



**REGULAR MEETING OF COUNCIL  
REVISED AGENDA**

**Monday, March 23, 2020, 7:00 PM**

**Council Chambers**

**2021 Division Road N**

**Kingsville, Ontario N9Y 2Y9**

**Pages**

**A. CALL TO ORDER**

**B. MOMENT OF SILENCE AND REFLECTION**

**C. PLAYING OF NATIONAL ANTHEM**

**D. DISCLOSURE OF PECUNIARY INTEREST**

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

**E. MATTERS SUBJECT TO NOTICE**

- 1. PUBLIC MEETING--Combined Application for Consent and Zoning By-law Amendment File B/22/19 & ZBA/24/19 by Linda Wintermute & Helen McLeod 605 Road 11, Part of Lot 22, Concession 11**

**1**

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated February 28, 2020;

ii) Report of K. Brcic, Planner, dated March 12, 2020;

iii) Proposed By-law 28-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

**Recommended Action**

That:

Council approves Consent Application B/22/19 to sever an existing dwelling, deemed surplus to the needs of the owners on a 0.36 ha (0.89

ac.) parcel shown as Part 1 on the Applicants' sketch, in the Town of Kingsville, subject to the following conditions:

- a. That the applicant(s) arrange for a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided.
- b. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- c. That any necessary drainage reapportionments be undertaken.
- d. A clear letter of approval for the septic system on the severed parcel (surplus dwelling lot) must be obtained from the Town's Building Department.
- e. That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
- f. The zoning of the retained parcel be amended to prohibit future dwellings prior to certification.
- g. That the necessary deed(s), transfer or charges be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification; AND THAT, Council approves Zoning By-law Amendment Application ZBA/25/19 to rezone the retained parcel, known as 605 Road 11, in Part of Lot 22, Concession 11, in the Town of Kingsville, from 'Agriculture (A1)' to "Agriculture – Restricted (A2)" and adopt the implementing by-law.

**2. Application for Zoning By-law Amendment ZBA/05/16 & Site Plan Approval SPA/08/16 by Liovas Holding Ltd.  
Part of Lots 5 to 8, 23 & 24, Plan 296, Part 3 RP 12R 23274**

12

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Site Plan Approval, dated February 28, 2020;

ii) Report of R. Brown, Manager of Planning Services, dated March 16, 2020;

iii) Proposed By-law 27-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council:

Approves Zoning By-law Amendment Application ZBA/05/16 to rezone the subject lands to permit four (4) semi-detached dwellings, an accessory

storage building, establish site-specific regulations and adopt the implementing by-law;

Approves Site Plan Approval Application SPA/08/16 for the development of four (4) semi-detached dwellings detailed on the attached Site Plan along with an accessory storage building subject to the conditions outlined in the Site Plan Agreement; and

Authorizes the Mayor and Clerk to sign the Site Plan Agreement and register said Agreement on title.

## **F. AMENDMENTS TO THE AGENDA**

## **G. STAFF REPORTS**

### **1. Website Updates – Kingsville Heritage Committee**

60

T. Iacobelli, Manager of Information Technology

#### **Recommended Action**

That Council receives the report from Manager of Information Technology dated March 6, 2020 with respect to updating the Heritage Committee's webpage on the Town of Kingsville's website.

### **2. 2020 Capital Projects – Tender Approvals**

62

T. Del Greco, Manager of Municipal Services

#### **Recommended Action**

That Council authorizes the Mayor and Clerk to execute an agreement with Coco Paving Incorporated for award of the 2020 Urban Road Program Tender in the amount of \$532,853 (excluding HST);

And That Council authorizes the use of funds from Account #03-000-032-39121 (Reserves - Active Transportation) to facilitate construction of the multi-use path from Conservation Blvd to Lake Drive;

And That Council authorizes the Mayor and Clerk to execute an agreement with Shepley Road Maintenance for award of the 2020 Rural Road Program Tender in the amount of \$1,218,649 (excluding HST);

And That Council authorizes the Mayor and Clerk to execute an agreement with Pierascenzi Construction for award of the 2020 Sidewalk Program Tender in the amount of \$139,365 (excluding HST);

And That Council authorizes the Mayor and Clerk to execute an agreement with RC Spencer for award of engineering services pertaining to reconstruction of Road 2 East from County Road 45 to Division Road North (including all watermain engineering) in the amount of \$335,810 (excluding HST).

### **3. Lease Extension Agreement**

67

R. Baines, Deputy Clerk - Administrative Services

**Recommended Action**

That Council approves the lease extension agreement between John and Michelle Ivanisko and The Corporation of the Town of Kingsville for 116 County Road 34 West, Cottam, Ontario, and authorize the Mayor and Clerk to execute said agreement, and adopt By-law 33-2020.

**4. COVID-19 Municipal Response**

83

J. Astrologo, Director of Corporate Services

**Recommended Action**

That Council adopt By-law 36-2020, being a by-law to amend the Procedure By-law (By-law 55-2016) to allow Council Members to electronically participate in Council Meetings;

And That, Council adopt By-law 38-2020, being a by-law to delegate authority to the Director of Corporate Services and the Director of Financial Services to jointly award contracts up to a monetary limit of \$500,000 provided that the works are within the scope and budget limits of the 2020 Budget;

And That, Council cancel the April 14 Regular Meeting and allow the Mayor to make a determination regarding the cancellation of the April 27 Regular Meeting;

And That, interest and penalties be waived for tax and water accounts through to April 30;

And That, Council endorse the actions taken by Administration thus far in the wake of the COVID-19 pandemic to maintain the health and safety of employees and members of the community.

**H. BUSINESS/CORRESPONDENCE-ACTION REQUIRED**

**1. Report of Kingsville Striking Committee, dated March 11, 2020 RE: 2020-2022 Updated Appointments to Boards and Committees for Kingsville**

92

**Recommended Action**

That Council adopts the recommended Board and Committee lay appointments for the balance of the Council term, as presented by the Kingsville Striking Committee, for Communities in Bloom Committee, Kingsville Municipal Heritage Advisory Committee, Migration Festival Committee, and Mettawas Waterfront Park Fundraising Committee, to be effective immediately; and Further That the appropriate by-law be updated at a future meeting of Council.

**I. MINUTES OF THE PREVIOUS MEETINGS**

**1. Special Meeting of Council--March 2, 2020**

94



2. **Special Closed Session Meeting of Council--March 2, 2020**
3. **Regular Meeting of Council--March 9, 2020** 97
4. **Regular Closed Session Meeting of Council--March 9, 2020**

**Recommended Action**

That Council adopts Special Meeting of Council Minutes dated March 2, 2020, Special Closed Session Meeting of Council Minutes dated March 2, 2020, Regular Meeting of Council Minutes dated March 9, 2020, and Regular Closed Session Meeting of Council Minutes dated March 9, 2020.

**J. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

1. **Kingsville B.I.A. - Annual General Meeting - February 26, 2019 and Kingsville BIA Minutes dated February 11, 2020** 119

**Recommended Action**

That Council receives Kingsville B.I.A. Annual General Meeting Minutes dated February 26, 2019 and Kingsville BIA Minutes dated February 11, 2020.

2. **Kingsville Municipal Heritage Advisory Committee - February 11, 2020 and February 27, 2020** 128

**Recommended Action**

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated February 11, 2020 and February 27, 2020.

3. **Tourism and Economic Development Committee - February 13, 2020** 134

**Recommended Action**

That Council receives Tourism and Economic Development Committee Meeting Minutes dated February 13, 2020

**K. BUSINESS CORRESPONDENCE - INFORMATIONAL**

1. **Town of Tecumseh--Correspondence dated February 13, 2020 RE: Resolution of Support of Essex County Federation of Agriculture correspondence and of Bill 156** 138
2. **Township of Tyendinaga--Correspondence dated March 3, 2020 RE: Call for a solution to the ongoing Coastal GasLink and Rail Disruption situations** 140
3. **Municipality of West Nipissing--Correspondence dated March 3, 2020 RE: Provincially Significant Wetlands Designation** 141
4. **Town of Ajax--Correspondence dated March 5, 2020 RE: Supporting Conservation Authorities** 146

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|----|---|-----|
| 5. | <b>Municipality of West Nipissing--Resolution 2020/101 supporting AMO's position in Bill 132 with respect to the Aggregate Resources Act and the Safe Drinking Water Act, as supported by the Township of Puslinch.</b> | 148 |
| 6. | <b>Frank Fernandez, Stop the Great Lakes Nuclear Dump--Correspondence dated March 6, 2020 RE: OPG Nuclear Waste Repository</b>  | 154 |
| 7. | <b>Town of Kirkland Lake--Correspondence received March 9, 2020 RE: Support of Bill 156</b>   | 155 |
| 8. | <b>Municipality of Callander--Correspondence dated March 17, 2020 with attached Resolution 2020/03/84 RE: Electronic Meetings during COVID-19</b>   | 157 |

**Recommended Action**

That Council receives Business Correspondence-Informational items 1 through 8.

**L. NOTICES OF MOTION**

- 1. Deputy Mayor Gord Queen may move, or cause to have moved:**

That Council approve the Mayor and staff creating a letter to go to the Federal Government, supporting and encouraging the creation of a Canada-wide Auto Sector Plan that aids and creates jobs in Canada versus Mexico; recognizing the effects that many of our local residents are employed now, and hopefully for generations to come.

