 - 43

AIM

To provide Council the cost of applying asphalt surface treatment to Marsh Sideroad.

BACKGROUND

During the September 24th 2018 Council Meeting, the following motion was approved:

536-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Administration prepare a report regarding when the gravel portion of Marsh Sideroad beginning at Highway 3 to County Road 27 will be surface treated, tar-and-chipped, or asphalted as residents have appeared before Council and have had no answers as to when this will be completed.

DISCUSSION

The gravel segment of Marsh Sideroad as identified above measures approximately 1,472 meters in length. There are seven residential properties within this segment, all of which are surrounded by agricultural farmland. The average daily traffic as identified in the 2011 Kingsville Roads Needs Study is 104 vehicles.

Surface treatment of Marsh Sideroad is not identified as a priority or recommended initiative in the Kingsville Transportation Master Plan or the Municipal Services Five Year Capital Plan. As a result, there are no immediate or short term plans for applying surface treatment to this road segment.

A resident of this road segment recently requested new gravel be added to the roadway to improve grading and drainage conditions. This work is scheduled for completion in October of 2018 using funds allocated in the Public Works Operations Budget.

LINK TO STRATEGIC PLAN

To become a leader in sustainable infrastructure renewal and development.

FINANCIAL CONSIDERATIONS

The approximate cost of applying asphalt surface treatment to Marsh Sideroad from County Road 27 to Road 8 West is \$115,000.

CONSULTATIONS

Kingsville Municipal Services

RECOMMENDATION

That Council receives this report regarding surface treatment of Marsh Sideroad from County Road 27 to Road 8 West.

Tim Del Greco

Tim Del Greco, P.Eng
Manager of Facilities and Properties

G. A. Plancke

G.A. Plancke, Civil Eng. Tech (Env.)
Director of Municipal Services

Peggy Van Mierlo-West

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



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

Date: October 1, 2018
To: Mayor and Council
Author: Tim Del Greco, Manager of Municipal Services
RE: Annual Traffic By-Law Amendment (2018)
Report No.: MS 2018 - 45

AIM

To seek direction from Council with respect to various requests for the amendment of the Kingsville Traffic By-Law.

BACKGROUND

The current Traffic By-Law (21-2005) is now thirteen years old and has had twelve amendments since its adoption. Following the last amendment, Administration has received numerous requests for consideration and further revision of this Traffic By-Law. These requests were investigated and the following were deemed viable for investigation and public input:

1. Addition of 'No Parking' signs on both sides of Sandybrook Way from Division Street North to 27 Sandybrook Way.
2. Addition of 'No Parking' signs on both sides of Mettawas Lane.
3. Addition of 'No Parking' signs on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters.
4. Addition of 'No Parking' signs on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard.
5. Addition of 'No Parking' signs on the north side of Road 2 East from County Road 45 to 1604 Road 2 East.
6. Addition of 'No Parking' signs on both sides of Malo Street.

On September 25th, 2018 a Public Input Session was held to discuss the above requests and collect any corresponding feedback. There were twenty-six comment cards collected during this session as well as additional feedback received via email from those who could

not attend. This commentary is attached in Appendix A for your reference. The visuals that were available at the Public Input Session are attached in Appendix B.

DISCUSSION

The comments included in Appendix A of this report are summarized below for each proposal along with any applicable investigations by Municipal Services.

1. Addition of 'No Parking' signs on both sides of Sandybrook Way from Division Street North to 27 Sandybrook Way.

This proposal was requested by Chief Parsons as parking in this roadway has created difficulties with navigating fire trucks into the fire hall using the approach off Sandybrook Way. There were no comments received during the Public Input Session. There was one email received opposing the proposal.

2. Addition of 'No Parking' signs on both sides of Mettawas Lane.

This proposal originated as a result of residents parking vehicles around the decorative island at the north end of Mettawas Lane and possibly obstructing emergency access. Chief Parsons inspected the area and has confirmed that access by fire truck will not be feasible when the roadway adjacent to the island is occupied with parked vehicles. Nevertheless, the majority of responses received during the Public Input Session and via email were strongly opposed to the proposal of no parking on Mettawas Lane.

3. Addition of 'No Parking' signs on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters.

This proposal was requested by residents of Hillview Crescent as parking on the roadway has created issues with sight lines and the ability to see oncoming traffic at the curve. The majority of feedback received was in favor of this proposal.

4. Addition of 'No Parking' signs on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard.

This proposal was requested by residents experiencing difficulties with accessing their properties due to on-street parking. The two comments received during the Public Input Session were opposed to this by-law revision. Following review by Kingsville Fire Services, Chief Parsons indicated that on-street parking within this section of roadway will obstruct emergency access.

5. Addition of 'No Parking' signs on the north side of Road 2 East from County Road 45 to 1604 Road 2 East.

The Town has received complaints of vehicles parking along this roadway resulting in poor visibility for motorists when turning onto Road 2 East from Queen Boulevard. All three comments from the Public Input Session supported this proposal.

6. Addition of 'No Parking' signs on both sides of Malo Street.

The Town has received complaints of vehicles parking along this narrow roadway creating concern for safe passage and reduced visibility. One comment was received during the Public Input Session opposing this proposal. Following review by Kingsville Fire Services, Chief Parsons indicated that on-street parking within this section of roadway will obstruct emergency access.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

All costs for signage as a result of Council's direction will be expensed to the 2018 Public Works Operational Budget.

CONSULTATIONS

Municipal Services
Public Input Session

RECOMMENDATION

That Council approves the following amendments to Kingsville Traffic By-Law 21-2005:

1. Addition of 'No Parking' signs on both sides of Sandybrook Way from Division Street North to 27 Sandybrook Way.
2. Addition of 'No Parking' signs on both sides of Mettawas Lane.
3. Addition of 'No Parking' signs on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters.
4. Addition of 'No Parking' signs on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard.
5. Addition of 'No Parking' signs on the north side of Road 2 East from County Road 45 to 1604 Road 2 East.
6. Addition of 'No Parking' signs on both sides of Malo Street.

Tim Del Greco

Tim Del Greco, P.Eng
Manager of Facilities and Properties

G. A. Plancke

G.A. Plancke, Civil Eng. Tech (Env.)
Director of Municipal Services

Peggy Van Mierlo-West

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



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

JUDE HALPERT

Phone:

[REDACTED]

Address:

22 METTAWAS LN

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☐

Comments:

I don't have a preference as long as emergency vehicles can get by easily.

On another issue, I'd like to see 'ONE WAY' signs on the East & West side of the lane, as some residents are exiting via the entrance side onto Park St.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: ERICA BOSCO
Phone: [REDACTED]
Address: 28 Mettawas Lane

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

This new by law would make ~~the~~ a huge inconvenience to
any family of 2 or more people. My family has 4 cars so
the road is essential to us. If we can't park on the road,
where else would we park? I am a young girl and I would feel
very unsafe having to park somewhere far away from my home at
night. Also, where would all our guests park? If we are only
allowed 2 cars in our drive way we need to be able to still
park on the road.

I also do not see why parking on the road would be any issue at
all for anyone.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: DEB QUIRNG
Phone: [REDACTED]
Address: 26 METTAWAS LANE

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

PAUL JANISSE

Phone:

[REDACTED]

[REDACTED]

Address:

3 METTAWAS LN

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

THE APPROACHES TO OUR DRIVEWAYS DO NOT
ALLOW PARKING IN OUR DRIVEWAYS AND STILL
PROVIDE ADEQUATE SPACE FOR NEIGHBOURS
SHARING THE SAME DRIVEWAY ~~ADDITIONAL~~ ACCESS
AND EGRESS. THEY WILL BE BLOCKED IN OR
WILL BLOCK OTHERS IN. ADDITIONALLY OUR
NEIGHBOURHOOD IS AN OLDER COMMUNITY
AND DISSALLOWING PARKING WOULD REQUIRE THAT
WE WALK UP AND DOWN A RATHER STEEP
HILL... CERTAINLY DANGEROUS AT OUR AGES →

BUT VERY DANGEROUS IN WINTER.
IT IS NOT POSSIBLE TO PROVIDE SIDEWALKS
ANYWHERE... AND EVEN IF IT WAS THE
TOWN CANNOT KEEP UP WITH SNOW REMOVAL
NOW LET ALONE PROVIDE SAFE MOVEMENT
OF PEDESTRIANS WITH SIGNIFICANT
AMBULATORY ISSUES.

IN MY HUMBLE OPINION THIS TYPE OF
RESOLUTION TO PARKING WILL PUT THE
TOWN IN JEOPARDY FOR LAWSUITS.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Michelle Tuszewski
Phone: [REDACTED]
Address: [REDACTED]
28 Mettawas Lane

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

There is no other parking available. Not safe for students!
Families have more than 1 car & cannot park all cars on
driveway - especially b/c all these driveways are shared w/
neighbours. Where are we supposed to park? As a student, you
are going to make me park who knows where since there is
NO parking available & ~~to~~ walk in the dark late at night?
This is unfair.



Comment Card

METTAWAS LANE

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

Patricia Gansse

Phone:

[REDACTED]

Address:

3 Mettawas Lane

Traffic By-Law Proposed Revision:

"No parking on Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are NOT in support of this revision.

☐

Comments:

ABSOLUTELY NO NO PARKING SIGNS
at the bottom of the ROADWAY

In the winter if our guests in their
xps are forced to park at the top
& have to walk down - they would probably
slip etc.

SUGGESTION OFFER the BUILDER \$80,000
(the profit on one unit) to turn that space into a
parking lot at the bottom of the hill.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Max Bosco

Phone: [REDACTED]

Address: 28 Mettawas Lane

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Tim Fierth
Phone: [REDACTED]
Address: 16 Mettawas lane

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

This proposal is ridiculous. Because one
resident has a problem in his neighbour does
not mean all residents should suffer. Kierke
should be allowed at a minimum on the
west side of the road going down the hill
as well as 2 spaces on the south end of
the north cul de sac. Our property values
are dependant on being able to have
readily accessible parking and having no
parking on the street will reduce property values.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Sue Enns
Phone: [REDACTED]
Address: 16 Mettawas

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

We have guests, family that need to park
near our house. Parking on Mettawas Lane is needed.
If there is no parking on Street, guest will need to
park on lands down on Park St. Very far for older
folks.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: DAVID BOSCO
Phone: [REDACTED]
Address: 28 Mettawas Ln.

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: NEIL QUIRING
Phone: [REDACTED]
Address: 26 METTAWAS LANE

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

PATRICIA BOSCO

Phone:

[REDACTED]

Address:

28 METTAWAS LANE

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

- * NO PARKING IS AVAILABLE
- * SAFETY CONCERN'S
- * FAMILY -> ELDERLY THAT ARE NOT ABLE TO WALK
- * TRADE'S MEN (DOING WORK etc)
- * CLOSEST PARKING WHICH IS METTAWAS PARK IS NOT PAVED AND HAS NO LIGHTING (VERY UNSAFE)!!



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

Janice & Mark Sempesger

Phone:

[REDACTED]

Address:

19 Mettawas

Traffic By-Law Proposed Revision:

"No parking on both sides of Mettawas Lane."

partial support

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☐

Comments:

*- one way arrows
Signage re: west side of Mettawas
- vehicles must exit around the
island - instead of zipping out the
wrong way & possibly having a head-on
with a vehicle or a cycle.
- parking on curbed grade only.*

- no parking on island



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Michelle Martin
Phone: [REDACTED]
Address: 43 Hillview Cres.

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.



Please check this box if you are **NOT** in support of this revision.



Comments:

I BELIEVE THERE SHOULD BE NO PARKING ON OUR
STREET AT. WE LIVE JUST INSIDE THE BEND
OF THE ROAD, CARS PARKING ON THE STREET CREATE
A BLIND SPOT FOR US TO BACK OUT OF OUR
DRIVEWAY AND COMING ON THE STREET FROM
DIVISION ROAD, IT CREATES A BLIND AREA FOR YOU TO
SEE TRAFFIC COMING THE OTHER WAY. I HAVE ALMOST
BEEN HIT HEAD ON A COUPLE OF TIMES. THEY HAVE
A PARKING LOT TO USE AND NOW THERE ARE CARS
FROM THE APARTMENT BUILDING ACROSS DIVISION ROAD →



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

Brian Martin

Phone:

[REDACTED]

Address:

43 Hillview

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.

☒

Please check this box if you are **NOT** in support of this revision.

☐

Comments:

I would like not parking to be increased on South side by 20 meters (ELK Pole) cars parked in front of my would cause a blind spot on curve of road when coming out of my driveway. - They have ample parking in their lots without impeding traffic flow



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

Phone:

Address:

[Handwritten signature]

55 Hillview

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.

☒

Please check this box if you are **NOT** in support of this revision.

☐

Comments:

1



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

Ryan Sanger

Phone:

[REDACTED]

Address:

19-25 Hillview Cr

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.

☒

Please check this box if you are **NOT** in support of this revision.

☐

Comments:

- Needed to clean up street parking / congestion
- Only concern are non-residents parking in my private lot
- I will discuss with OPP about enforcing 'NO Parking' on private property for 19-25 Hillview



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: RINA TESTA-PLANCKE

Phone: [REDACTED]

Address: 64 HILLVIEW CRES

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.

☒

Please check this box if you are NOT in support of this revision.

☐

THERE ARE NO LESS THAN 9 VEHICLES PARKED ON THE ROAD; NONE USING THE PARKING PROVIDED BY LOTS OR DRIVEWAYS

Comments:

PARKING ALONG THE ROAD REDUCES SIGHT LINES FOR DRIVERS; DRIVERS ARE MADE TO MOVE INTO THE ONGOING TRAFFIC LANE AROUND A CORNER

THERE ARE NO SIDEWALKS, PEDESTRIANS USE THE ROAD AS A WALKWAY WHICH BECOMES UNSAFE DUE TO PREVIOUS BULLET

THOSE PARKING ON THE ROAD ARE NOT HOMEOWNERS, IN FACT LIVE IN THE APARTMENT BUILDING ACROSS THE STREET ON DIVISION
THOSE PARKING IN THE ROAD ARE NOT RESPECTING THE 15M ZONE FROM A STOP SIGN - THE SIGNS ARE COMPLETELY IN A MISTAKE.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

Bill Orawski

Phone:

[REDACTED]

Address:

69 Hillview

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

Not necessary. Will create more
problems.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Laura Lucier
Phone: [REDACTED]
Address: 69 Hillview Cres.