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

That Council be provided at the next following Regular Meeting a copy of By-law 89-2019 (Greenhouse regulations) that does include the requested detail as per previous Council Motion, and not just a reference to Provincial Policy.

- 3. Councillor DeYong may move, or cause to have moved:**

That Council support sending a letter to the Minister of Energy, Greg Rickford, to suspend 'time of use' billing during the quarantine period as a result of the COVID-19 pandemic. And that this letter be sent to the Ontario Energy Board, the Premier, our local Member of Parliament T. Natyshak, and all Ontario municipalities

**M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

**N. BYLAWS**

- |    |                       |     |
|----|-----------------------|-----|
| 1. | <b>By-law 27-2020</b> | 159 |
|----|-----------------------|-----|

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/05/2016; Maple Street and

Lansdowne Avenue, Part of Lots 5 to 8, 23 and 24, Plan 296, Part 3, RP 12R 23274)

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

**2. By-law 28-2020** 162

Being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/24/2019; 605 Road 11, Part of Lot 22, Concession 11)

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

**3. By-law 33-2020** 164

Being a By-law authorizing the Mayor and Clerk to enter into an Agreement with John Ivanisko and Michelle Ivanisko to Extend the Tenancy Lease of O.P.P. Cottam location, 116 County Road 34

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

**4. By-law 35-2020** 168

Being a By-law to amend By-law 101-2004, being a By-law to Appoint Officers and Management Staff for The Corporation of the Town of Kingsville, and to repeal By-law 21-2016

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

**5. By-law 36-2020** 169

Being a By-law to amend By-law 55-2016, being a By-law to Govern the Calling, Place and Proceedings of Council and Committees

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

**6. By-law 37-2020** 171

Being a By-law to authorize the entering into of an Agreement with Nevan Construction Inc. for the construction of the Sumac Drive Watermain Replacement for The Corporation of the Town of Kingsville (N. J. Peralta Engineering Ltd. Project No.: E-19-057) (full contract document available for review in Department of Municipal Services)

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

**\*7 By-law 38-2020** 176

Being a By-law to authorize the Delegation of Authority to the Director of Corporate Services/Clerk and to the Director of Financial Services for certain acts during the Provincially declared state of emergency under the *Emergency Management and Civil Protection Act*

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

**O. CLOSED SESSION**

Pursuant to Subsection 239(2) of the *Municipal Act, 2001*, Council will enter into Closed Session to address the following item:

- i) Section 239(2)(d) labour relations or employee negotiations.

**P. REPORT OUT OF CLOSED SESSION**

**Q. CONFIRMATORY BY-LAW**

**1. By-law 39-2020**

178

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 23, 2020 Regular Meeting.

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

**R. ADJOURNMENT**



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

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

**APPLICATION:** **ZONING BY-LAW AMENDMENT - ZBA/24/19**  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

**CONSENT APPLICATION B/22/19**  
(Section 53 of the Planning Act R.S.O. 1990, C.P. 13)

**APPLICANT:** **Linda Wintermute & Helen McLeod**

**LOCATION OF PROPERTY:** **605 Road 11**

**PURPOSE OF APPLICATION:** The Town of Kingsville has received the above-noted application for lands located on the north side of Road 11, between Albuna Town Line (County Road 31) and Graham Side Road. The subject parcel is designated 'Agricultural' by the Official Plan and is zoned 'Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject parcel is approximately 20.11 hectares (49.7 acres) in size and contains a single detached dwelling and two outbuildings. It is proposed that the existing dwelling, surplus to the owners, be severed on a 0.36 hectares (0.89 acre) lot with 43.12 meter (141.5 feet) of frontage.

As a condition of the consent, an application to rezone (ZBA/24/19) the retained farm parcel (shown in red on the location map) from 'Agricultural (A1)' to 'Agriculture - Restricted (A2)' is required to prohibit dwellings as per Provincial and Town policies.

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

**WHEN:** **March 23, 2020**  
**WHERE:** Town of Kingsville Municipal Building – Council Chambers  
**TIME:** 7:00 p.m.

If you have comments on this application, they may be forwarded in writing via email to [kbrbic@kingsville.ca](mailto:kbrbic@kingsville.ca) or letter mail, to the attention of: Kristina Brcic, Town Planner, 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** that files an appeal of a decision of The Town of Kingsville in respect of the proposed consent does not make written submissions to The Town of Kingsville before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

**If You Wish** to be notified of the decision of The Town of Kingsville in respect of the proposed consent, you must make a written to the **Municipal Clerk, Town of Kingsville, 2021 Division Road North, Kingsville, Ontario, N9Y 2Y9**.

**If a Person or Public Body** would otherwise have an ability to appeal the decision of Council of 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 submissions to the Town of Kingsville before the by-law is passed, 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 submissions to the Municipal Clerk of the Town of Kingsville before the 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 do so.

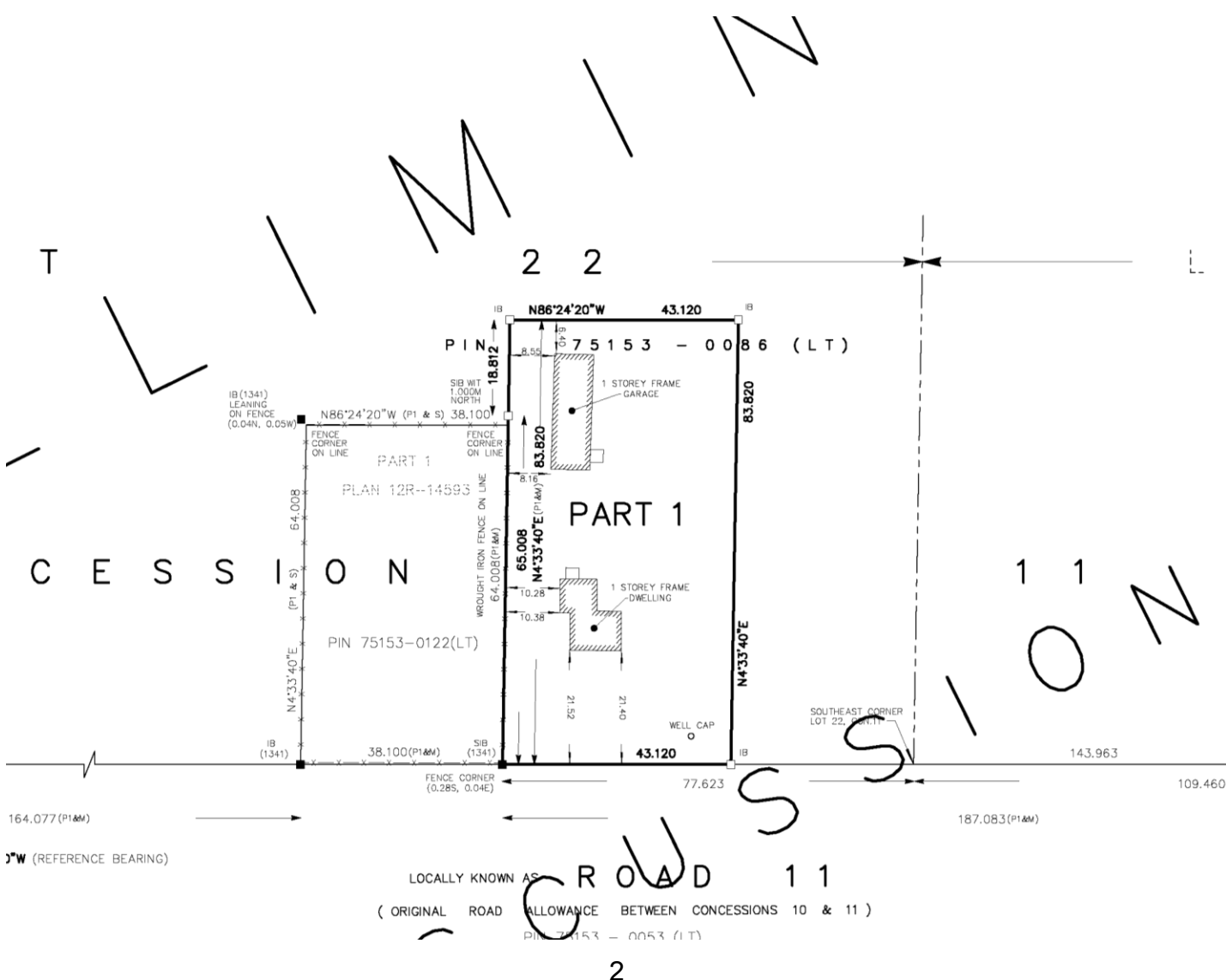
**ADDITIONAL INFORMATION** relating to these matters matter is available for review at the Kingsville Municipal Office during regular office hours.

**DATED AT THE TOWN OF KINGSVILLE** on February 28<sup>th</sup>, 2020.



**Legend**

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





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

**Date:** March 12, 2020

**To:** Mayor and Council

**Author:** Kristina Brcic, MSc, BURPI  
Town Planner

**RE:** Combined Application for Consent and Zoning By-law Amendment  
File B/22/19 & ZBA/24/19 by  
Linda Wintermute & Helen McLeod  
605 Road 11, Part of Lot 22, Concession 11

**Report No.:** PS 2020-020

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## **AIM**

To provide the Town of Kingsville with information regarding the consent to sever an existing dwelling deemed surplus to the owners, and a Zoning By-law Amendment to rezone the remnant farm parcel to restrict future development of residential dwellings, on lands known as 605 Road 11, in the Town of Kingsville.

## **BACKGROUND**

The Town of Kingsville has received applications for lands located on the north side of Road 11, between Albuna Town Line (County Road 31) and Graham Side Road. The subject parcel is approximately 20.11 ha (49.7 ac.) in size and contains a single detached dwelling and two outbuildings. It is proposed that the existing dwelling, surplus to the owners, be severed on a 0.36 ha (0.89 ac.) lot with 43.12 m (141.5 ft.) of frontage. (Appendix A)

As a condition of the consent, an application to rezone the retained farm parcel (shown in red on the location map in Appendix A) from 'Agricultural (A1)' to 'Agriculture - Restricted (A2)' is required to prohibit dwellings as per Provincial and Town policies.

## **DISCUSSION**

When considering a severance request, it is necessary to review the application in context of the following documents to determine the appropriateness of the request:

### **1.0 Provincial Policy Statement**

When reviewing a planning application to determine if it represents sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statement (PPS). Section 2.3.4.1(c) permits, “a residence surplus to a farming operation as a result of farm consolidation,” to be severed, “provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.”

Comment: The application is consistent with the PPS definition of a residence surplus to a farming operation and future dwellings will be prohibited on the retained farm parcel as a condition of consent, in that the retained parcel must be rezoned to “Restricted Agriculture (A2)”.

### **2.0 Official Plan**

The Official Plan for the Town of Kingsville designates the severed and retained lands as ‘Agriculture’.

The requested consent to sever the surplus dwelling conforms to the policies of Section 7.3.1, Agriculture Land Division, of the Official Plan. The proposed surplus dwelling lot is 0.36 ha (0.89 ac.) where the Official Plan recommends a size of 0.8 ha (1.977 ac.) or less.

Comment: The application conforms to the Kingsville Official Plan.

### **3.0 Comprehensive Zoning By-law – Town of Kingsville**

The severed parcel, shown as Part 1 on the applicant’s sketch, has an area of 0.36 ha (0.89 ac.) lot with 43.12 m (141.47 ft.) of frontage.

The retained parcel will have an area of approximately 19.75 ha (48.81 ac.) and provide a frontage of 277.98 m (912 ft.) on Road 11.

The subject property is presently zoned ‘Agriculture (A1)’ in the Comprehensive Zoning By-law.

Comment: There are no zoning issues created as a result of the creation of the lot for the surplus dwelling. The retained farm parcel will be rezoned from ‘Agricultural (A1)’ to ‘Agriculture - Restricted (A2)’ to prohibit future dwellings as required by the surplus dwelling consent policies.



## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

The impact to assessment resulting from the severance of the dwelling from the farm parcel is minimal.

## **CONSULTATIONS**

### **Public Consultations**

In accordance to O. Reg 545/06 of the Planning Act, property owners within 120m of the subject site boundaries received the Notice of Public Meeting by mail. At the time of writing no comments had been received from members of the public.

### **Agency & Administrative Consultation**

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

### **Essex Region Conservation Authority (ERCA)**

- The parcel falls within the regulated area of the Patterson Drain and Ames 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 Section 28 of the Conservation Authorities Act.
- ERCA has no objection to the Application for consent and the Zoning By-Law Amendment.
- See full comment in Appendix B.

### **Town of Kingsville Management Staff**

- Drainage re-apportionment required.
- Confirm septic system location, and that all is located on Part 1 of sketch.
- Confirm water service location, and that all is located on Part 1 of sketch.
- Ensure services do not cross over into newly established property lines.
- Septic system location inspection required.
- Is there an existing access for the retained parcel? If not, access will be required.
- Retained farm to be re-zone to A2 to prohibit future dwelling development.

## RECOMMENDATION

That:

Council approve consent application B/22/19 to sever an existing dwelling, deemed surplus to the needs of the owners on a 0.36 ha (0.89 ac.) parcel shown as Part 1 on the applicants' sketch, in the Town of Kingsville, subject to the following conditions:

- a) That the applicant(s) arrange for a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided.
- b) That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- c) That any necessary drainage reapportionments be undertaken.
- d) A clear letter of approval for the septic system on the severed parcel (surplus dwelling lot) must be obtained from the Town's Building Department.
- e) That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
- f) The zoning of the retained parcel be amended to prohibit future dwellings prior to certification.
- g) That the necessary deed(s), transfer or charges be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.

AND THAT, Council approve zoning by-law amendment application ZBA/25/19 to rezone the retained parcel, known as 605 Road 11, in Part of Lot 22, Concession 11, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

Robert Brown

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

Jennifer Astrologo

Jennifer Astrologo  
Director, Corporate Services

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA (m²)
1	PART OF LOT 22	11	PART OF PIN 75153-0086(LT)	3613.80
GEOGRAPHIC TOWNSHIP OF GOSFIELD				

PIN SUMMARY – PART 1 IS PART OF PIN 75153-0086(LT).

PLAN OF SURVEY OF  
PART OF LOT 22  
CONCESSION 11  
GEOGRAPHIC TOWNSHIP OF GOSFIELD  
TOWN OF KINGSVILLE  
COUNTY OF ESSEX

SCALE 1 : 750 METRES

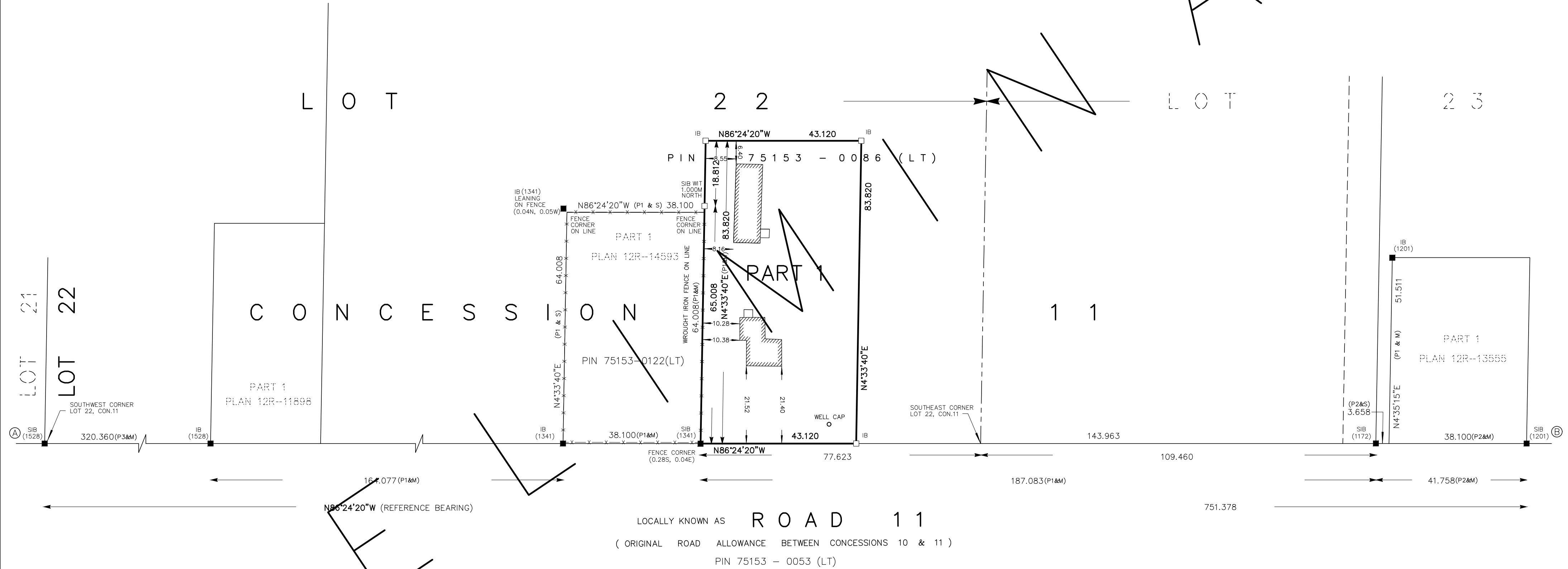


THE INTENDED PLOT SIZE OF THIS PLAN IS 457mm IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT AT A SCALE OF 1:750.  
SURVEYORS ON SITE INC.

COORDINATES BELOW ARE DERIVED FROM NETWORK RTK GPS OBSERVATIONS (SMARTNET) AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES COMPLY WITH THE RURAL ABSOLUTE ACCURACY PER SEC. 14(2) OF O.REG. 216/10.		
POINT ID	NORTHING	EASTING
Ⓐ	4669119.2	362405.1
Ⓑ	4669072.1	363154.8
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

LEGEND

□	.....	MONUMENT PLANTED
■	.....	MONUMENT FOUND
SIB	.....	STANDARD IRON BAR
IB	.....	IRON BAR
P1	.....	PLAN 12R-14593
P2	.....	PLAN 12R-13555
P3	.....	PLAN 12R-11898
M	.....	MEASURED
S	.....	SET
1341	.....	RICHARD W. MURRAY
1201	.....	CLARKE, MATTHEWS LTD.
1528	.....	VERHAEGEN, STUBBERFIELD, HARTLEY, BREWER, BEZAIRE INC.
1172	.....	VERHAEGEN, STUBBERFIELD, HARTLEY, BREWER, BEZAIRE INC.
1040	.....	WILLIAM J. SETTERINGTON LTD.