Traffic By-Law Proposed Revision:

"No parking on both sides of Hillview Crescent starting from Division Street North and heading west for a distance of 150 meters."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

I do not understand the need for this
change. Extra parking should be on the
"red" part of the street instead of the
end of the cul-de-sac. Many people
require extra short-term parking which
does not cause any problems whatsoever.
Thanks!



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

TROY RINGROSE

Phone:

[REDACTED]

Address:

1304 ORCHARD BLVD.

Traffic By-Law Proposed Revision:

"No parking on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

- NO PROBLEMS WITH PARKING ON THE
EAST/WEST SECTIONS OF ORCHARD BLVD.
- THERE IS PROBLEMS WITH PARKING
ON THE ROAD WITH THE NORTH/SOUTH
SECTION OF ORCHARD -



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: Nancy Ringrose

Phone: [REDACTED]

Address: 1304 Orchard Blvd., Kingsville

Traffic By-Law Proposed Revision:

"No parking on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

1) Cars park in front of our house (North/South)
section. Cars do NOT park on East/West section.

2) However - for future meetings

Please consider a) sewers installed on Orchard.

b) rumble strips on County Rd 20
from Kingsville to Union ON the
bicycle lanes



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name:

JOE & ODETE PEREIRA

Phone:

[REDACTED]

Address:

1527 WOODBURN AVE, RUTHERFORD

Traffic By-Law Proposed Revision:

"No parking on the north side of Road 2 East from County Road 45 to 1604 Road 2 East."

Please check this box if you are in support of this revision.



Please check this box if you are **NOT** in support of this revision.



Comments:

WE AGREE THAT THERE SHOULD BE NO PARKING ON THE
NORTH SIDE OF RD 2 EAST. AS AN OLDER COUPLE WE NEED TO
BE ASSURED THAT THE ROADS WE ARE DRIVING ON ARE SAFE
FOR US TO DO SO. IF WE HAVE TO DRIVE TO THE MIDDLE OF RD 2
OFF OF QUEEN BLVD TO BE ABLE TO SEE IF THERE ARE ONCOMING
CARS PAST THE PARKED CARS THERE, THAT IS A PROBLEM.
OLD OR YOUNG - MALE OR FEMALE, WE NEED TO BE ABLE
TO SEE DOWN THE STREET BEFORE PULLING OUT INTO
ONCOMING TRAFFIC.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: MARIA MELO

Phone: [REDACTED]

Address: 81 WOODYCREST, KINGSVILLE

Traffic By-Law Proposed Revision:

"No parking on the north side of Road 2 East from County Road 45 to 1604 Road 2 East."

Please check this box if you are in support of this revision.

☒

Please check this box if you are **NOT** in support of this revision.

☐

Comments:

I VISIT MY SISTER FREQUENTLY AND HAVE ALMOST
BEEN IN A HORRIBLE ACCIDENT BECAUSE OF THE
PARKED CARS ALONG THIS STREET. I TRIED TO PULL
OUT OF THE INTERSECTION TO SEE IF THERE WAS A
CAR COMING DOWN ROAD BEFORE I TURNED. I HAD
TO PULL OUT VERY FAR TO SEE PASSED THE PARKED CARS
THERE AND WAS ALMOST HIT FROM THE SIDE BY AN
ONCOMING CAR. PLEASE MAKE THIS A NO PARKING AREA.



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: DIANE STOCKTON
Phone: [REDACTED]
Address: 1682 NEVAN CRT / 1847 UNION AVE
RUTHVEN RUTHVEN

Traffic By-Law Proposed Revision:

"No parking on the north side of Road 2 East from County Road 45 to 1604 Road 2 East."

Please check this box if you are in support of this revision.

☒

Please check this box if you are NOT in support of this revision.

☐

Comments:

I ABSOLUTELY SUPPORT THIS REVISION 100%! THIS IS THE
WORST SAFETY HAZARD FOR VEHICLES EXITING QUEEN BLVD
ONTO RD 2E WHEN VEHICLES ARE PARKED ALONG THE
ROADWAY (AND THEY ARE PARKED THERE EVERY DAY IN FRONT OF
THE AUTOTECH GARAGE!) VEHICLES EXITING QUEEN HAVE TO PULL
OUT ALMOST HALFWAY ONTO RD TO BEFORE TURNING TO SEE IF THERE
ARE ANY CARS COMING DOWN RD2 WHICH LEAVES VERY LITTLE
REACTION TIME TO AVOID GETTING STRUCK BY ANOTHER VEHICLE.
THERE SHOULD BE NO PARKING HERE! THIS HAS BEEN AN ISSUE
FOR MANY YEARS BUT IT HAS BEEN OVERLOOKED BECAUSE OF A



Comment Card

Please write your contact information below and check off a box indicating whether or not you support the proposed revision. Feel free to include additional comments as well. These comments may be included in a future Council agenda.

Name: CHERRIN MELEG
Phone: [REDACTED]
Address: 1614 MALO STREET

Traffic By-Law Proposed Revision:

"No parking on both sides of Malo Street."

Please check this box if you are in support of this revision.

☐

Please check this box if you are **NOT** in support of this revision.

☒

Comments:

Malo Street is a one way street with two way traffic.
Cars speed down this "one block" road to save 5 seconds.
If cars are parked on the road they have to drive slower.
If we park our cars in driveway our rear ends of the cars are
still on the roadway as the driveway are too short. If this
must be done I would suggest: 1) one way street
running from west to east or 2) no parking only
on the south side of the road. It also doesn't make
sense to only do Malo Street when it connects to
Scratch Lane which is also a narrow street. We are
over

zoned R-4. I am presently looking at starting a home based business & may require parking for customers. We are allowed to have up to 3 spots. (I understood this is per the zoning by-law). At the present time most of my neighbours park in their driveway & occasionally park on the street. I do not believe that it is necessary to make Malo Street no parking as the residents of the street use their common sense. Unless alternative parking is found for us, no one will be able to have company as no one will have any parking spaces. I am definitely against Malo Street no parking. Please do not change it just because one resident has called in several times.

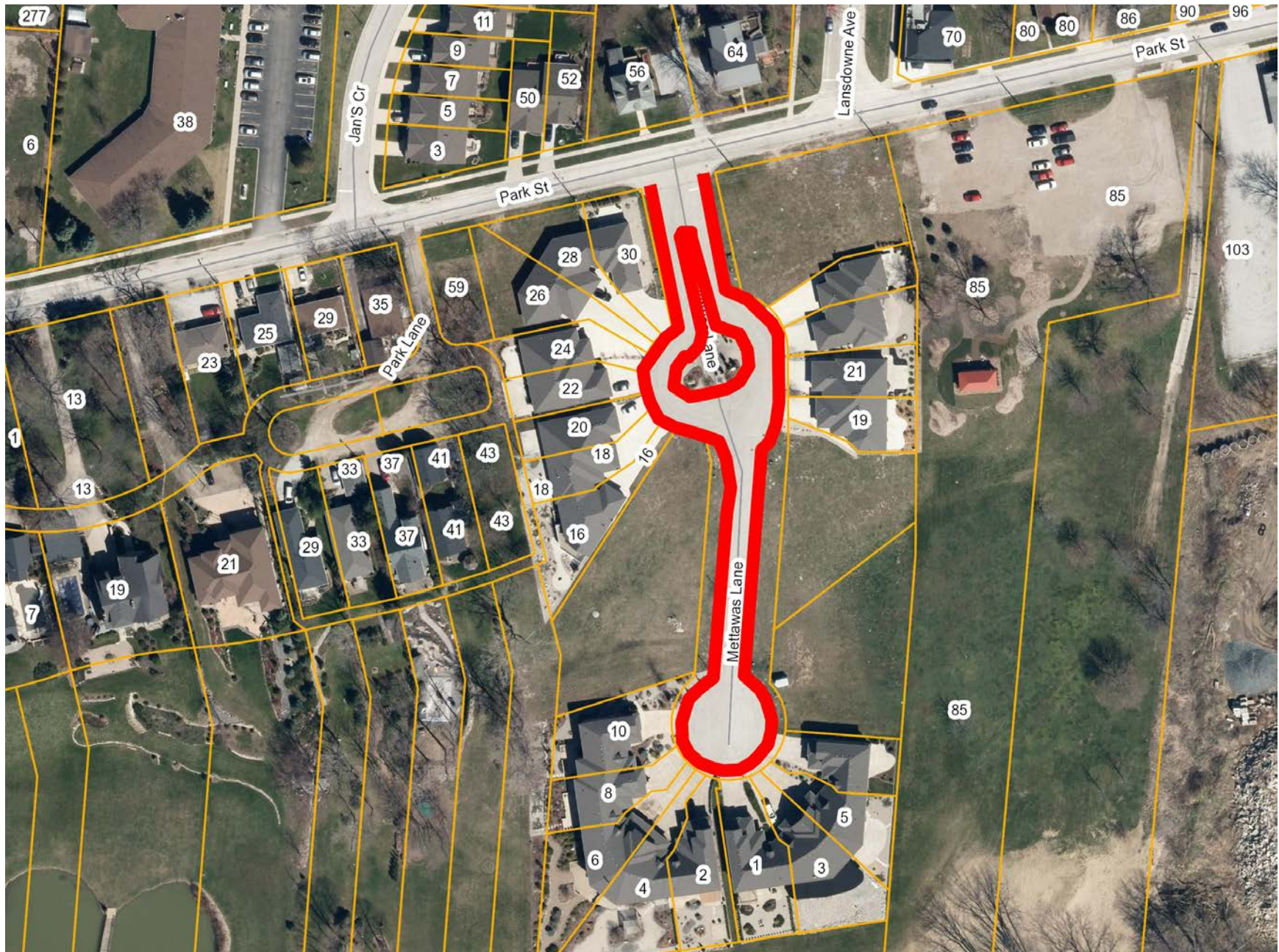
**Request: No parking on either side of Sandybrook Way from Division Street North
to east limit of 27 Sandybrook Way**

NO PARKING



Request: No parking on either side of Mettawas Lane

NO PARKING

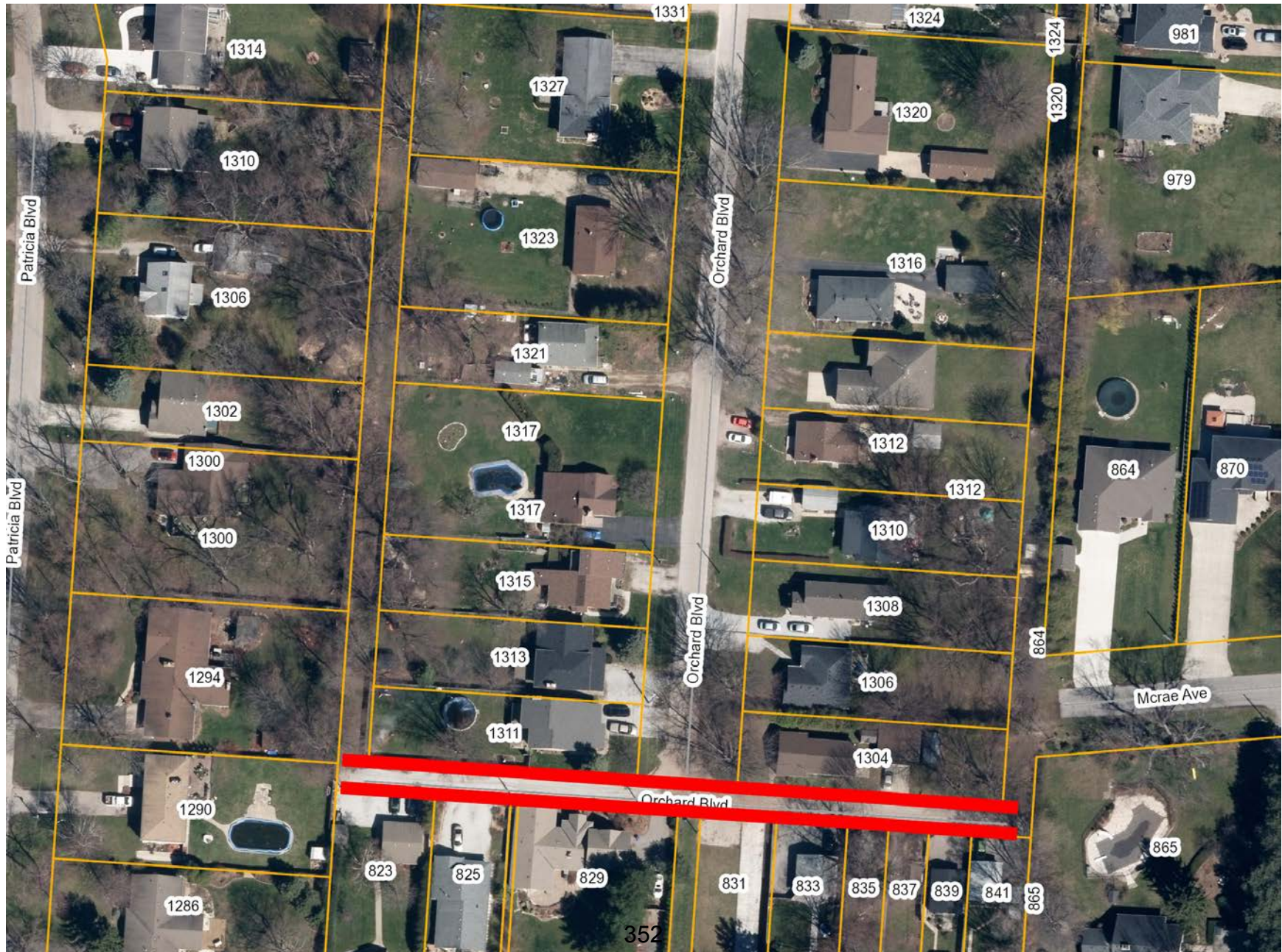


NO PARKING



**Request: No parking on the east/west section of Orchard Boulevard between 823
Orchard Boulevard and 841 Orchard Boulevard**