**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE xxth DAY OF xxxxxxx, 2019.

(DATE) \_\_\_\_\_

MICHAEL W. HAINES  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2104756.

NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.999807.

BEARINGS ARE UTM GRID DERIVED FROM NETWORK RTK GPS OBSERVATIONS (SMARTNET) ON MONUMENTS Ⓐ AND Ⓑ AS SHOWN HEREON, HAVING A GRID BEARING OF N86°24'20"W, NAD83 CSRS (2010.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° W LONGITUDE).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:  
P1, P3 – 1°04'10" COUNTER CLOCKWISE.  
P2 – 1°05'00" COUNTER CLOCKWISE.



3244 WALKER ROAD, UNIT 3  
WINDSOR, ONTARIO  
N8W 3R8  
519-818-0767  
www.surveyorsonsite.com

DRAWN BY: JMP	CHECKED BY: MWH	DATE: JANUARY 17, 2020	FILE: 2019-293_RPLAN_v1
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planning@erca.org

P.519.776.5209

F.519.776.8688

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

March 03, 2020

Ms. Kristina Brcic, Town Planner  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario, N9Y 2Y9

Dear Ms. Brcic:

RE: Application for Consent B-022-19, ZBA-24-19, and Zoning By-Law Amendment  
605 Road 11, E., ARN 371165000000500; PIN: 751530086  
Applicant: Linda Wintermute & Helen McLeod

The following is provided as a result of our review of Applications for Consent B-022-19 for lot severance of surplus dwelling and Zoning By-Law Amendment ZBA-24-19 to prohibit future dwellings within retained agricultural lands per Provincial and Town policies from Agricultural A-1 to Agricultural Restricted A-2.

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

The following comments reflect our role as representing the provincial interest in natural hazards as outlined 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

Patterson Drain and Ames 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 Section 28 of the *Conservation Authorities Act*.

## **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.

## **SECTION 1.6.6.7 Stormwater Management (PPS, 2014)**

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



Ms. Brcic  
March 03, 2020

**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.

Based on our review, we have no objections to the Application with respect to natural heritage policies.

**FINAL RECOMMENDATION**

ERCA has no objection to the Application for consent and the Zoning By-Law Amendment.  
If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Fernando Cirino, MUD  
*Resource Planner*  
/fc



# **THE CORPORATION OF THE TOWN OF KINGSVILLE**

## **BY-LAW 28-2020**

---

### **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. Schedule "A", Map 25 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, known municipally as 605 Road 11, in Part of Lot 22, Concession 11, as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
23<sup>rd</sup> DAY OF MARCH, 2020.**

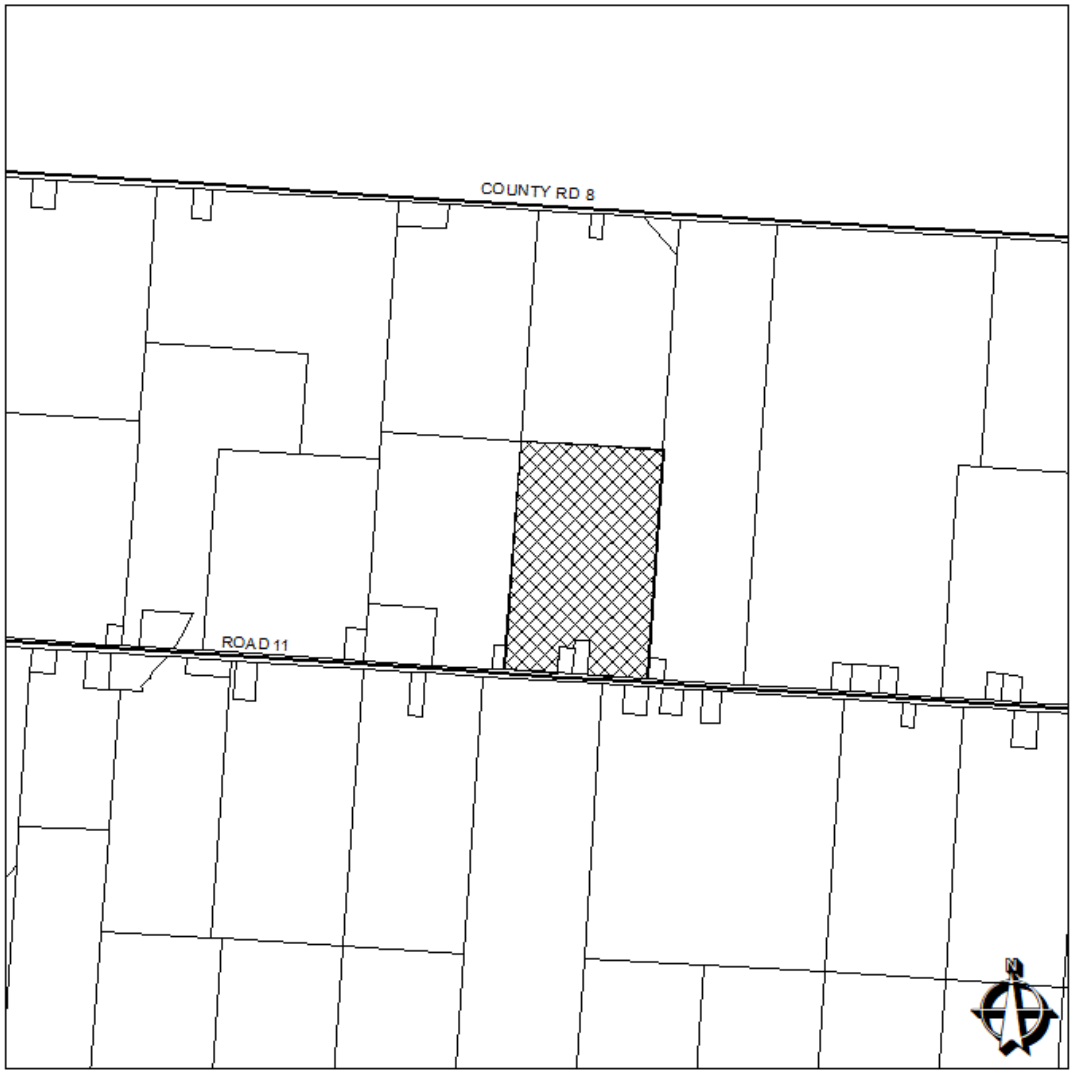
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**MAYOR, Nelson Santos**

---

**CLERK, Jennifer Astrologo**

Schedule A



**605 Road 11**  
**Part of Lot 22, Concession 11**  
**ZBA/24/2019**

Meters  
0 120 240 480 720 960

Schedule "A", Map 25 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 2 - Restricted (A2)'.



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
Phone: (519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING:  
ZONING BY-LAW AMENDMENT AND SITE PLAN APPROVAL**

**APPLICATIONS:** **ZONING BY-LAW AMENDMENT - ZBA/05/16**  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

**SITE PLAN APPROVAL - SPA/08/16**  
(Section 41 of the Planning Act, R.S.O. 1990, C.P. 13)

**APPLICANTS:** **Liovas Holdings LTD.**

**LOCATION OF PROPERTY:** **Plan 268, Part of Lots 5 to 8, 23 & 24**  
**Maple Street North and Lansdowne Avenue West**

**PURPOSE OF APPLICATIONS:** The Town of Kingsville has received the above-noted application for lands located on the north side of Maple Street, west of Lansdowne Avenue, and south of the ERCA Chrysler Greenway. The subject property is designated 'Residential' by the Official Plan and zoned 'Residential Zone 1 Urban Exception 21, (R1.1-21)' under the Kingsville Comprehensive Zoning By-law.

The subject land has 2,446.14 square meters (26,330 square feet) and a combined frontage of 118.28 meters (388.06 feet). There are no existing dwellings or structures on the property. The applicant is proposing to construct 4 two-unit residential semi-detached raised ranch dwellings; with 129.32 square meters (1,392 square feet). A separate 181.16 square meter structure consisting of 6 self-storage garage units is proposed on the eastern portion of the parcel (shown on Applicants Sketch). The zoning of the parcel does not currently permit what is proposed and a zoning amendment is necessary to rezone the parcel to a site-specific residential classification to permit the proposed buildings and establish regulations for the development.

An 'Extended Phase I Environmental Site Assessment (ESA)' was completed in May 2016 to search for contaminants from past or current users. The report from CT Soils concludes that the site be classified as having low to a moderately low probability of containing significant quantities of environmentally impacted soils or groundwater. At the Planning Advisory Committee meeting on June 21, 2016 the proposed zoning for the site was not endorsed by the committee. The committee suggested that the applicant obtain the Record of Site Condition (RSC) prior to returning to Council. In 2019 the applicant received the RSC from the Ministry of Environment, Conservation and Parks and has decided to proceed with the application.

**A PUBLIC MEETING OF COUNCIL WILL BE HELD ON:**

**WHEN:** March 23, 2020  
**WHERE:** Town of Kingsville Municipal Building – Council Chambers  
**TIME:** 7:00p.m.

Your input on these matters are important. If you have comments on this application, they may be forwarded in writing via email or mail, to the attention of: **Kristina Brcic, Town Planner**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. [kbrbic@kingsville.ca](mailto:kbrbic@kingsville.ca) 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.

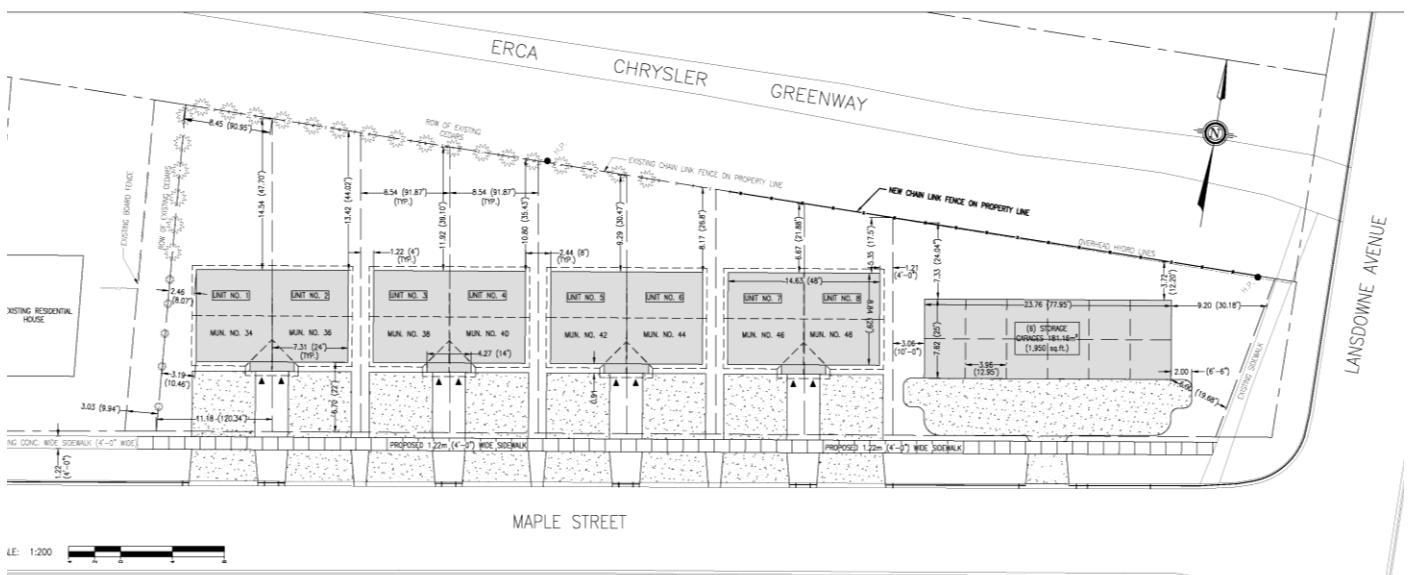
**IF A PERSON** or public body does not make oral submissions at the public meeting or make written submissions to Council before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council to the Local Planning Appeal Tribunal.

**IF A PERSON** or public body does not make oral submissions at the public meeting, or make written submission to Council before the 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 do so.

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

**DATED this 28<sup>th</sup> day of February, 2020**







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

**Date:** March 16, 2020

**To:** Mayor and Council

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

**RE:** Application for Zoning By-law Amendment ZBA/05/16 & Site Plan  
Approval SPA/08/16 by  
Liovas Holding Ltd.  
Part of Lots 5 to 8, 23 & 24, Plan 296, Part 3 RP 12R 23274

**Report No.:** PS 2020-021

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## **AIM**

To provide the Mayor and Council with information regarding a proposed Zoning By-law Amendment and Site Plan Approval for lands located in the northwest corner of the intersection of Maple and Lansdowne Avenue, in the Town of Kingsville.

## **BACKGROUND**

The subject property is a vacant 2,446 sq. m (26,330 sq. ft.) residential parcel with 118.28 m (388.06 ft.) of frontage along Maple St. In 2016 the owner brought an application forward to rezone the parcel to permit the development of four semi-detached dwellings and a 6-unit storage building. (Appendix A) The application was presented to the Planning Advisory Committee and several comments were received from the abutting neighbours. The main concern with the development was the status of the lot related to its former use and the presence of contamination.

The site had undergone testing and monitoring by Golder and Associates between 2004 and 2007 as well as clean-up by the Town. A final Record of Site Condition (RSC) was never submitted. Follow-up review was completed in May 2016 for the purpose of preparing to submit a RSC and clear the property for residential redevelopment. A report from CT Soils concluded that the site be classified as having low to a moderately low probability of containing significant quantities of environmentally impacted soils or groundwater. This information was forwarded to Ministry of Environment, Parks and Conservation (MECP). The MECP has confirmed receipt of the information and accepted

its conclusions, the letter of confirmation attached as Appendix B is the required RSC. The full detail of the CT Soils review is attached as Appendix B-1.

## **DISCUSSION**

### **1) Provincial Policy Statement (PPS), 2014:**

PPS, Section 1.1.3.1 states that, “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

Section 1.1.3.3 further outlines that, “Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs”.

Comment: The vitality of all areas of the Town is important for growth, however, it has become increasingly important to promote new and the intensification of residential uses in the core area of Kingsville. This helps to keep older existing areas active that may have not had any significant new development in many years. The type of housing development adds to the mix of housing types available in the Town. Redevelopment of such an underutilized property will lead to the development of more attainable housing for the community.

### **2) County of Essex Official Plan**

The County Official Plan includes the subject property within a Settlement Area. The County OP is very similar to that of PPS in terms of applicable policies and encouragement of intensification of development within the Settlement Area boundaries. The proposed development would be consistent with the County Official Plan.

### **3) Town of Kingsville Official Plan**

The subject land is designated ‘Residential’ within the Official Plan for the Town of Kingsville. The proposed development would be considered medium density residential and the applicant intends to market the units for rent.

Section 6.3.1 states, “It is the intent of this Plan that a broad range of residential types be permitted on lands designated “Residential” in order to meet the needs of all households anticipated during the 20 year planning period of this Plan.”

Section 3.6.1 Policies outlines the following:

a) a variety of housing types and densities are permitted subject to conformity and compliance with the Zoning By-law. The types of residential units permitted include single unit detached dwellings, two unit dwellings, three unit dwellings, single unit attached dwellings, townhouses, apartments and seniors’ housing including retirement homes and nursing homes and other housing designed to accommodate special needs or interests;

Comment: Implementing the proposed semi-detached units would conform to the above statement by increasing the diversity of housing forms available in the Town. Therefore, the requested Zoning By-law Amendment conforms to the relevant policies of the Official Plan for the Town of Kingsville.

#### **4) Comprehensive Zoning By-law**

The subject property is zoned Residential Zone 1 Urban Exception 21 (R1.1-21). The proposed zoning would be a site-specific Residential Zone 2 Urban Exception 17 (R2.1-17) which would permit four, two-unit residential semi-detached dwellings and a separate 6-unit storage accessory garage structure.

The site-specific zoning will also address the following:

- i) individual requirements if the units are subdivided in the future;
- ii) reduced rear yard setback applicable to the easterly residential building;
- iii) reduction in the side yard setback from 1.5 m (5 ft.) to 1.22m (4 ft.), and
- iv) increased lot coverage of the easterly most residential building.

#### **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

#### **FINANCIAL CONSIDERATIONS**

The development will result in a significant increase in assessment on the property once development is completed. Building permit fees and development charges will also be due at the permitting stage.

#### **CONSULTATIONS**

##### **Public Consultations**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Public Meeting by mail.

There has been no comment at the time of writing based on the recent notice circulation however there was a number of comments from the 2016 PAC meeting. The minutes of the meeting are attached as Appendix C. A summary of the concerns are as follows:

- i) uncertainty of the status of the clean-up on the site;

Comment: When the Town acquired the property clean-up of the site was undertaken and a considerable amount of soil removed from the site and replaced with clean fill. This clean-up work was based on testing at the time and once completed the site was cleared. Unfortunately, no RSC was submitted to the MECP which is the final step in site clean-up and remediation. The Applicant has had this work completed and received the final RSC from the MECP. (Appendix B)

- ii) could contamination have leached to neighbouring properties;

Comment: Test pits were excavated on the site and mapped out to determine a remediation plan. The reports prepared as part of the review and clean-up on the site indicated that the area of concern was the easterly half of the site where the original tobacco building was located and burned down. Testing along the westerly side of the site indicated that this area was not contaminated. As such leaching onto the westerly residential lots is unlikely.

- iii) use of the land as park space;

Comment: At the time the property was owned by the Town it was determined that it was not required and sold to a third party. There are no plans at present for the Town to purchase the property for park space.

- iv) use of the storage garages;

Comment: The garages are intend for the use of the residents of the development.

- v) traffic volume

Comment: The proposed development is residential of a higher density than the existing single detached residents in the area, however would not generate a significant increase in traffic beyond that which is typical of a local road.

- vi) parking availability

Comment: Each dwelling unit will provide the minimum required parking of two spaces. There is no street parking on the north side of Maple St. so this will not impact existing availability. The street as a whole has space for 10 to 12 vehicles on the south side which are available to all residents.

### **Planning Advisory Committee**

PAC -09-2016

Moved by Gord Queen, seconded by Shannon Olsen that the Planning Advisory Committee not endorse support of the proposed rezoning to Council at this time.