NO PARKING

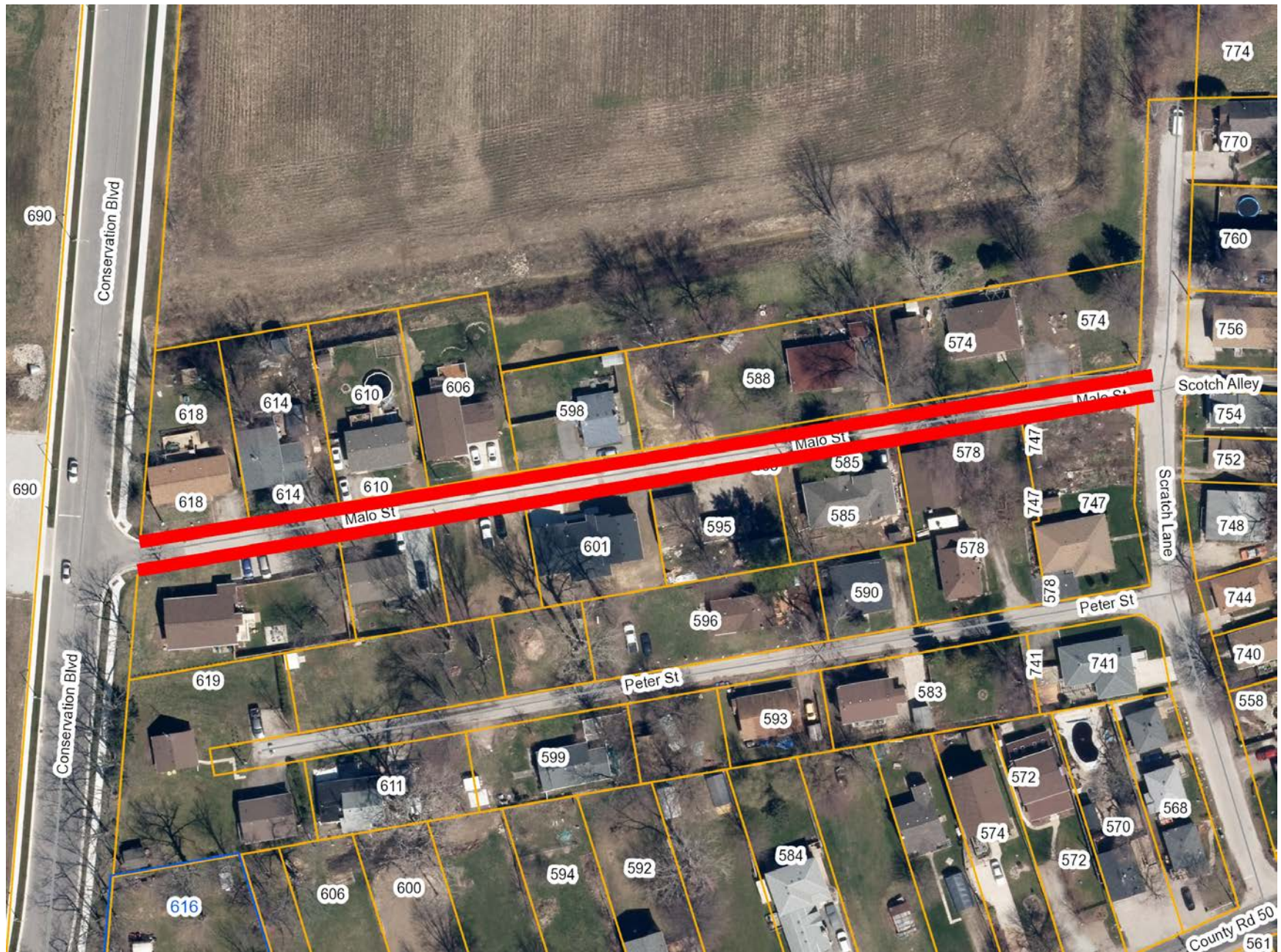


NO PARKING



Request: No parking on both sides of Malo Street

NO PARKING





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

Date: September 26, 2018
To: Mayor and Council
Author: Shaun Martinho, Manager of Public Works
RE: Signage Honoring Kingsville's Olympians
Report No.: MS 2018 - 42

AIM

To provide council with information regarding the current status of signage showing the accomplishments of local Olympians: Corbin Watson and Meghan Agosta.

BACKGROUND

As a goalkeeper for the Canadian Paralympic ice sledge hockey team, Kingsville's Corbin Watson helped bring home a bronze medal in the 2014 Winter Olympics and a silver medal in the 2018 Winter Olympics.

As part of the Canadian Women's Hockey Team, in the 2006, 2010 and 2014 Olympics, Ruthven resident Meghan Agosta played an intricate role helping her team bring home the gold medal. Most recently, our community can share in celebrating Canada's Silver medal win against a tough American team.

To honor Meghan's accomplishments, in 2010 several signs were erected underneath Kingsville's gateway signs in the Ruthven area. These signs were later updated in 2014 to include Meghan's gold medal win at the 2014 Sochi Olympics (See Attached).

DISCUSSION

When reviewing the status of the signage celebrating the successes of our area athletes, it appears that only one sign is still in use. If council wishes to increase the number of signs honoring our Olympians, there are a number of gateway signs that could accommodate similar signage. This includes locations on arterial roads such as Seacliff Dr. and Heritage Rd.

In 2014, new vinyl was applied to the signs to reflect Meghan's most recent accomplishments. It may also be prudent to update the existing signs to reflect Canada's silver medal win at the 2018 Winter Olympics.

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

In 2014, the Signs Operation line item within the Public Works Departments operations budget was used to purchase updated new signs. In 2015, the signs required modification and new vinyl was purchased using General Administrations Advertising budget.

Municipal Services received a quote of \$278.00 plus HST for the fabrication of new dibond signs measuring 12" x 72" for placement underneath the Town of Kingsville gateway signs.

CONSULTATIONS

Municipal Services Department

RECOMMENDATION

That council receive the information on the status of signage showing the accomplishments of our local Olympians.

Respectfully submitted,

Shaun Martinho

Shaun Martinho, H.B.Sc., C.E.T.
Public Works Manager

Andrew Plancke

G.A. Plancke, Civil Eng. Tech (Env.)
Director of Municipal Services

Peggy Van Mierlo-West

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





**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, September 24, 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 Tony Gaffan
 Councillor Thomas Neufeld
 Councillor Larry Patterson

Members of J. Astrologo, Director of Corporate Services
Administration R. Brown, Manager of Planning Services (@ 7:52 p.m.)
 K. Brcic, Planner (@ 7:52 p.m.)
 T. Del Greco, Municipal Services Manager
 S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Director of Financial Services
 A. Plancke, Director of Municipal Services
 P. Van Mierlo-West, CAO
 R. Baines, Deputy Clerk - Administrative Services
 D. Wolicki, Manager of Municipal Facilities and Property

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 and reflection 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. PRESENTATIONS/DELEGATIONS

1. Christina Heinrichs, Resident, and Livia Congi and Kathleen Foubister, representatives from Autism Ontario RE: Specialty Sign request

Ms. Foubister, Family Support Coordinator at Autism Ontario addressed Council (Ms. Congi was not able to be in attendance this evening).

Ms. Foubister stated that she is in attendance this evening with Ms. Christina Heinrichs, a resident who has requested the installation of a specialty sign. Ms. Foubister explained that autism spectrum disorder affects 1 in 66 children. Children and adults with ASD usually have particular characteristics in common, but the condition covers a wide spectrum with individual differences in symptoms and severity. She stated that neighbourhood awareness signs (specialty signs) are helpful safety tools. She added that the *Accessibility for Ontarians with Disabilities Act* regulations are encouraging the use of specialty signs with pictures rather than words, and she distributed a sample sign that the City of Sarnia has developed that Kingsville may wish to also consider. Ms. Foubister also stated her agreement with the specialty sign being attached to specific assessment roll numbers for tracking and reference.

545-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council refer the request of C. Heinrichs for the installation of a specialty sign to Administration for a report.

CARRIED

F. AMENDMENTS TO THE AGENDA

Councillor Patterson added one notice of motion, and Councillor Coghill added one Unfinished Business Item.

Mayor Santos added one Announcement.

G. STAFF REPORTS

1. Duck Blinds

R. Baines, Deputy Clerk-Administrative Services

546-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council directs that Administration prepare an updated map showing where a duck blind cannot be erected, and provide the updated map to the public.

CARRIED

Mayor Santos advised members of the audience in attendance to forward any correspondence in this matter to the Clerk, so that the correspondences can be addressed at a future meeting.

2. Culvert # 503 - McCallum Drive over Mill Creek

T. Del Greco, Manager of Municipal Services

547-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receive the Report of Manager of Municipal Services T. Del Greco dated September 4, 2018 regarding the replacement of Culvert #503 – McCallum Drive over Mill Creek.

CARRIED

Construction notices and updates will be posted on the Town's website.

3. 2018 Urban Road Program

T. Del Greco, Manager of Municipal Services

548-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council direct the Mayor and Clerk to execute the Contract Agreement with Coco Paving Inc. for road resurfacing of Division Street South.

CARRIED

4. Next Steps for Cottam Revitalization Plan

D. Wolicki, Manager of Municipal Facilities and Property

549-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council approve the budget amount of \$20,000 for new displays and services for Rotary Park to be reallocated from the Downtown Revitalization Grant Funding Program in 2018; and further that Council directs Administration to incorporate the remaining short-term plan items as identified through the Cottam Revitalization Plan into the annual budget process for Council consideration.

CARRIED

5. Source Water Protection Enforcement Transfer Agreement

G. A. Plancke, Director of Municipal Services

550-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council approve entering into a three (3) year amendment of the Majority Agreement effective October 1, 2018 ending December 31, 2021 with the Essex Region Conservation Authority for the purpose of Source Water Protection Plan enforcement responsibility on behalf of the Town of Kingsville for the total cost of \$34,798; and

That Council direct the Mayor and Clerk to execute the amending Agreement to extend the Majority Agreement for a period of three years and three months as stipulated within the amending Agreement; and further,

That Authorizing By-Law 111- 2018 be enacted at this Regular Meeting.

CARRIED

6. **Application for Extension of Part Lot Control Exemption Builder Direct Buy Corporation; Hazel Crescent 20-22, 60-62, 56-58, 64-66 Hazel Cres. Lots 7, 55, 56 & 57, Plan 12M-552 Roll Nos: Multiple**

K. Brcic, Town Planner

551-2018

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council approve the further extension of Part Lot Control Exemption, By-Law 114-2011, to allow Lots 7, 55, 56 & 57 on Plan 12M-552 to continue to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to register the by-law (107-2018) on title, subject to the following condition:

That the applicant provide confirmation that the subject lots have separate services and that those services are aligned with the proposed final lot configuration to the satisfaction of the Town for Lots 7, 55, 56 & 57 prior to final registration of the Part Lot Control By-law extension.

CARRIED

7. **Application for Part Lot Control Exemption HTM Management 27, 29 & 31 Mettawas Lane Pt Lots 1, 2, 3, 4, 30, 31 & Part of Private Drive, Plan 12M 965 Roll No. 3711 180 000 05205**

K. Brcic, Town Planner

552-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Susanne Coghill

That Council enact Part Lot Control By-law 108-2018 to allow Pt. Lots 1, 2, 3, 4, 30, 31 & Part of Private Drive, Plan 12M-965 to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to forward the by-law to the County of Essex for final approval, subject to the following conditions:

The applicant provide a lot servicing plan to confirm both individual servicing of each lot and the final alignment of the services consistent with the proposed lot fabric and to the satisfaction of the Town, prior to final approval of the Part Lot Control by-law by the County of Essex.

CARRIED

8. Application for Site Plan Approval by 2435895 Ontario Limited 1593 County Road 34, Part of Lot 9, Concession 2 ED Pts. 1, 2, 3, 4 & 13 Plan 12R 24914

R. Brown, Manager of Planning Services

Ms. Kathryn Hengl of Rosati Construction Group was also in attendance on behalf of the Applicant. She stated that the smaller warehouse is intended strictly for the owner's use as a storage facility, and the additional new warehouse will be set up to be occupied by two tenants. She also stated that there are no tenants secured as of yet.

553-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council approve site plan application SPA/08/18 for lands located at 1593 County Road 34, Part of Lot 9, Concession 2 ED, subject to the conditions outlined in the associated site plan agreement for the development of a 1,114.8 sq. m (12,000 sq. ft.) storage building and 4,031.8 sq. m (43,400 sq. ft.) warehouse and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

CARRIED

Mayor Santos called for a recess at 8:16 p.m. and the meeting reconvened at 8:24 p.m.

9. Medical Marihuana Policy Options and Review

R. Brown, Manager of Planning Services

554-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives the Report of Manager of Planning Services reviewing Medical Marihuana Policy Options for information purposes; directs Administration to prepare a report about amending the Official Plan and Zoning By-law to rework the current policies and update same to address future approval of Medical Marihuana Production Facilities; and further, that no further zoning by-law amendment applications be approved until that report is brought back to Council for consideration.

CARRIED

555-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council directs Administration to prepare a report regarding Part II Applications under the *Access to Cannabis for Medical Purposes Regulations* specifically referencing the jurisdiction of each level of government (municipal, provincial, federal) under that legislation.

CARRIED

H. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Kingsville BIA--Correspondence dated September 18, 2018 RE: Additional crosswalk

556-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council refer correspondence of Kingsville BIA dated September 18, 2018 (request to evaluate and consider signage for additional crosswalks for pedestrian crossings in key downtown areas, including Division by the Post Office, and Main St. E. near the parking lot at the Unico Building) to Administration to conduct additional research and report back to Council.

CARRIED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--September 10, 2018

557-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes, dated September 10, 2018.

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Municipal Heritage Advisory Committee--August 8, 2018

558-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated August 8, 2018

CARRIED

2. Tourism and Economic Development Committee - August 9, 2018

559-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Susanne Coghill

That Council receives Tourism and Economic Development Committee Meeting Minutes dated August 9, 2018

CARRIED

3. Kingsville B.I.A. - August 14, 2018

560-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives Kingsville B.I.A. Meeting Minutes dated August 14, 2018

CARRIED

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Township of Amaranth--Correspondence dated August 30, 2018 RE: NAFTA-Dairy Supply Management Program**
- 2. Township of South Glengarry--Resolution 255-18 passed September 4, 2018 RE: Paramedics as a full Essential Service**
- 3. Brenda and Ed Ryall--Correspondence received September 18, 2018**

561-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council receives Business Correspondence-Informational Items 1 to 3.

CARRIED

L. NOTICES OF MOTION

- 1. Councillor Coghill may move or cause to be moved:**

That Administration prepare an amending by-law for Council's consideration to amend Section 8(f)(iii) of By-law 57-2015 to reduce the length of time that a dog can be tethered from twelve (12) hours per day to no more than four (4) hours in a 24-hour period.