Comment: As noted the PAC recommendation was based on feedback from the neighbours and the principle concern regarding confirmation of the site clean-up. The RSC has been submitted and confirmation received from the MECP. Neighbouring property owner comment has been noted and provided to Council.

### **Agency & Administrative Consultations**

Town of Kingsville Management

- Ensure lot size meets minimum zoning requirements, set-backs and applicable law

- Provide lot grading plans by a professional that clearly indicates how storm water is managed and not affect adjoining properties
- Ensure all building services are contained within existing property lines and do not cross over into newly established lines
- Ensure newly created property obtains municipal address/911 signage as required
- No cross property border services
- All new services to be installed by an approved Town contractor, under the supervision of a Town endorsed engineer, and that a complete set of “As Constructed” drawings are prepared and submitted as record documents to be incorporated into GIS
- Encroachment Permits by parcel required for driveway access, and servicing
- Sidewalk is required from Lansdowne westerly to end of existing sidewalk, completed to the satisfaction of Municipal Services during construction
- Existing utilities to be shown on submitted plan to determine sufficient separation as determined by utilities and Municipal Services

Each of the noted items above has been addressed via the requested zoning amendment or in the attached site plan drawings.

The application was re-circulated to management staff to advise that it was moving forward again. The only change to the development is the submission and confirmation of the Record of Site Condition. Management is supportive of the application as it helps to utilize the property which has sat vacant for some time.

#### Essex Region Conservation Authority (ERCA)

- ERCA expressed no objection to the proposed zoning amendment but has requested that the applicant erect a 5 foot chain link fence with no access gates along the north property line as part of the Site Plan Control Agreement. This is shown on the attached site plan. (Appendix D)

## RECOMMENDATION

That Council:

Approve zoning by-law amendment application ZBA/05/16 to rezone the subject lands to permit four (4) semi-detached dwellings, an accessory storage building, establish site-specific regulations and adopt the implementing by-law.

Approve site plan approval application SPA/08/16 for the development of four (4) semi-detached dwellings detailed on the attached site plan along with an accessory storage building subject to the conditions outlined in the site plan agreement, and

Authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

*Robert Brown*

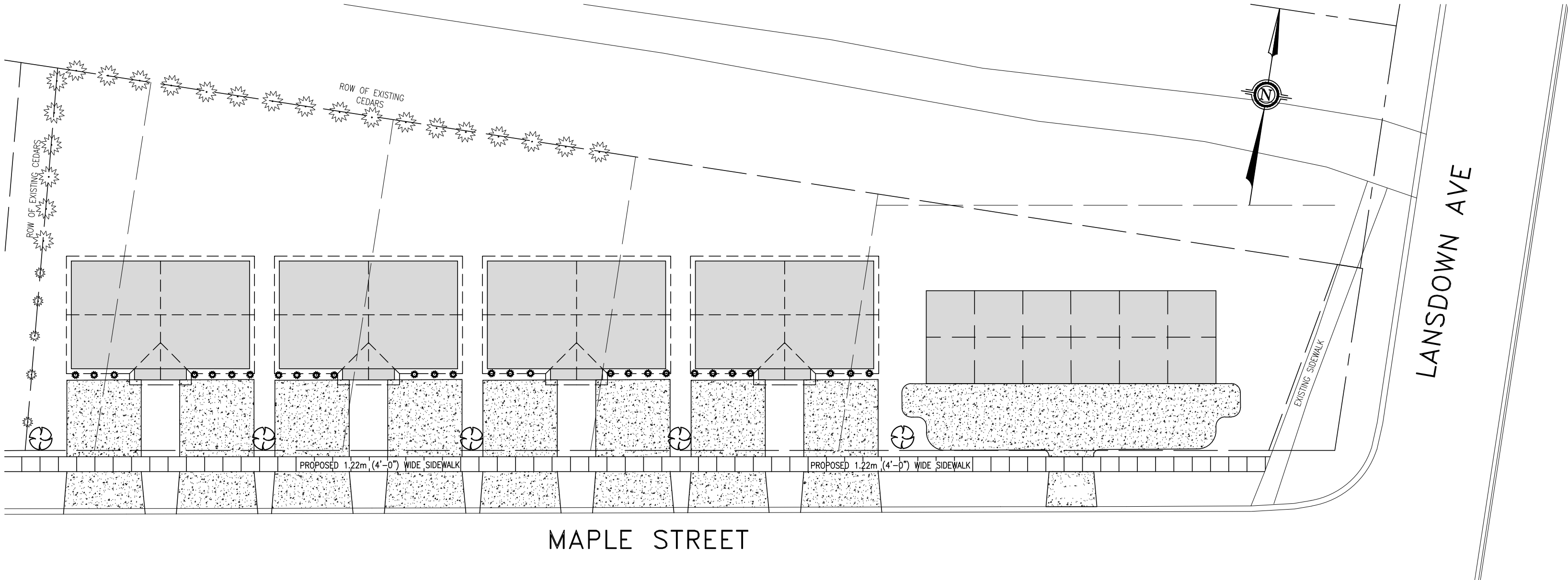
Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services

*Jennifer Astrologo*

Jennifer Astrologo  
Director, Corporate Services



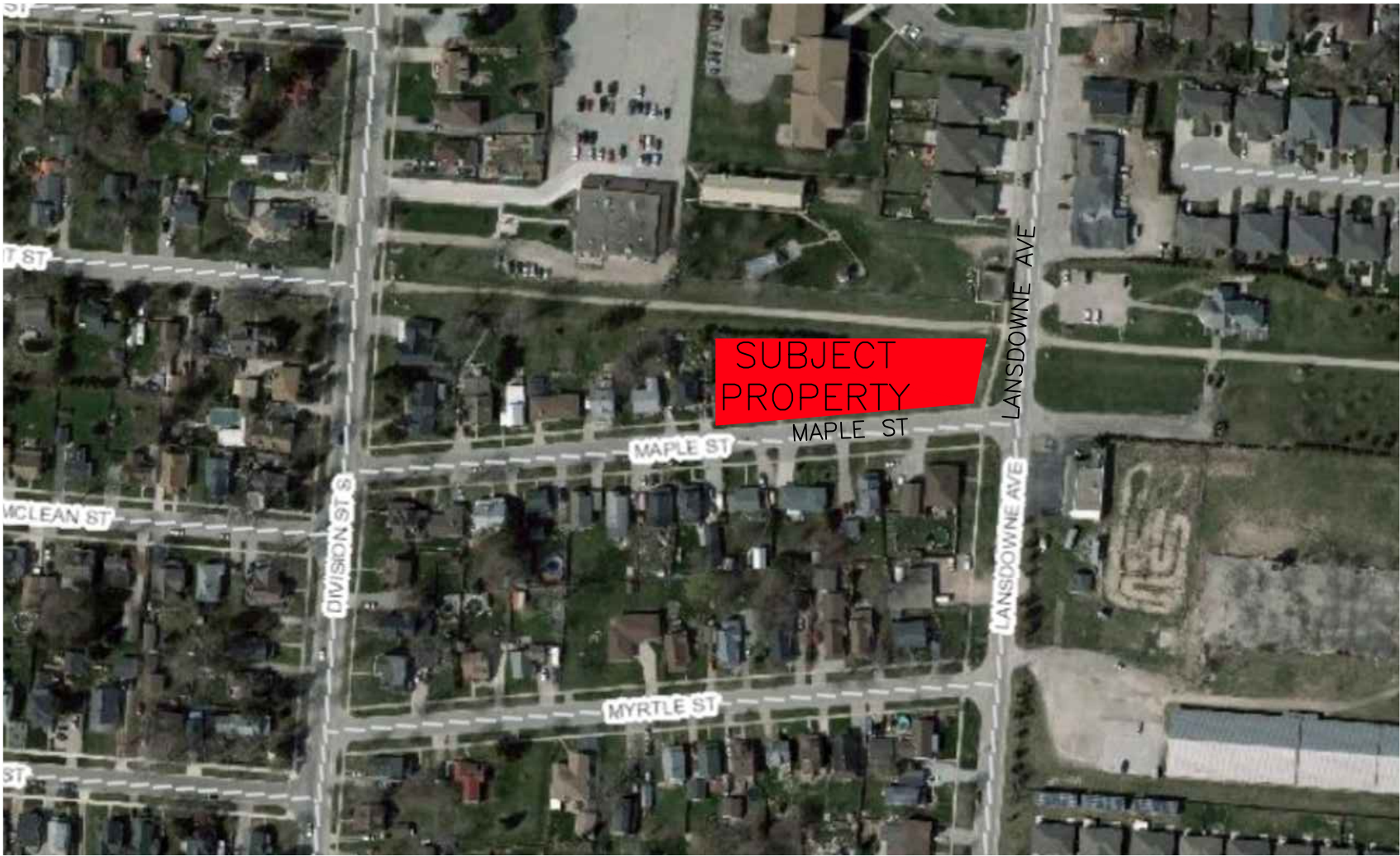
MAPLE STREET SEMI-DETACHED HOUSING  
TOWN OF KINGSVILLE



SITE PLAN  
SCALE 1:300

Drawing Index

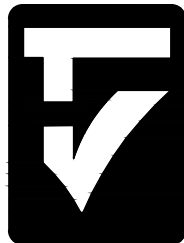
SHEET No.	DRAWINGS
0	COVER SHEET
1	TOPO SURVEY – EXISTING SITE
2	PROPOSED SITE PLAN – BUILDING ENVELOPES & SETBACKS
3	OVERALL LOT GRADING
4	EXISTING SITE SERVICES
5	REMOVAL SITE SERVICES
6	PROPOSED SITE SERVICES
7	LANDSCAPING, SIDEWALK AND DRIVEWAY PLAN
8	LOT DETAILS
9	DETAILS & NOTES



KEY PLAN  
Town of Kingsville, County of Essex  
N.T.S.