562-2018

Moved By Councillor Susanne Coghill

Seconded By Deputy Mayor Gord Queen

That Administration prepare an amending by-law for Council's consideration to amend Section 8(f)(iii) of By-law 57-2015 to reduce the length of time that a dog

can be tethered from twelve (12) hours per day to no more than four (4) hours in a 24-hour period and that a public meeting be held.

CARRIED

2. Councillor Neufeld may move, or cause to have moved:

That Administration designate a courtesy parking lot for veterans in each municipally-owned parking lot, which spot shall be located next to or near the designated handicap parking spaces.

563-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Administration prepare a report in connection with the potential designation of a courtesy parking spot (painted on pavement) for veterans in each municipally-owned parking lot, which spot would be located next to or near the designated handicap parking spaces.

CARRIED

- 3.** Councillor Patterson, at the next Regular Meeting of Council may move, or cause to have moved that Administration be directed to prepare a report regarding a pedestrian crosswalk at Division St. South and Pearl Street due to a safety concern.

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Mayor Santos announced that the annual Ruthven Apple Festival will be held on September 29th and 30th. The parade starts at 10:30 a.m. on Saturday, and on Sunday there has been a request for a Citizen of the Year presentation at 11:45 a.m. at the main stage at Colasanti's.

2. Councillor Coghill asked that there be increased 'No Diving From Bridge' signage installed at the Heritage Road Bridge and the Cedar Beach Bridge. There have been reports of people jumping into the water from the bridges and rock jetty.

N. BYLAWS

1. By-law 66-2018

564-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 66-2018, being a by-law to amend By-law 53-2008, being a By-law to provide for the circumstances in which the municipality shall provide notice to the public and where notice is to be provided, the form, manner and times notice shall be given, a first, second and third and final time.

CARRIED

2. By-law 106-2018

565-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council read By-law 106-2018, being a By-law to designate a certain property, including land and buildings, known as The Christopher Dresser House (192 County Road 14, Cottam) as being of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, c. O.18 as amended, a first, second and third and final time.

CARRIED

3. By-law 107-2018

566-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 107-2018, being a By-law to extend the exemption from Part Lot Control pursuant to Section 50(7) of the Planning Act as provided for in By-law 114-2011 (Millbrook Expansion - Hazel Crescent) a first, second and third and final time.

CARRIED

4. By-law 108-2018

567-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 108-2018, a By-law to exempt certain lands from Part Lot Control (Mettawas Subdivision - Plan 12M-965) a first, second and third and final time.

CARRIED

5. By-law 110-2018

568-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 110-2018, being a by-law to authorize the entering into of an Agreement with Coco Paving Inc. for the 2018 Urban Road Program a first, second and third and final time.

CARRIED

6. By-law 111-2018

569-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council read By-law 111-2018, being a By-law authorizing the entering into of a Source Protection Plan Part IV Enforcement Transfer Agreement Amendment with the Town of Amherstburg, the Town of Essex, the Town of Lakeshore, the Town of LaSalle, the Municipality of Leamington, the Township of Pelee, the Town of Tecumseh, the City of Windsor, the Municipality of Chatham-Kent and the Essex Region Conservation Authority, a first, second and third and final time.

CARRIED

O. CONFIRMATORY BY-LAW

1. By-law 112-2018

570-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 112-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 24, 2018 Regular Meeting, a first, second and third and final time.

CARRIED

P. ADJOURNMENT

571-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council adjourn this Regular Meeting at 9:24 p.m.

CARRIED



JOINT BOARD OF MANAGEMENT

Wednesday, July 18, 2018
9:00 AM

Ruthven Water Treatment Plant
1615 Union Avenue

MINUTES

Members Present: Mayor Paterson - Leamington
Mayor Nelson Santos (Vice-Chair); Deputy Mayor Queen
Councillors Neufeld and Patterson - Kingsville
Mayor McDermott - Essex
Councillor Diemer - Lakeshore

Members Absent: Deputy Mayor MacDonald (Chair); Councillors Dunn, Hammond,
Jacobs, Verbeke
Councillor Gaffan - Kingsville

UWSS Staff Present: Rodney Bouchard - Manager
Khristine Johnson - Administrative Assistant/Recording Secretary

Staff Present: Shaun Martinho - Kingsville

OCWA Staff Present: Susan Budden
Dale Dillen

Call to Order: 9:00 am

Vice Chair calls the meeting to order.

Disclosures of Pecuniary Interest: none

Approval of UWSS Joint Board of Management Minutes:

No. UW-32-18

Moved by: Councillor Patterson

Seconded by: Deputy Mayor Queen

That Minutes of the UWSS Joint Board of Management meeting of June 20, 2018
be received.

Carried

Business Arising Out of the Minutes:

None

Items for Consideration:**Report UW/17/18 dated July 13, 2018 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to March 29, 2018**

The Manager updates members of the board on the progress of the rehabilitation of the EWT. He notes that the logo has been applied and scaffolding is being taken down. He confirms that antennas are back in place and lights will be added to the structure. He also confirms that the project is on budget and proceeding slightly ahead of schedule.

The LWT warranty inspection has been completed and there was only some minor failures noted. JDCMI attended the site to make the minor repairs. The corrosion system is now installed and the LWT will be put back into service starting the 3rd week of July.

The Manager reminds members that Watech services had inspected both raw water intakes on June 14th. The has reviewed the inspection report and only some minor repairs were noted and therefore, these repairs will be completed in the Spring of 2019.

High Lift #1 pump was experiencing some vibrations, due to a bearing issue and therefore has been taken out of service and sent to Phasor for repairs.

The previously reported leak in meter chamber on 2nd Concession has been inspected with OCWA and Kingsville staff. It appears that the chamber is no longer filling with water. Staff will monitor but at this point no further repairs or actions are necessary.

The new valve in front of Cottam Booster Station has been installed and is operational.

The MOE has informed the UWSS that its Municipal Drinking Water Licence (MDWL) is due for renewal by January 2019. The Manager notes that a Financial Plan and a review of the water rates will be required to be completed as part of the process. He will explain further in his budget report later in the meeting.

The Town of Essex received its MOE Inspection rating of 97.45% and the Manager notes that any issues were administrative in nature and nothing to do with safe drinking water.

A Cyanobacteria monitoring station has been installed at the UWSS WTP as part of a blue green algae study. The Manager explains that the UWSS has been chosen to participate in the \$12 million study with not cost of its own and is being led by the University of Montreal Ecole Polytechnique. He also notes that the equipment is worth approximately \$40,000 and at the end of the study is UWSS's to keep. He feels this is a valuable study to be part of and will provide data via cellular reception back to Montreal.

Finally, the Manager notes that flows are some of highest that the UWSS has seen in a number of years and this has improved the budget outlook for 2018.

No. UW-34-18

Moved by: Mayor Paterson

Seconded by: Mayor McDermott

That report UW/17/18 dated July 13, 2018 Re: Status Updates of UWSS Operations & Maintenance Activities and Capital Works to July 13, 2018 is received.

Carried (UW/17/18)

Report UW/18/18 dated July 11, 2018 RE: Design, Engineering and Construction - Cottam Booster Station Reservoir Cover Rehabilitation

The Manager informs members of the Board that the grass on top of the CBS Reservoir has experienced some erosion and there is concern of leaking water into the liner (specifically during heavy rains). Stantec Consulting Ltd was contacted to assess the damage and determine the best course of action. They determined that the coverage is too small and spongy and can certainly cause issues in the future if not dealt with soon.

The Manager then requested a proposal from Stantec to provide engineering services for the rehabilitation of the CBS Reservoir protective cover and associated structures. The proposal of \$51,000 includes design and quotation services, construction management services and maintenance period services.

Stantec will design the coverage required and then put together a tender package, at that point the Manager will return to the Board with follow up information.

The Manager notes that this repair should be considered as any damage to the liner of the CBS Reservoir could hinder the safe drinking water.

The Board asks the Manager if the rehabilitation is going to be something better than previously in place or just fix what had been in place. The Manager notes that the rehabilitation will improve what was there and allow for a better drainage tile system.

No. UW-35-18

Moved by: Councillor Diemer

Seconded by: Councillor Patterson

That the Union Water Supply Joint Board of Management (UWSS Board) receives this report for information;

And further, that the Board approves a budget of \$50,000 to be funded from the UWSS Operating Funds Reserve for Design, Engineering, and Construction Management Services for the Rehabilitation of the Reservoir Cover at the Cottam Booster Station;

And further, that the UWSS Board authorizes the UWSS General Manager to undertake a direct negotiation with Stantec Consulting Ltd Windsor, Ontario office for these consultant engineering services

Carried (UW/18/18)**Report UW/19/18 dated July 16, 2018 RE: Proposed 2018 UWSS Budget Amendment (submitted under Supplementary Agenda Cover)**

The Manager reminds members of the board that he typically provides a Mid-Year Budget update. He notes that his first five (5) years with the UWSS have been fairly easy to predict the budgets and any potential changes. Recently, those predictions have been more challenging as flows have increased and multiple projects are underway. He also points out that the UWSS prepares and approves the budget early on and changes throughout are becoming the norm.

The Manager confirms with members that there has been a drastic increase in the water demand for the 2018 year. As of June 30th the flows are approximately 9.6% or 147 million gallons of water above budgeted demand, however there tends to be a slow down of flow demand in the Fall, so he is being conservative by using 100 million gallons above approved budget. This increase in water demand translates into \$262,000 increased revenue.

Investment income has also been better than anticipated with \$130,000 increase, due to better than anticipated market performance.

The Manager then reviews some of the changes to the 2018 budget. He confirms that he has had to add in a line item for unexpected watermain repairs (as this seems to be the trend year over year) and the UWSS Drinking Water Licence will be due much earlier than anticipated and will fall into the 2018 year as opposed to midway through 2019.

He then reviews some of the other amendments to the budget including a small increase to post retirement benefits, office overhead, restructuring (which is a carryover from 2017), advertising and promotion (Free Chlorine) and the OCWA Operating and Maintenance Contract. These changes will increase the budget by approximately \$229,000.

The Manager then reviews some of the changes to the capital budget, which will result in a decrease in the budget of approximately \$465,000. Some projects here include DAF system, CO2 system, CBS (previous report), and a few others.

The Board asks the Manager to confirm in the investment income increase is from One Fund or GIC investments. The Manager confirms it is through GICs.

No. UW-36-18

Moved by: Mayor Paterson

Seconded by: Councillor Neufeld

That the Union Water Supply Joint Board of Management (UWSS Board) receives this report for information; and

That the UWSS Board approves the 2018 UWSS Amended Budget as outlined in this report.

Carried (UW19/18)

Report UW/20/18 dated July 13, 2018 re: Payments from June 16 to July 13, 2018**No. UW-37-18**

Moved by: Deputy Mayor Queen

Seconded by: Mayor McDermott

That report UW/20/18 dated July 13, 2018 re: Payments June 16 to July 13, 2018 is received.

Carried (UW/20/18)

New Business:

The Board asks the Manager if he has heard of fresh water jelly fish found in the Port Dover area and whether or not this should be a concern for our intakes. The Manager indicates that he has not heard of this development and will conduct some research.

The Board then asks the Manager if there is a plan in place in case OCWA was to go on strike (due to recent governmental changes). The Manager indicates that OCWA has the authority to deem necessary staff as essential thus preventing them from participating in a strike.

The Manager then briefly discusses the OCWA contract negotiations indicating that he was hoping to have a contract in place prior to the municipal elections, however, recent Provincial Government elections and changes of policy have added a small hiccup to the negotiations. He notes that he needs to obtain further information regarding provincial hiring freezes.

The Manager also updates members on the UWSS switch over the free chlorine from chloramination in early June of this year. He confirms that he just received confirmation from the MOE that UWSS can continue with the use of free chlorine for a period of another ten (10) months. This will allow the UWSS to go through an entire year, all four (4) seasons, to have a complete picture of how the water reacts in all temperatures. He does not that there have been a few taste and odour complaints and staff is adjusting processes as necessary.

The Board asks the Manager if the water spilling from the KWT has been resolved. The Manager explains that all communications at the WTP are now back in service and the valve that caused the problem for the KWT to overflow has been replaced. He further notes that the KWT will most likely go through a rehabilitation, just at LWT and EWT, in 2020.

There is then a questions as to whether or not UWSS should issue a statement regarding its position on fluoridation. Recently, the Town of Essex issued a statement noting that it will not be switching over to fluoride. The Manager states that he has already written to the provincial government regarding the UWSS position on fluoridation and if each municipality wishes to issue a statement they certainly may.

Adjournment:

No. UW-38-18

Moved by: Deputy Mayor Queen

Seconded by: Councillor Diemer

That the meeting adjourn at 9:45 am

Carried

Several Board members stay and have a brief tour of the updates, including the new kitchen, that have occurred around the WTP over the last year.

Date of Next Meeting: August 15, 2018, 9:00 am, Unico Building, 37 Beech Street, Kingsville

/kmj



JOINT BOARD OF MANAGEMENT

Thursday, July 26, 2018

9:00 AM

Kingsville Community Room

Kingsville Arena

1741 Jasperson Road, Kingsville

MINUTES OF SPECIAL MEETING

Members Present: Deputy Mayor MacDonald (Chair); Mayor Paterson, Councillors Jacobs, Hammond - Leamington
Mayor Nelson Santos (Vice-Chair); Deputy Mayor Gord Queen,
Councillors Gaffan and Patterson - Kingsville
Mayor McDermott - Essex

Members Absent: Councillors Dunn and Verbeke - Leamington
Councillor Neufeld - Kingsville
Councillor Diemer - Lakeshore

Municipal Staff

Present: none

OCWA Staff Susan Budden - Business Development Manager

Present:

Call to Order: 9:01 am

Disclosures of Pecuniary Interest: none

Items for Consideration:

Update on the Evaluation of the Operations and Maintenance Services Agreement for the UWSS Facilities (Verbal)

The Manager provides the members of the Board with a brief update on the services agreement with OCWA. He reminds members that the current contract with OCWA will end on December 31, 2018. He notes that there are three (3) options the board can consider with approaching Operations and Maintenance (O&M) services:

1. Provide the services on our own, which would mean UWSS would be directly responsible for O&M;
2. Private company is retained for O&M services; he reviews a few options under this notation.
3. OCWA, which is a government agency.

The Manager indicates that he has done an evaluation of each of the above categories and spoken to a number of colleague that use all forms listed above. He confirms that

UWSS is not in a position to run the facilities with its own staff; the existing governance structure is not set up for provision of this service. Private companies are in the business of making money and there are only a few good private companies that would meet the criteria UWSS would need. However, any profit made by the company would be directed somewhere else and there is the potential that service/maintenance could suffer to increase profit margin. That leaves OCWA, which is the preferred option, moving forward.

The Manager reminds board members that the contract of 2014 had a clause for a possible five (5) year extension and he indicates that there were a lot of good things within that contract, such as the fixed fee. This works well for UWSS and he is hoping to expand upon this. He is looking at a possible ten (10) year contract, as that seems to be favourable among colleagues all across Ontario. OCWA is also potentially offering a capital loan, which would work better over the course of a ten (10) year contract.

OCWA's Business Development Manager then takes over from UWSS Manager and provides members with further information regarding the services agreement. She provides members with UWSS's Performance Report according to OCWA's work order management system. She notes that OCWA is hoping to increase staffing at the UWSS facility to provide better capital management, so members are assured that OCWA is maintaining all UWSS assets appropriately.

She also notes OCWA's community involvement and how this agreement will see UWSS as a standalone facility. Currently, OCWA is run under a hub format, which allows some staff members to attend other facilities that need assistance.

The Board asks the Manager if this services agreement fits in with the possible UWSS restructuring. The Manager feels that if restructuring were to take place, this O&M services contract would still work for the new entity likely only requiring a re-signing of the agreement with necessary name changes. Further it would take quite a few years for an incorporated UWSS to get everything in for taking over O&M services, if this were desired; therefore the length of this contract seems wise.

There is a brief discussion regarding the length of the new contract, but the Manager explains that ten (10) years is favourable with most facilities and this timeframe will work well with a possible capital loan infusion coming from OCWA.

The only concern is the potential hiring freeze, due to the change in government during the recent Provincial election from Liberal to Conservative, and how that could affect the contract. Business Development Manager assures members that OCWA is not affected by this hiring freeze; further staff are deemed essential and therefore there would be no stoppage of work, should a strike occur; also OCWA is initiating a succession program to allow staff members to grow and remain with OCWA.

The Board asks the Manager if legal has had a chance to review the draft agreement. The Manager notes that once a solid draft is in place it will be forwarded to legal for review.

No. UW-39-18

Moved by: Deputy Mayor Queen

Seconded by: Councillor Jacobs

That the UWSS Board receives the verbal update regarding the Evaluation of the Operations & Maintenance Services Agreement for the UWSS Facilities.

(Carried)

Report UW/21/17 dated July 19, 2018 re: Section 275 of the Municipal Act, 2001 “Lame Duck” Board.

The Manager reminds members of the Board of the election process and notes that Nomination Day is the following day. He further notes that there is a possibility of 75% of the UWSS Board not returning once the election takes place. Based on the current municipal elections candidates list for the four owner municipalities, the UWSS Manager has determined that the UWSS Joint Board of Management will likely be in a Lame Duck position.

The Manager also informs members that the first meeting following the October 22nd, 2018 election with all appointed Board members present will likely be in January 2019. He is asking the UWSS Board to delegate authority to him for the time of Nomination Day until January 2019. He further explains that there are several important projects that are currently underway, all within budget, however he would like the ability to make decisions and move forward. All updates regarding said projects will be brought forward to the board members at the monthly meetings.

No. UW-40-18

Moved by: Councillor Patterson

Seconded by: Deputy Mayor Queen

That report UW/21/18 dated July 19, 2018 re: Section 275 of the Municipal Act, 2001 “Lame Duck” is received; and

That the Union Water Supply System Joint Board of Management (UWSS Board) delegate temporary authority to the General Manager under Section 275 (6) of the Municipal Act, 2001 (the “Act”) for the purpose of restricted acts after Nomination Day (July 27, 2018) until the new UWSS Board commences on January 16, 2019.

Carried (UW/21/17)

Adjournment

No. UW-41-18

Moved by: Mayor McDermott

Seconded by: Councillor Hammond

That the meeting adjourn at 9:33 am

Carried

Date of Next Meeting: September 27, 2018

/kmj



MINUTES

REGULAR MEETING OF PARKS/RECREATION/ ARTS AND CULTURE COMMITTEE

Thursday August 16 2018
KINGSVILLE ARENA
6:00 P.M

A. CALL TO ORDER

Deputy Mayor Queen called the meeting to order at 6:00 p.m. with the following persons in attendance:

Mayor N. Santos
Councilor T. Gaffan
S. l'Anson
M. Tremaine-Snip
Program Manager M. Durocher
S. Langlois-Montieth Brown
J. Campbell-Montieth Brown

Regrets:

None

B. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Queen reminded members that any declaration and its general nature be made prior to each item being discussed.

C. DELEGATIONS/PETITIONS/CORRESPONDENCE

1. P. Wiper Kingsville Minor Soccer

P. Wiper made a presentation with regard to construction of a storage unit for soccer. They are looking to submit a grant request for a portion of the funding and will be putting the rest of the funds in from soccer.

Soccer also noted that the town should be purchasing the soccer nets as opposed to soccer. D. Wolicki indicated that he would look at budgeting for nets and requesting that soccer install them.

P&R 66-2018 Moved by S. l'Anson and seconded by Councilor T. Gaffan to receive the report.

CARRIED

2. Montieth Brown-S. Langlois and J. Campbell

Provided update on schedule for upcoming segments of master plan review.

April 2019-final recommendations to council
Sept/October-public consultation
Survey on line by end of September

P&R 67-2018 Moved by M. Tremaine-Snip and seconded by Councilor T. Gaffan to receive the report.

CARRIED

D. AMENDMENTS TO THE AGENDA

None

E. STAFF REPORTS

Program Managers Report

P&R 68-2018 Moved by Mayor N. Santos and seconded by Councilor T. Gaffan to receive report as presented.

CARRIED

P&R 69-2018 Moved by S. l'Anson and seconded by Councilor T. Gaffan that a report be presented to the personnel committee with recommendations to council that to better service residents two full time Parks and Recreation staff be hired based on recommendations from the Parks and Recreation Program Manager. Rational for these positions are to include events, tournaments and increased programing.

CARRIED

Facilities Manager Report

P&R 70-2018 Moved by Mayor N. Santos and seconded by Councilor T. Gaffan to receive report as presented.

CARRIED

F. Minutes of Previous Meetings

Regular Committee Minutes dated Thursday July 5, 2018

P&R 71-2018 Motion made by Mayor N. Santos and seconded by S. l'Anson to receive minutes of Parks, Recreation, Arts and Culture meeting dated July 5, 2018.

CARRIED

G. Committee Reports

P&R 72-2018 Motion made by Councilor T. Gaffan and seconded S. l’Anson to receive minutes of the 55+ committee meeting dated July 5, 2018

CARRIED

H. New and Unfinished Business

Citizen of the Year

Deputy Mayor Queen will be bringing this to council as a way to honour K. Batke for years of service to the committee

Pickleball update

M. Durocher has met with Kingsville Pickleball Inc. and is preparing information with regard to fundraising and committee mandate, which will be forwarded to the CAO.

Highland Games Update

M. Durocher is currently working with committee on various updates and website

Folk Fest Contract

Will be going to council for review

Tall Ships Update

Currently working on list of ships, and updating port users agreement

SERT Minutes July 16

P&R 73-2018 Motion made by Councilor T. Gaffan and seconded S. l’Anson to receive and approve the minutes of the SERT committee as presented

CARRIE

I. Notice of Motion

J. Next Meeting

**The Next meeting of the
Parks Recreation and Culture Committee
Will take place Thursday September 20 at 6:00 pm
Kingsville Arena Room B**

P&R 74-2018

Moved by S. l'Anson and seconded by Councilor T. Gaffan
to adjourn the meeting at 7:25 pm.

CARRIED

CHAIR: DEPUTY MAYOR GORD QUEEN

**RECORDING SECRETARY: M.
DUROCHER**



Minutes

MINUTES
THE CORPORATION OF THE TOWN OF KINGSVILLE
55+ ADVISORY COMMITTEE
JULY 5, 2018 3:00 PM
Kingsville Arena

A. CALL TO ORDER

S. Hughes called the meeting to order at 3:00 pm with the following members in attendance

M. Laman
S. Child
A. Burrell
Councilor L. Patterson
B. Peterson
S. Hughes

B. DISCLOSURE OF PECUNIARY INTEREST

S. Hughes reminded members that any declaration and its general nature is to be made prior to each item being discussed.

C. PRESENTATIONS/DELEGATIONS

None

D. AMENDMENTS TO THE AGENDA

E. STAFF REPORTS

F. MINUTES OF THE PREVIOUS MEETINGS

May 17, 2018

OAC-17-2018 Moved by B. Peterson to accept the Staff Report, seconded by M. Laman.

CARRIED

G. NEW AND UNFINISHED BUSINESS

Tea

The Royal Tea was a success, speaking with the guests they all seemed very happy with the event and enjoyed the music and art.
Prices should remain the same even if there was no revenue.
There was a recommendation from Staff to have the 55+ Committee and the Horticultural Committee join forces next year to run the event.

OAC-18-2018 Moved by M.Laman and seconded by L.Paterson that the 55+ Committee and the Kingsville Horticultural Society join together in any future Teas.

CARRIED

Expo

Another successful year, everyone loved the Pipe Band and Barbeque.
The Committee would like Thank You cards sent out to both the Pipe Band and Pickleball Club.
B.Peterson also recommended that we have more seating in the Arena area.
It was also discussed that there could be more seminars upstairs during the Expo.

Drive in Movie

Movie was poorly attended, and had to be moved inside due to windy weather.

Fall Dance

Tickets will be \$10.00 staff will have them printed and call members when they are ready.

Music Express

Committee will be having a bar cost of tickets \$5.00.

December Christmas Concert

Committee would like to see this concert be admission by donation.

Trivia Night

Committee would like to speak to Steve Hatt with Minor Baseball or someone who has knowledge on how this event is run.

OAC-19-2018 Moved by L.Paterson and seconded by B.Peterson to adjourn the meeting at 4:45 pm.

CARRIED

Next meeting:

Kingsville Arena

**RECORDING SECRETARY,
K. Wolters**

**COMMITTEE CHAIR
S. Hughes**



MINUTES

POLICE SERVICES BOARD MEETING
Wednesday, August 29, 2018 at 4:00 p.m.
Council Chambers, Municipal Offices
2021 Division Road N., Kingsville, ON N9Y 2Y9

A. CALL TO ORDER

Chairperson, Nelson Santos called the Meeting to order at 4:02 p.m. with the following persons in attendance:

Nelson Santos	-	Chairperson
Nancy Wallace-Gero	-	Vice Chairperson
Larry Patterson	-	Board member
Gary Bain	-	Board member

Also in attendance:

Glenn Miller	-	O.P.P. Inspector
Brian Higgins	-	O.P.P. Sergeant
Stuart Bertram	-	O.P.P. Staff Sergeant
Pauline Brockman	-	O.P.P. Constable

Member of Administration: Roberta Baines, Deputy Clerk-Administrative Services

B. DISCLOSURE OF PECUNIARY INTEREST

Chairperson, Nelson Santos reminded members that any declaration and its general nature are to be made prior to each item being discussed.

C. PRESENTATIONS/DELEGATIONS

There were no presentations or delegations.

D. ADOPTION OF ACCOUNTS

1. Police Services Accounts – RE: Budget actuals ending August 24, 2018

30-2018 Moved by G. Bain, seconded by N. Wallace-Gero to receive the financial report as information.

CARRIED

E. REPORTS

1. Monthly Status Reports

- i.) Town of Kingsville PSB report and Crime Stoppers report for May, June and July 2018

Staff Sergeant Bertram provided an overview of the monthly reports and stated that a new category Notable Investigations was added.

Sgt. Higgins introduced Cst. Pauline Brockman as the Detachment Analyst and author of the reports.

31-2018 Moved by N. Wallace-Gero, seconded by G. Bain to receive Kingsville PSB Report and Crime Stoppers report for May, June and July 2018 as information.

CARRIED

F. BUSINESS/CORRESPONDENCE

1. Ministry of Community Safety and Correctional Services:

- i.) Memorandum: RE: Reporting Drivers with Medical Conditions, issued June 29, 2018. (Index:18-0044)
- ii.) Memorandum: RE: Road Safety Measures under the *Making Ontario's Roads Safer Act, 2015* and the *Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017*, issued: June 29, 2018. (Index 18-0045)
- iii.) Memorandum: RE: Proclamation of the Ontario Special Investigations Unit Act, issued: June 29, 2018. (Index:18-0046)
- iv.) Memorandum: RE: Public Safety Canada's National Crime Prevention Strategy 2018 Call for Applications, issued: July 13, 2018. (Index 18-0048)
- v.) Memorandum: RE: Memorandum of Understanding (MOU) as between the Ministry of Labour (MOL) and Police Services, issued: July 19, 2018 (Index 18-0049)
- vi.) Memorandum: RE: *Issues Related to the Protection of Persons Administering and Enforcing the Law – Sections 25.1 to 25.4 of the Criminal Code of Canada*, issued: July 19, 2018 (Index 18-0050)
- vii.) Memorandum: RE: Human Trafficking Restraining Orders, issued July 19, 2018 (Index 18-0051)

2. News Release RE: OAPSB 2018 Labour Seminar issued: June 11, 2018

3. Media Release RE: Essex County OPP Wins National Award for Distracted Driving Initiative issued: June 18, 2018

4. Information Update RE: Revised Schedule of Fees issued: July 1, 2018

5. News Release RE: 2018-2019 OAPSB Board of Directors issued: July 12, 2018

6. News Release RE: ONAlert – Summer Events issued: July 13, 2018

7. Town of Tecumseh PSB RE: Discussion Paper on PSB Amalgamation issued: July 19, 2018

8. Reminder: Retirement Party for Ed Marocko

32-2018 Moved by Larry Patterson, seconded by Nancy Wallace-Gero to receive communication items 1-8 as presented.

CARRIED

G. ADOPTION OF MINUTES OF PREVIOUS MEETING

1. Adoption of Police Services Board Minutes – held on May 30, 2018.

33-2018 Moved by L. Patterson, seconded by G. Bain to adopt the Police Services Board meeting minutes held on May 30, 2018 as amended.