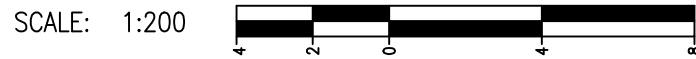
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CHECK SCALE PRINT MAY BE PHOTO—REDUCED		<b>THAMES VALLEY ENGINEERING INC.</b>  392 Park Avenue East, Suite 100 Chatham, Ontario N7M 5Y5  Phone: (519)354—2193 Fax: (519)352—4272 Email: WIN@thamesvalleyengineering.ca Web: www.thamesvalleyengineering.ca	— — — —		DESIGN	W.E.	PROJECT: 4—2 UNITS RAISED—RANCH DWELLING UNIT 
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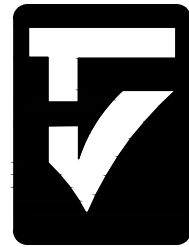
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ORIGINAL SCALE: 18"x24"



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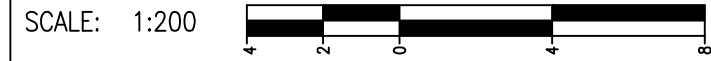
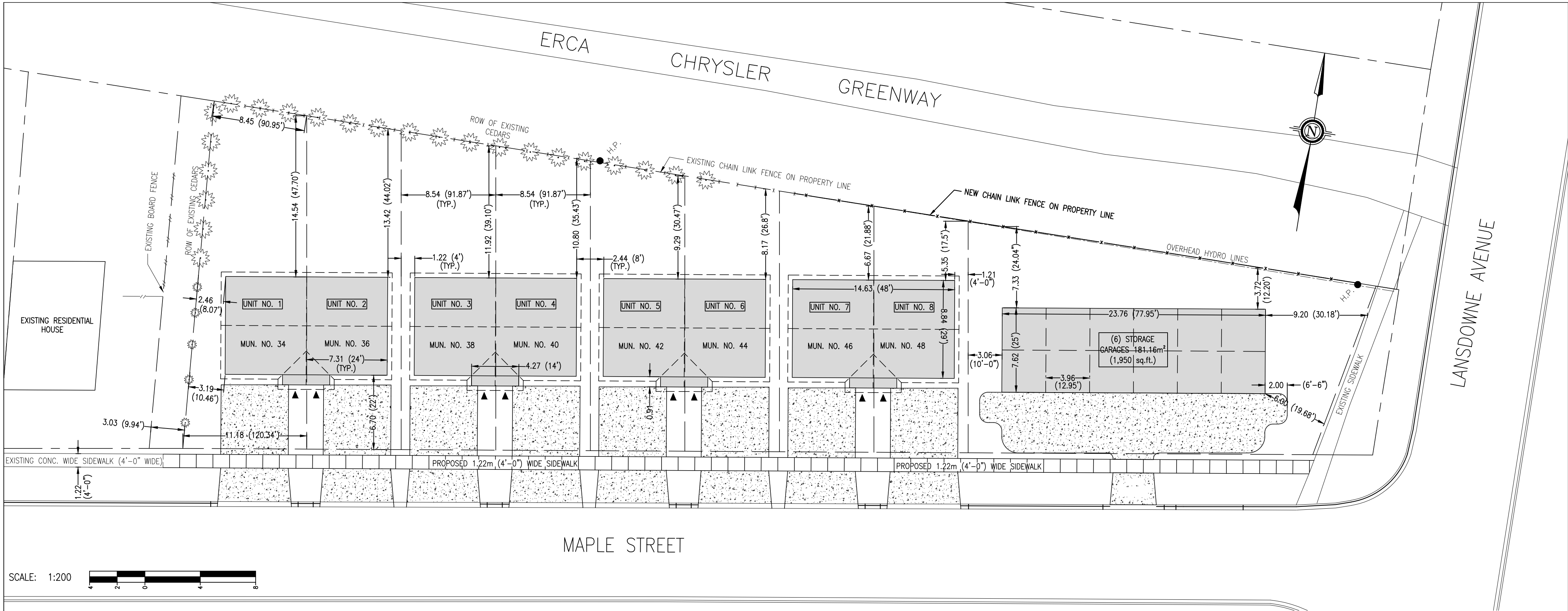
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1.	??	H.T.	CLIENT REVIEW
No.	DATE	BY	ISSUED FOR

DRAFT

DESIGN	W.E.
DRAWN	H.T.
REVIEWED	W.E.
CHECKED	W.E.
DATE	JUNE 2016
SCALE	1:200

PROJECT:	4-2 UNITS RAISED-RANCH DWELLING UNIT & 6 UNIT STORAGE GARAGE	Project No.: 1610
CLIENT:	LIOVAS HOMES	SHEET No.:
SHEET:	EXISTING SITE PLAN	1



NOTES:

**SIDEWALKS:**  
- SIDEWALKS SHALL HAVE A BRUSHED FINISH COMPLETE WITH TOOLED EDGES AND JOINTS, DUMMY JOINTS AT A MAXIMUM OF 1.8m AND A FULL EXPANSION JOINTS AT A MAXIMUM OF 18m OR 10 SECTIONS OF SIDEWALK.

ZONING REQUIREMENTS:									
PROPOSED: Semi-Detached Dwelling Unit									
ZONING:	REQUIRED:	UNIT NO. 1	UNIT NO. 2	UNIT NO. 3	UNIT NO. 4	UNIT NO. 5	UNIT NO. 6	UNIT NO. 7	UNIT NO. 8
LOT AREA:	182m <sup>2</sup> (1,959 ft <sup>2</sup> )	300.83m <sup>2</sup> (3,238.1ft <sup>2</sup> )	251.15m <sup>2</sup> (2,703ft <sup>2</sup> )	239.96m <sup>2</sup> (2,582.9ft <sup>2</sup> )	228.16m <sup>2</sup> (2,482.9ft <sup>2</sup> )	217.56m <sup>2</sup> (2,341.79ft <sup>2</sup> )	206.37m <sup>2</sup> (2,221.34ft <sup>2</sup> )	195.18m <sup>2</sup> (2,100.9ft <sup>2</sup> )	183.98m <sup>2</sup> (1,980.34ft <sup>2</sup> )
LOT FRONTAGE:	7.5 (24.5 ft.) Interior Lot	11.18m (36.67ft.)	8.54m (28ft.)	8.54m (28ft.)	8.54m (28ft.)	8.54m (28ft.)	8.54m (28ft.)	8.54m (28ft.)	8.54m (28ft.)
OPEN SPACE:	30%	77.88%	73.5%	72.26%	70.83%	69.44%	67.75%	65.9%	63.82%
LOT COVERAGE:	50%	22.12% + 8.8% = 30.9%	26.5% + 10.6% = 37.1%	27.74% + 11.1% = 38.8%	29.17% + 11.6 = 40.77%	30.56% + 12.2% = 42.76%	32.25% + 12.9% = 45.15%	34.10% + 13.6% = 47.7%	36.18% + 14.5% = 50.68%
FRONT YARD DEPTH:	5.5m (18')	6.7m (22')	6.7m (22')	6.7m (22')	6.7m (22')	6.7m (22')	6.7m (22')	6.7m (22')	6.7m (22')
REAR YARD DEPTH:	5.5m (18')	14.54m (47.70')	13.42m (44.02')	11.92m (39.10')	10.80m (35.43')	9.29m (30.47')	8.17m (26.80')	6.67m (21.88')	5.54m (18.17')
INTERIOR SIDE YARD WIDTH:	1.22m (4')	1.22m (4')	1.22m (4')	1.22m (4')	1.22m (4')	1.22m (4')	1.22m (4')	1.22m (4')	1.22m (4')
EXTERIOR SIDE YARD WIDTH:	4.0m (13')	-	-	-	-	-	-	-	-
BUILDING HEIGHT:	11.0m (36')	3.96m (13')	3.96m (13')	3.96m (13')	3.96m (13')	3.96m (13')	3.96m (13')	3.96m (13')	3.96m (13')

ZONING:	ZONING: M1 - Light Industrial - Self-Storage Garage
LOT AREA:	1,300m <sup>2</sup> (14,000 ft <sup>2</sup> )
LOT FRONTAGE:	24m (80'-0")
OPEN SPACE:	15% Minimum
LOT COVERAGE:	50%
FRONT YARD DEPTH:	7.5m (25'-0")
REAR YARD DEPTH:	7.5m (25'-0")
INTERIOR SIDE YARD WIDTH:	10.5m (34'-6")
EXTERIOR SIDE YARD WIDTH:	6m (20'-0")
BUILDING HEIGHT:	N/A

- SEMI-DETACHED DWELLING UNITS = (4) 2 UNIT RAISED RANCH DWELLING UNIT 129.32m2 (1,392 sq.ft.)
- (6) SELF-STORAGE GARAGE = 181.16m<sup>2</sup> (1,950 sq.ft.)