CARRIED

H. NEW AND UNFINISHED BUSINESS

1. Member Patterson inquired about the protocol in dealing with resident requests for more police presence. Inspector Miller stated and strongly encouraged that residents call the non-emergency phone number. This helps with monthly reporting and the ability to deal with infractions immediately.
2. Member Wallace-Gero will be away for the September 26 meeting on personal business. It was noted that there will be quorum for the next meeting.
3. Member Bain requested that the meeting time be changed to 5:00 p.m. going forward so he can attend. All members agreed and administration will amend future meeting times.
4. Chairperson Santos stated that grant funding will be forthcoming to assist with police matters dealing with cannabis issues as announced at the AMO conference. It was noted that municipalities will have a one-time option to opt-out on allowing cannabis retail stores in their area. Inspector Miller discussed limited resources and equipment needs for the detachments.
5. Inspector Miller indicated that a 2018 Progress Report will be coming soon for future discussion.
6. Inspector Miller announced that Staff Sergeant Bertram has been promoted to Inspector at the London communication centre and congratulated him on his new role. This was Staff Sergeant Bertram's last meeting.

I. CLOSED SESSION

None presented.

J. ADJOURNMENT

34-2018 Moved by N. Wallace-Gero, seconded by G. Bain that Police Services Board adjourns the meeting at the hour of 4:37 p.m. and to meet again on September 26, 2018 or at the call of the Chair.

CARRIED

CHAIRPERSON, Nelson Santos

**DEPUTY CLERK-ADMINISTRATIVE SERVICES,
Roberta Baines**

Minister of Health



Ministre de la Santé

Ottawa, Canada K1A 0K9

SEP 13 2018

Ms. Tracey Ramsey, M.P.
Essex
Tracey.Ramsey@parl.gc.ca

Dear Ms. Ramsey:

Thank you for your correspondence of August 2, 2018, in which you invited me to meet with officials from the Town of Kingsville during the week of August 19 to 22, 2018, to discuss the legalization of cannabis.

Unfortunately, my schedule did not permit me to accept your kind invitation.

With regard to your constituents' concerns about support for municipalities in the legalization of cannabis, as this falls under the purview of the Government of Ontario, your constituents should address their concerns to those officials.

If you or your constituents have general questions about the federal government's public health approach to the legalization and regulation of cannabis, please contact Mr. Eric Costen, Director General of Strategic Policy in Health Canada's Cannabis Legalization and Regulation Branch. He can be reached by e-mail at eric.costen@canada.ca or by telephone at 613-941-0355.

Again, thank you for writing, and please accept my best wishes.

Yours sincerely,

A handwritten signature in black ink, reading "Ginette Petitpas Taylor".

The Honourable Ginette Petitpas Taylor, P.C., M.P.

VETERANS MEMORIES PROJECT

WINDSOR HISTORICAL SOCIETY

4350 Pleasant Place Windsor, Ontario N8Y 2G1 • Telephone 519 564-7646
info@windsorhistoricalsociety.com • www.windsorhistoricalsociety.com

September 20, 2018

Mayor Nelson Santos
Town of Kingsville
2021 Division Rd. N. Road
Kingsville, ON N9Y 2Y9

200 Veterans and 200 Students Dining Together

Mayor Santos,

Thank you for making the Veterans Memories Project possible. Your support has long-standing impact on our community. Because of sponsors like you, our organization has been able to preserve the memories of the Veterans in Windsor and Essex County and has allowed us to extend our Veterans stories to many generations before and the many generations to follow.

Your continued patronage is a vital part to our growth. We would like to request your support by increasing your ad to quarter page \$530 from \$250 business card last year and sponsoring table of Veterans and students for \$500 at our annual November Veterans Day Luncheon. Building on the success of the past, we look to the future with great hope, knowing each day we are making significant strides to honour the Veterans who fought for our freedom.

On Friday, November 9th, we will have our Annual Veterans Appreciation Day Luncheon at the Serbian Centre. Lunch is free for every Veteran. High School Grade 10 history students from Windsor and Essex County will be bused in to enjoy lunch and conversation with Veterans. The students will write an essay in 500 words or less of their experience with Veterans and have a chance to win valuable prizes:

3 days, 2 nights all expenses paid trip to Ottawa Parliament Buildings and Canadian War Museum

OR

Share in thousands of dollars in bursaries and cash

AND

The best essays will be published in our 2019 Magazine and in the Windsor Star, on CTV and CBC crediting the students and their History Teachers who can also share in prizes.

Thank you for considering this worthwhile opportunity to thank Veterans.

Windsor Historical Society -
Veterans Memories Project





TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

September 19, 2018

Minister of Transportation
House of Commons
Ottawa, Ontario
K1A 0A6

To Whom It May Concern:

RE: ALLOWING MUNICIPALITIES TO USE FLASHING TRAFFIC SIGNALS

At its meeting of September 11, 2018, the Council of the Town of Lakeshore duly passed resolution number 864-09-2018.

Councillor Janisse / Councillor Wilder:

Whereas the Ministry of Transportation advises that traffic lights guide drivers and pedestrians as to the safe traffic movements at intersections of roads. They guide road users when to stop, direct when and how to turn and when to drive with extra caution;

And Whereas the Ministry of Transportation allows traffic lights to have different timing schedules at different times of day and night; and having different timings allows a traffic signal to best serve the traffic demands at different times of day;

And Whereas the Ministry of Transportation should consider allowing municipalities to use flashing traffic signals during very low traffic volumes which typically occur in the early morning hours;

And Whereas a flashing red light indicates that a driver must come to a complete stop and move through the intersection only when it is safe;

And Whereas a flashing yellow light indicates that a driver should proceed with caution when approaching and moving through the intersection;

Now therefore be it resolved that the Town of Lakeshore requests the Ministry of Transportation to consider authorizing municipalities to implement flashing traffic lights when appropriate and based upon the time of day when traffic volumes are minimal.

RECEIVED SEP 27 2018 

Ph: 519-728-2700 Fax: 519-728-9530 Toll: 1-877-249-3367

www.lakeshore.ca

And further that the letter be addressed to the Minister of Transportation, a copy be forwarded to the Member of Parliament, Tracey Ramsey and Member of Provincial Parliament, Taras Natyshak, the Association of Municipalities of Ontario (AMO) and all Essex County Municipalities requesting their support.

Carried

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Kristen Newman
Director of Legislative and Legal Services

/km

Cc: Tracey Ramsey, MP
Taras Natyshak, MPP
Association of municipalities of Ontario (AMO)
Municipality of Leamington – Brenda Percy
Town of Kingsville - R Baines
Town of Amherstburg - Paula Parker
Town of Essex - Robert Auger
Town of LaSalle – Clerks Department
Town of Tecumseh - Laura Moy



TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

Notice of Motion

- a) Notice of Motion regarding the Ministry of Transportation submitted by Councillor Janisse for consideration on September 11, 2018.

Whereas the Ministry of Transportation advises that traffic lights guide drivers and pedestrians as to the safe traffic movements at intersections of roads. They guide road users when to stop, direct when and how to turn and when to drive with extra caution;

And Whereas the Ministry of Transportation allows traffic lights to have different timing schedules at different times of day and night; and having different timings allows a traffic signal to best serve the traffic demands at different times of day;

And Whereas the Ministry of Transportation should consider allowing municipalities to use flashing traffic signals during very low traffic volumes which typically occur in the early morning hours;

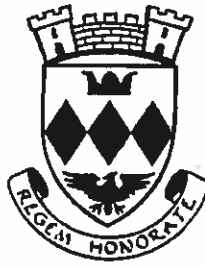
And Whereas a flashing red light indicates that a driver must come to a complete stop and move through the intersection only when it is safe;

And Whereas a flashing yellow light indicates that a driver should proceed with caution when approaching and moving through the intersection;

Now therefore be it resolved that the Town of Lakeshore requests the Ministry of Transportation to consider authorizing municipalities to implement flashing traffic lights when appropriate and based upon the time of day when traffic volumes are minimal.

And further that the letter be addressed to the Minister of Transportation, a copy be forwarded to the Member of Parliament, Tracey Ramsey and Member of Provincial Parliament, Taras Natyshak, the Association of Municipalities of Ontario (AMO) and all Essex County Municipalities requesting their support.

THE CORPORATION OF THE
TOWNSHIP OF MONTAGUE



6547 ROGER STEVENS DRIVE
P.O. BOX 755
SMITHS FALLS, ON K7A 4W6
TEL: (613) 283-7478
FAX: (613) 283-3112
www.township.montague.on.ca

September 19th, 2018

Honourable Doug Ford, Premier of Ontario
Legislative Building
Queen's Park
Toronto ON, M7A 1A1
VIA EMAIL

Hello,

Please be advised the Council of the Township of Montague passed the following resolution at its regular meeting of September 4th, 2018:

MOVED BY: V. Carroll
SECONDED BY: J. Abbass

RESOLUTION NO:192-2018
DATE: September 04, 2018

That the Council of the Township of Montague hereby support the Association of Municipal Clerks and Treasurers of Ontario in requesting that the Provincial Government undertake consultation with municipalities prior to modifying legislation that effects municipal governments.

And that this resolution be circulated to the Association of Municipal Clerks and Treasurers of Ontario and the Ontario Premier.
CARRIED

Please contact me if you have any additional questions.

Thank you,

Jasmin Ralph
Clerk Administrator

Cc: Association of Municipal Clerks and Treasurers of Ontario
All Ontario Municipalities
Honourable Randy Hillier MPP, Lanark-Frontenac-Kingston

From: AMCTO <broadcasts@amcto.com>
Sent: July 30, 2018 3:35 PM
To: Jasmin Ralph
Subject: AMCTO Responds to Announcement of The Better Local Government Act

If this email does not display properly, please view our [online version](#).



&# 160;

July 30, 2018

AMCTO RESPONDS TO ANNOUNCEMENT OF THE BETTER LOCAL GOVERNMENT ACT

Dear AMCTO Members:

Last week several municipal reforms with significant ramifications, were put forward by the Honourable Premier Doug Ford and Minister of Municipal Affairs and Housing, Steve Clark. While we look forward to reviewing the upcoming legislation, the [announcement](#) and several aspects of the proposed legislation has created widespread concern within our sector, regarding timing, implementation, and lack of engagement with local government professionals.

Reserving any specific comment on the policy, AMCTO is concerned with how these reforms were brought forward, notably:

- This legislation will be introduced on the eve of the 2018 municipal elections and will impact provisions within the Municipal Elections Act. AMCTO has long believed that senior orders of government should engage local government professionals and representative associations, early and more importantly, provide the appropriate amount of time to ensure that public policy implementation is effective at the local level. The timing of this legislation will make this extremely challenging.
- This new legislation will create changes to existing election processes within the sector. Ambiguity exists with how to balance the currently enforced rules and regulations with those of the new legislation. Naturally, this ambiguity hinders the ability of local government professionals to implement provincial public policy in a fair and effective manner.
- Finally, AMCTO is concerned that the lack of engagement or notice for these reforms to municipal legislation signals a step backwards in the belief that the municipal sector is recognized as a mature, responsible order of government.

AMCTO staff and members will review the legislation once it is released, and will look for ways to provide our technical expertise on how to support public policy implementation at the local level. We continue to believe this value is best served when our members and association are engaged early in the policy development process.

AMCTO – The Municipal Experts

2680 Skymark Avenue Suite # 610, Mississauga ON L4W-5L6

Phone - 905-602-4294 | Fax - 905-602-4295

[Send to a friend](#) | [Unsubscribe](#)



BEN RYZEBOL, Director of Public Works
PUBLIC WORKS - TELEPHONE: (519) 941-1065
FAX: (519) 941-1802
email: bryzebol@amaranth.ca



374028 6TH LINE, AMARANTH, ONTARIO
L9W 0M6

SUSAN M. STONE, C.A.O./Clerk-Treasurer
TELEPHONE: (519) 941-1007
FAX: (519) 941-1802
email: suestone@amaranth-eastgary.ca

September 20, 2018

Ministry of Environment and Climate Change
Hon. Chris Ballard, Minister
Ferguson Block 11th Flr,
77 Wellesley Street West
Toronto, ON M7A 2T5

Dear Minister Ballard,

Re: Licensing Process to Take Water for Commercial Water Bottling Facilities

At the regular meeting of Council held September 12, 2018, the following resolution was carried:

Moved by J. Aultman – Seconded by G. Little

Be it Resolved That:

WHEREAS the Township of Amaranth understands that there is currently a permitting process to take water for commercial water bottling facilities;

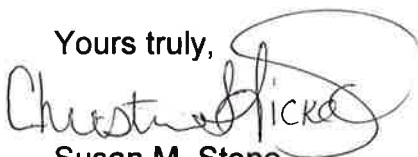
AND WHEREAS the municipal permitting process to take water is more stringent and is subject to Source Water Protection Policies;

NOW THEREFORE the Township of Amaranth requests that the licensing process to take water for commercial water bottling facilities be the same as the municipal licensing process and be subject to Source Water Protection regulations and all annual inspections and reviews within this process be included;

AND FURTHER THAT this resolution be circulated to Provincial Government, Conservation Authorities, Source Protection Committee and all municipalities.

Should you require anything further please do not hesitate to contact this office.

Yours truly,


Per: Susan M. Stone
CAO-Clerk-Treasurer
Township of Amaranth

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 95-2018

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:

7.1.71 'AGRICULTURE ZONE 1 EXCEPTION 71 (A1-71)'

- a) For lands shown as A1-71 on Map 44 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 A1-71 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 A1-71;
- 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 A1-71.

All other items listed under Section 4.46 remain applicable to lands zoned A1-71.

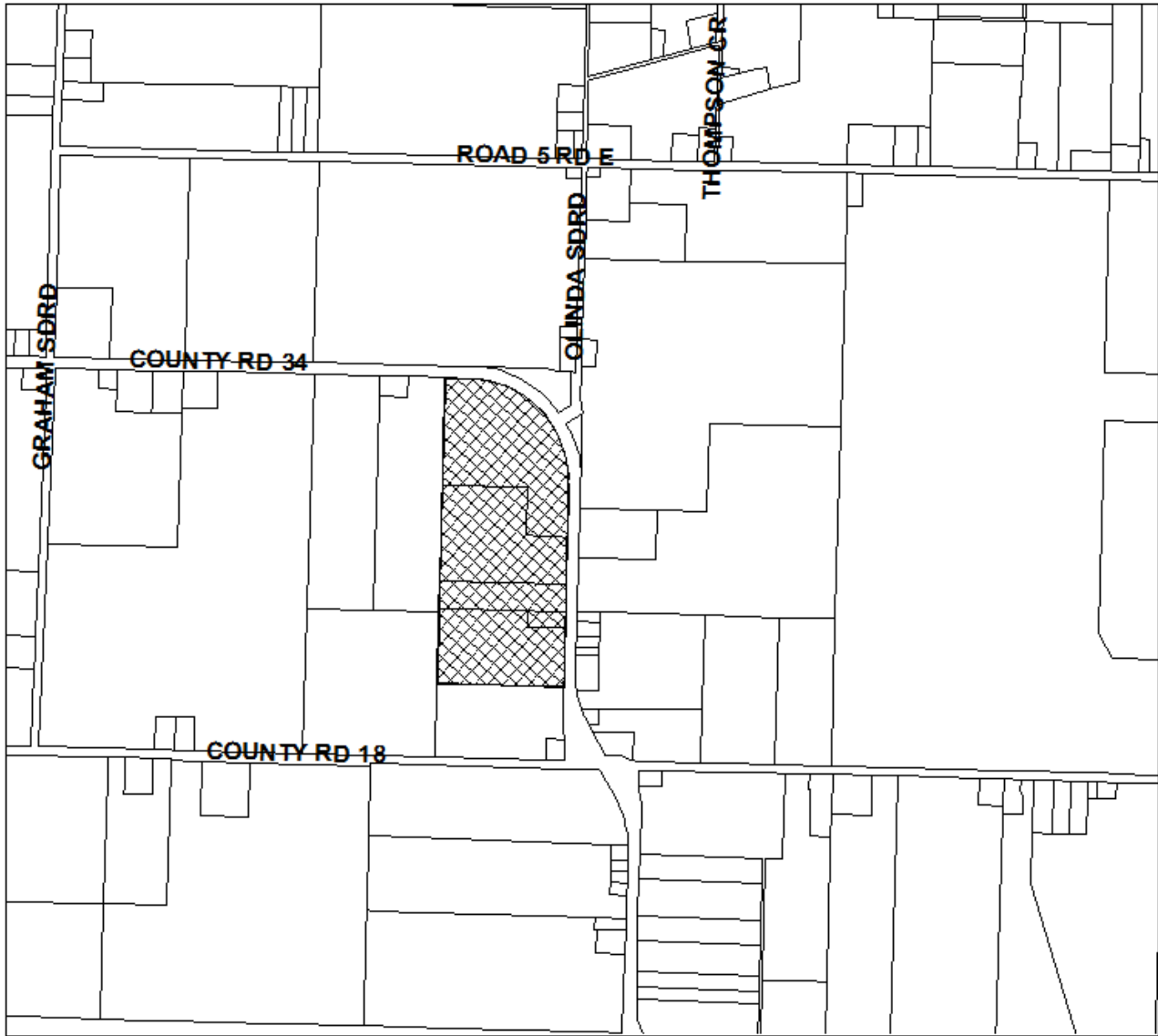
2. Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 20, Concession 4 ED, Parts 1 to 8, RP 12R 14851 & Parts 1 & 2 RP 12R 13840 & Parts 1 & 2, RP 12R 19945 and locally known as 1501, 1521, 1523 & 1527 County Road 34 as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 71 (A1-71)'.
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 OCTOBER, 2018.

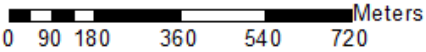
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 20, Concession 4 ED
1501, 1521, 1523 & 1527 County Road 34
Zoning By-law Amendment ZBA/16/18



 Schedule "A", Map 44 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 71 (A1-71)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 96-2018

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:

7.1.72 'AGRICULTURE ZONE 1 EXCEPTION 72 (A1-72)'

- a) For lands shown as A1-72 on Map 44 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 A1-72 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 A1-72;
- 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 A1-72.

All other items listed under Section 4.46 remain applicable to lands zoned A1-72.

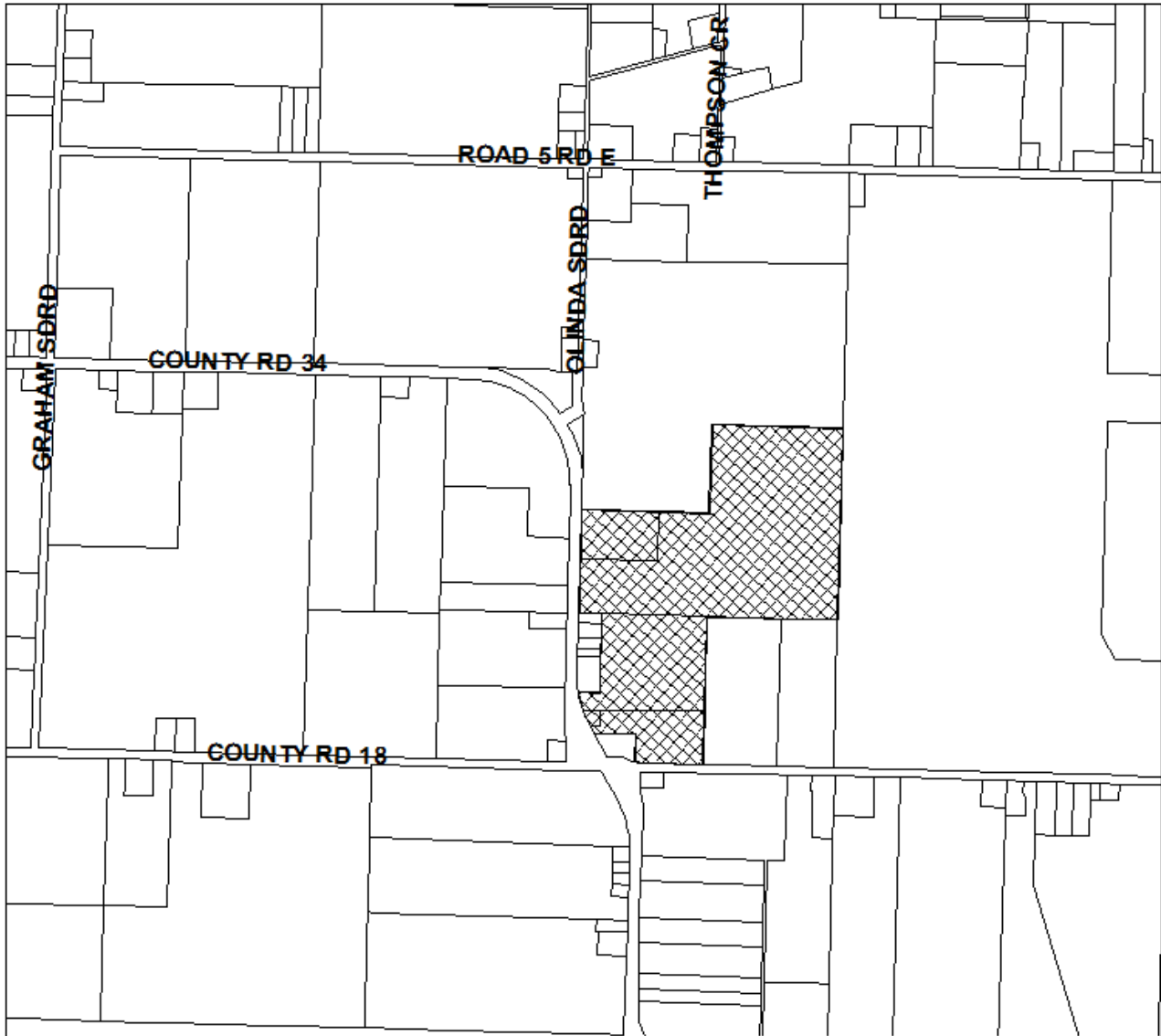
2. Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 21, Concession 4 ED, Parts 1 & 2, RP 12R 15280 & Part 14 RP 12R 1554 & Part 1, RP 12R 22797 and locally known as 1506, 1508, 1526 & 1640 County Road 34 as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 72 (A1-72)'.
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 OCTOBER, 2018.

MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 21, Concession 4 ED
1506, 1508, 1526 & 1640 County Road 34
Zoning By-law Amendment ZBA/17/18

  Meters

 Schedule "A", Map 44 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 72 (A1-72)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 109-2018

*Being a by-law to provide for the replacement of
a bridge and subsequent maintenance schedules
over the 3rd Concession – Clifford Drain
Roll Number: 370-07300
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 3rd Concession – Clifford Drain;

AND WHEREAS the report dated August 24th, 2018 has been authored by Antonio B. Peralta, P. Eng. and the attached report forms part of this by-law;

AND WHEREAS \$69,855.00 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 \$69,855.00 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 \$69,855.00 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
3RD CONCESSION - CLIFFORD DRAIN IMPROVEMENTS

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hectares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West				6.60	2.571	Town of Kingsville	\$ 111.00	\$ 1,778.00	\$ -	\$ 1,889.00
Total on Municipal Lands							\$ 111.00	\$ 1,778.00	\$ -	\$ 1,889.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hectares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231	[REDACTED]	\$ 7.00	\$ 128.00	\$ -	\$ 135.00
370-04810	2	I	0.51	0.25	0.101	[REDACTED]	\$ 3.00	\$ 93.00	\$ -	\$ 96.00
370-07005	3	I	0.85	0.85	0.344	[REDACTED]	\$ 11.00	\$ 180.00	\$ -	\$ 191.00
370-07210	3	H	3.67	3.67	1.485	[REDACTED]	\$ 46.00	\$ 554.00	\$ -	\$ 600.00
Total on Privately Owned - Non-Agricultural Lands							\$ 67.00	\$ 955.00	\$ -	\$ 1,022.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hectares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023	[REDACTED]	\$ 38.00	\$ 149.00	\$ -	\$ 187.00
370-04500	2	H	39.90	16.00	6.475	[REDACTED]	\$ 98.00	\$ 953.00	\$ -	\$ 1,051.00
370-04600	2	H	57.34	5.00	2.023	[REDACTED]	\$ 42.00	\$ 303.00	\$ -	\$ 345.00
370-07000	3	I	98.58	49.15	19.891	[REDACTED]	\$ 158.00	\$ 3,075.00	\$ -	\$ 3,233.00

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres		Hectares Alfr'd	Owner's Name	Value of		Value of Special Benefit	TOTAL VALUE
			Owned	Alfr'd			Benefit	Outlet		
370-07100	3	H	50.00	50.00	20.235		\$ 161.00	\$ 3,069.00	\$ -	\$ 3,230.00
370-07200	3	H	71.04	46.33	18.749		\$ 136.00	\$ 2,788.00	\$ -	\$ 2,924.00
370-07300	3	G	100.00	36.00	14.569		\$ 55,063.00	\$ 911.00	\$ -	\$ 55,974.00
Total on Privately Owned - Agricultural Lands (grantable)							\$ 55,696.00	\$ 11,248.00	\$ -	\$ 66,944.00
TOTAL ASSESSMENT							\$ 55,874.00	\$ 13,981.00	\$ -	\$ 69,855.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

MAINTENANCE SCHEDULE OF ASSESSMENT

3RD CONCESSION - CLIFFORD DRAIN

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West				6.60	2.671		\$ 389.00	\$ 751.00	\$ -	\$ 1,140.00
Total on Municipal Lands.....							\$ 389.00	\$ 751.00	\$ -	\$ 1,140.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231		\$ 25.00	\$ 54.00	\$ -	\$ 79.00
370-04810	2	I	0.51	0.25	0.101		\$ 11.00	\$ 46.00	\$ -	\$ 57.00
370-07005	3	I	0.85	0.85	0.344		\$ 38.00	\$ 93.00	\$ -	\$ 131.00
370-07210	3	H	3.67	3.67	1.485		\$ 162.00	\$ 225.00	\$ -	\$ 387.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ 236.00	\$ 418.00	\$ -	\$ 654.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023		\$ 135.00	\$ 54.00	\$ -	\$ 189.00
370-04500	2	H	39.90	16.00	6.475		\$ 345.00	\$ 344.00	\$ -	\$ 689.00
370-04600	2	H	57.34	5.00	2.023		\$ 147.00	\$ 127.00	\$ -	\$ 274.00
370-07000	3	I	98.58	49.15	19.891		\$ 554.00	\$ 1,580.00	\$ -	\$ 2,134.00

- 2 -

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Hecla's Aff'd	Owner's Name	Value of			TOTAL VALUE
							Benefit	Value of Outlet	Special Benefit	
370-07100	3	H	50.00	50.00	20.235		\$ 564.00	\$ 1,397.00	\$ -	\$ 1,961.00
370-07200	3	H	71.04	46.33	18.749		\$ 477.00	\$ 1,100.00	\$ -	\$ 1,577.00
370-07300	3	G	100.00	36.00	14.569		\$ 883.00	\$ 499.00	\$ -	\$ 1,382.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ 3,105.00	\$ 5,101.00	\$ -	\$ 8,206.00
TOTAL ASSESSMENT							\$ 3,730.00	\$ 6,270.00	\$ -	\$ 10,000.00

=====

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

SCHEDULE OF ASSESSMENT FOR FUTURE ACCESS BRIDGE STRUCTURE MAINTENANCE

3RD CONCESSION - CLIFFORD DRAIN

TOWN OF KINGSVILLE

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
Road 3 West				5.85	2.367		\$ -	\$ 383.00	\$ -	\$ 383.00
Total on Municipal Lands.....							\$ -	\$ 383.00	\$ -	\$ 383.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-04510	2	H	0.57	0.57	0.231		\$ -	\$ 28.00	\$ -	\$ 28.00
370-04810	2	I	0.51	0.25	0.101		\$ -	\$ 20.00	\$ -	\$ 20.00
370-07005	3	I	0.85	0.85	0.344		\$ -	\$ 38.00	\$ -	\$ 38.00
370-07210	3	H	3.67	3.67	1.485		\$ -	\$ 121.00	\$ -	\$ 121.00
Total on Privately Owned - Non-Agricultural Lands.....							\$ -	\$ 207.00	\$ -	\$ 207.00

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Aff'd	Heclares Aff'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
370-03700	2	G	96.20	5.00	2.023		\$ -	\$ 33.00	\$ -	\$ 33.00
370-04500	2	H	39.90	16.00	6.475		\$ -	\$ 210.00	\$ -	\$ 210.00
370-04600	2	H	57.34	5.00	2.023		\$ -	\$ 66.00	\$ -	\$ 66.00
370-07000	3	I	98.58	49.15	19.891		\$ -	\$ 646.00	\$ -	\$ 646.00

- 2 -

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres		Hectares	Owner's Name	Value of		Value of Special Benefit	TOTAL VALUE
			Owned	Alfrd			Benefit	Outlet		
370-07100	3	H	50.00	50.00	20.235		\$ -	\$ 657.00	\$ -	\$ 657.00
370-07200	3	H	71.04	46.33	18.749		\$ -	\$ 609.00	\$ -	\$ 609.00
370-07300	3	G	100.00	18.00	7.285		\$ -	\$ 189.00	\$ -	\$ 189.00
Total on Privately Owned - Agricultural Lands (grantable).....							\$ -	\$ 2,410.00	\$ -	\$ 2,410.00
TOTAL ASSESSMENT							\$ -	\$ 3,000.00	\$ -	\$ 3,000.00

1 Hectare = 2.471 Acres
D-17-030
August 24th, 2018

6. CITATION

This by-law comes into force on the passing thereof and may be cited as the "3rd Concession – Clifford Drain Improvements [370-07300]" by-law.