CONDITIONS OF USE

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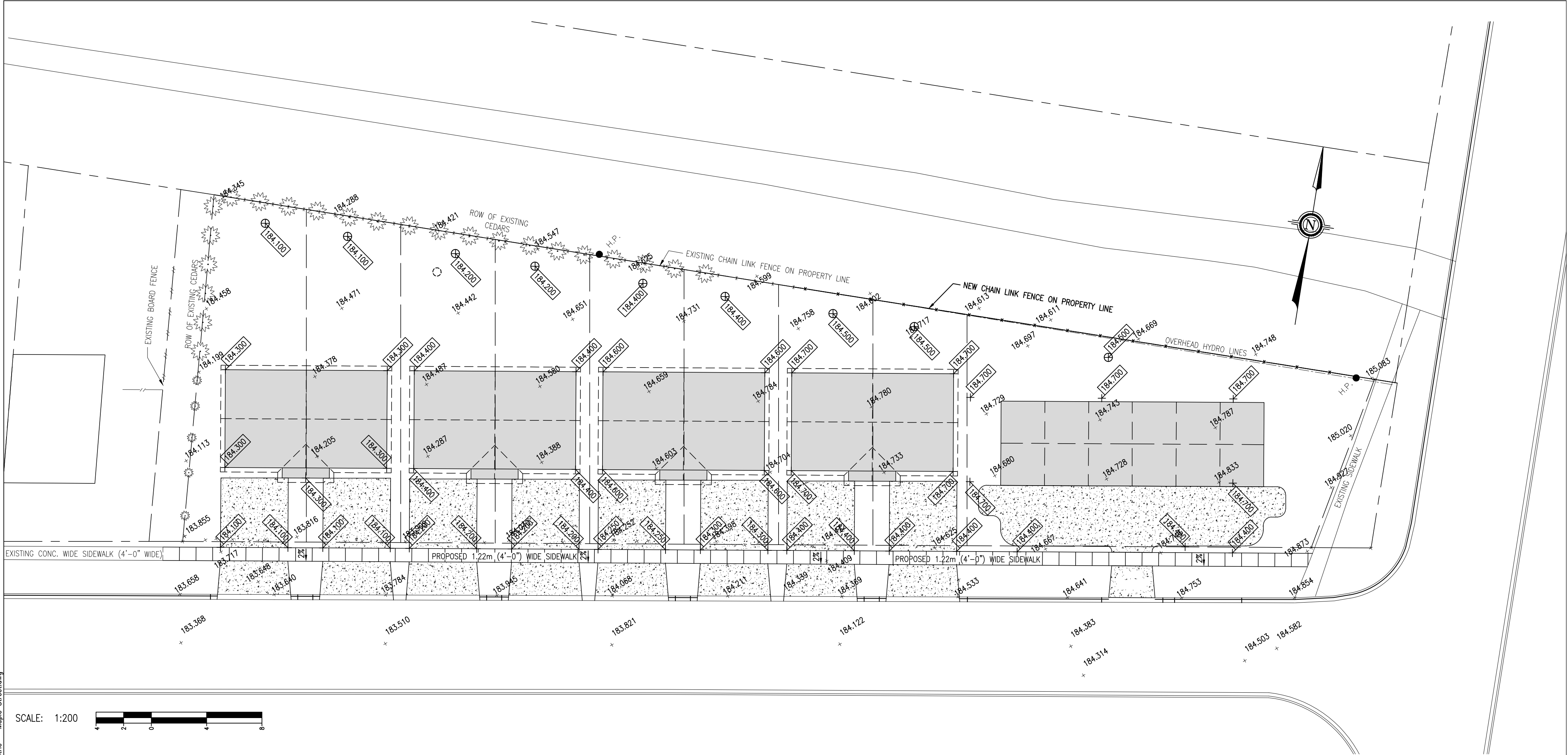
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1.	??	H.T.	CLIENT REVIEW
No.	DATE	BY	ISSUED FOR

DESIGN	W.E.
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REVIEWED	W.E.
CHECKED	W.E.
DATE	JUNE 2016
SCALE	1:200

PROJECT:	4-2 UNITS RAISED-RANCH DWELLING UNIT & 6 UNIT STORAGE GARAGE	Project No.: 1610
CLIENT:	LIOVAS HOMES	SHEET No.:
SHEET:	PROPOSED SITE PLAN	2



CONDITIONS OF USE

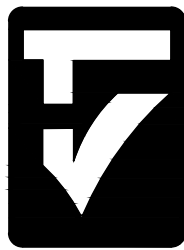
VERIFY ELEVATIONS AND/OR DIMENSIONS ON DRAWING PRIOR TO USE.  
REPORT ANY DISCREPANCIES TO THAMES VALLEY ENGINEERING INC.

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ORIGINAL SCALE: 18"x24"



THAMES VALLEY  
ENGINEERING INC.

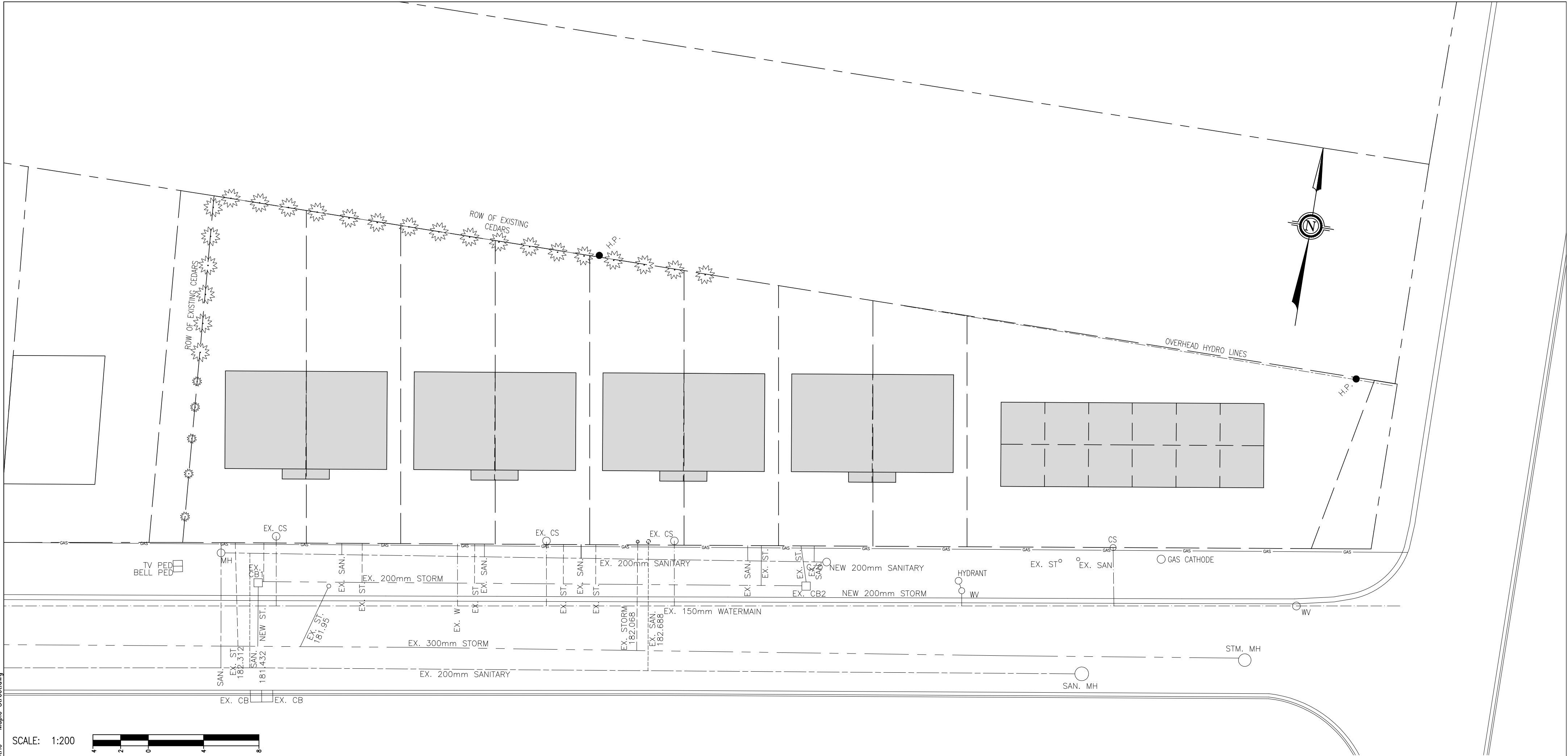
392 Park Avenue East, Suite 100  
Chatham, Ontario N7M 5Y5  
Phone: (519)354-2193 Fax: (519)352-4272  
Email: WIN@thamesvalleyengineering.ca  
Web: www.thamesvalleyengineering.ca

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No.	DATE	BY	ISSUED FOR

DESIGN	W.E.
DRAWN	H.T.
REVIEWED	W.E.
CHECKED	W.E.
DATE	JUNE 2016
SCALE	1:200

PROJECT:	4-2 UNITS RAISED-RANCH DWELLING UNIT & 6 UNIT STORAGE GARAGE	Project No.: 1610
CLIENT:	LIOVAS HOMES	SHEET No.:
SHEET:	LOT GRADING	3

DRAFT




CONDITIONS OF USE