**READ A FIRST AND SECOND TIME AND PROVISIONALLY ADOPTED
THIS 9th DAY OF OCTOBER, 2018.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

**READ A THIRD TIME AND FINALLY PASSED ON THIS DAY OF
2018.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 113-2018

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:

7.1.74 'AGRICULTURE ZONE 1 EXCEPTION 74 (A1-74)'

- a) For lands shown as A1-74 on Map 48 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 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 A1-74;

All other items listed under Section 4.46 remain applicable to lands zoned A1-74.

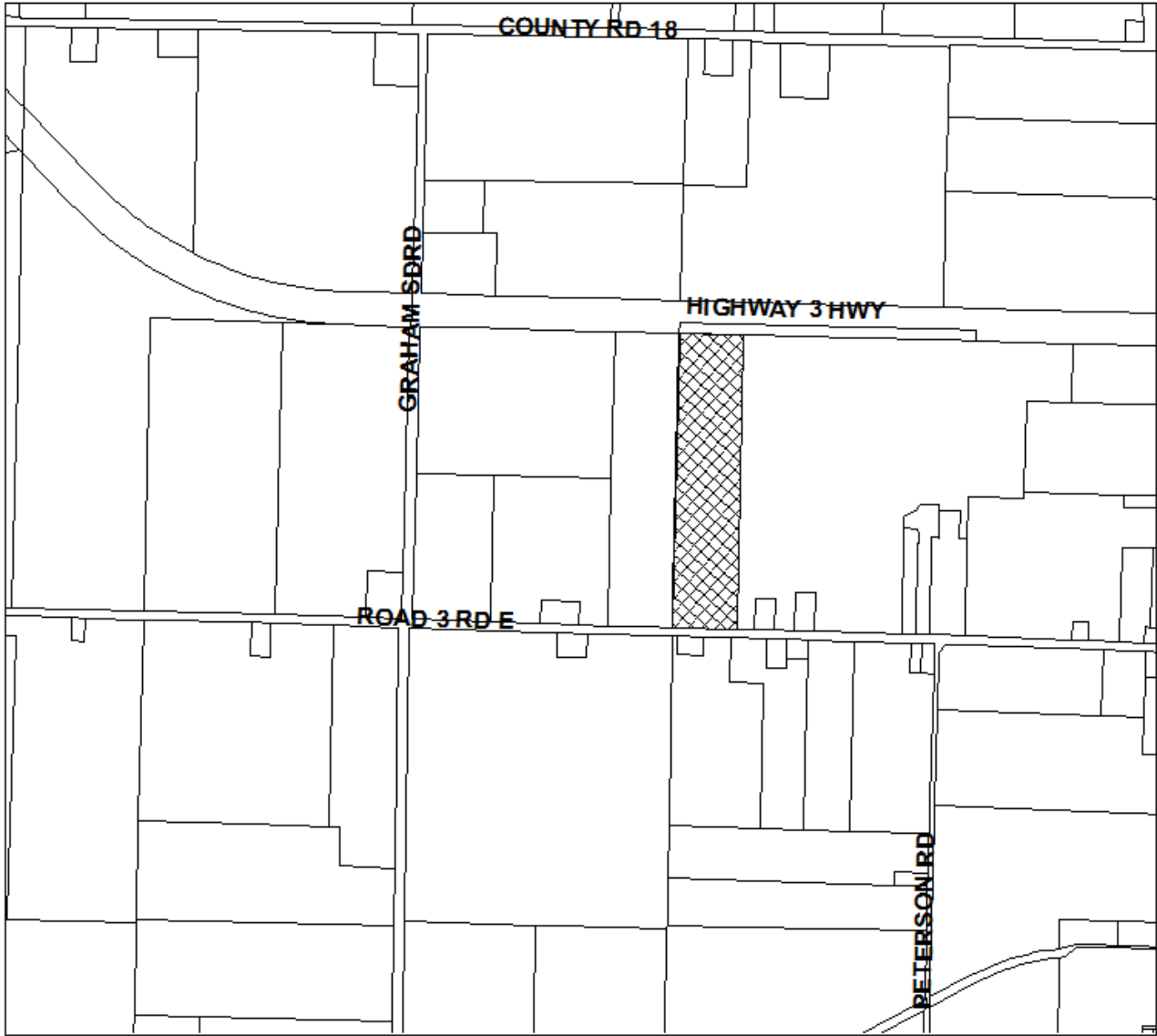
- 2. Schedule "A", Map 48 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 8, Concession 3 ED, and locally known as 1270 Road 3 E as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 74 (A1-74)'.
- 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 OCTOBER, 2018.

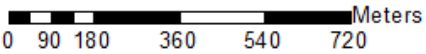
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 8, Concession 3 ED
1270 Road 3 E
Zoning By-law Amendment ZBA/21/18



 Schedule "A", Map 48 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 74 (A1-74)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 114-2018

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:

7.1.75 'AGRICULTURE ZONE 1 EXCEPTION 75 (A1-75)'

- a) For lands shown as A1-75 on Map 40 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 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 A1-75;
 - iii) Item g) shall not be applicable to an on-site bunkhouse.

All other items listed under Section 4.46 remain applicable to lands zoned A1-75.

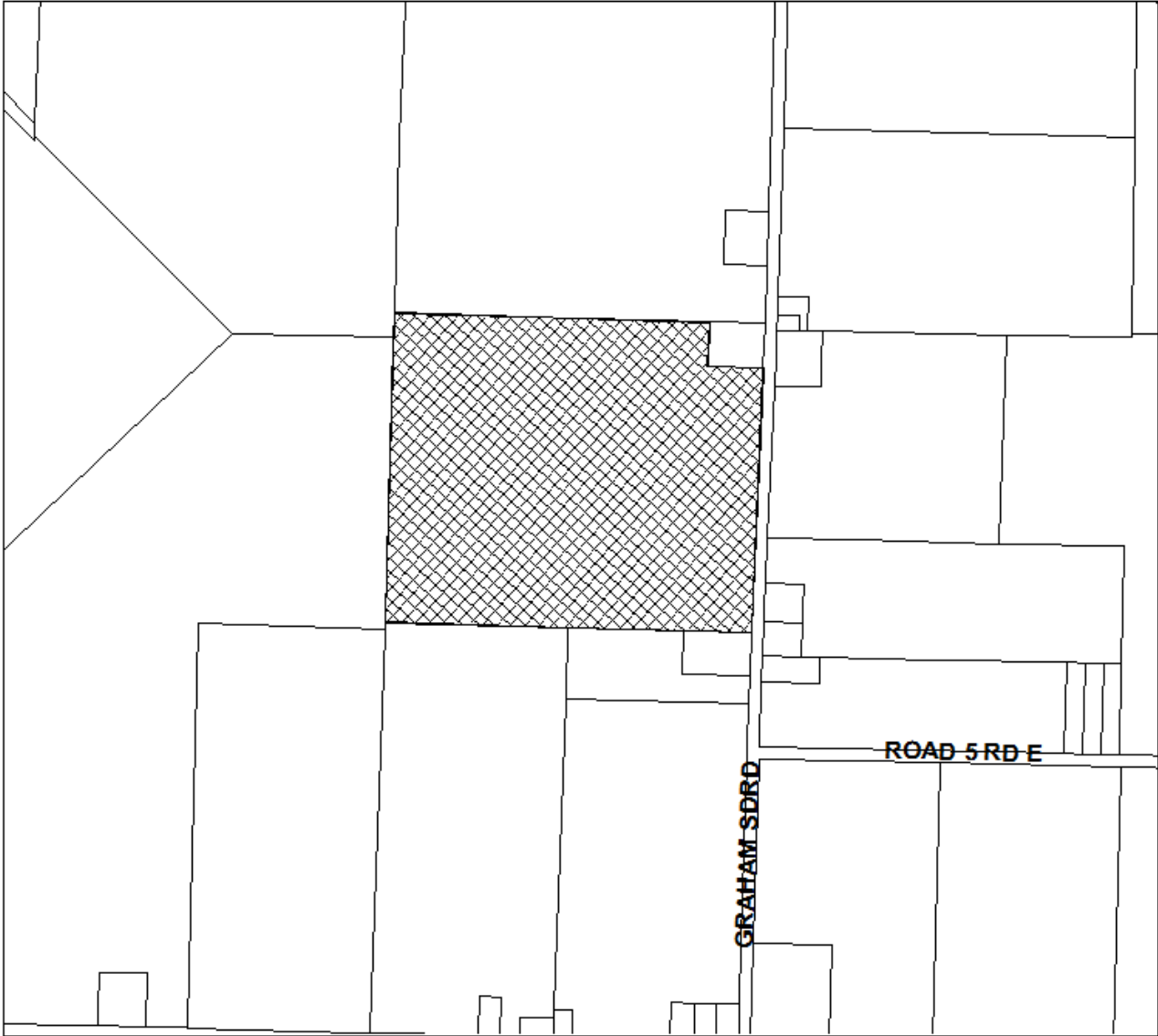
- 2. Schedule "A", Map 40 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 18, Concession 5, and locally known as 3069 Graham Side Road as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 75 (A1-75)'.
- 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 OCTOBER, 2018.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo


Schedule 'A'



Part of Lot 18, Concession 5
3069 Graham Side Road
Zoning By-law Amendment ZBA/22/18

N

0 65 130 260 390 520 Meters

 Schedule "A", Map 40 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 75 (A1-75)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 115-2018

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:

7.1.76 'AGRICULTURE ZONE 1 EXCEPTION 76 (A1-76)'

- a) For lands shown as A1-76 on Map 60 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 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 A1-76;

All other items listed under Section 4.46 remain applicable to lands zoned A1-76.

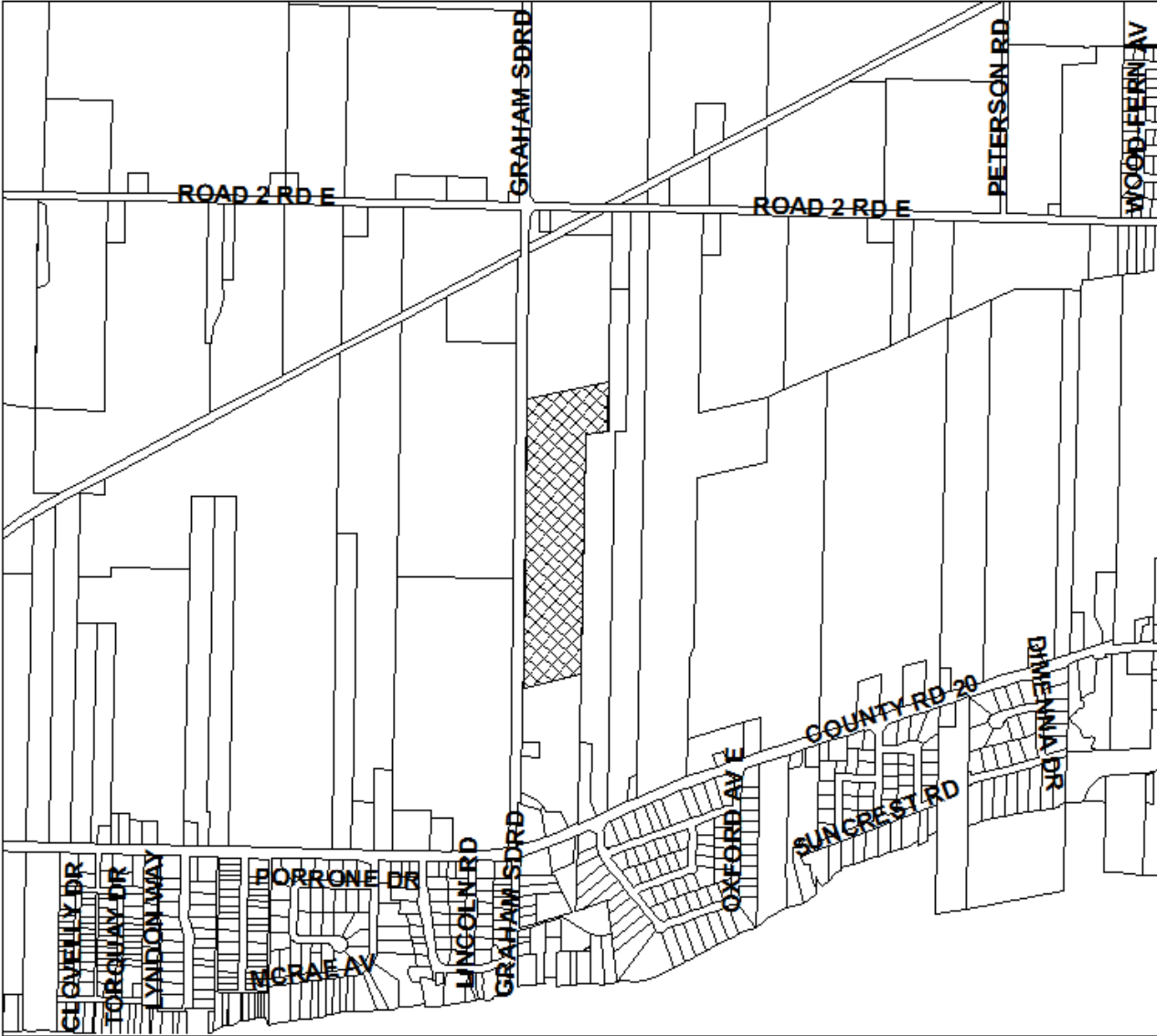
- 2. Schedule "A", Map 60 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 7, Concession 1 ED, and locally known as 1660 Graham Side Road as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 76 (A1-76)'.
- 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 OCTOBER, 2018.

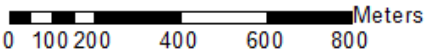
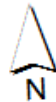
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 7, Concession 1 ED
1660 Graham Side Road
Zoning By-law Amendment ZBA/23/18



Schedule "A", Map 60 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 76 (A1-76)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 117 - 2018

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its October 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 October 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 October, 2018.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo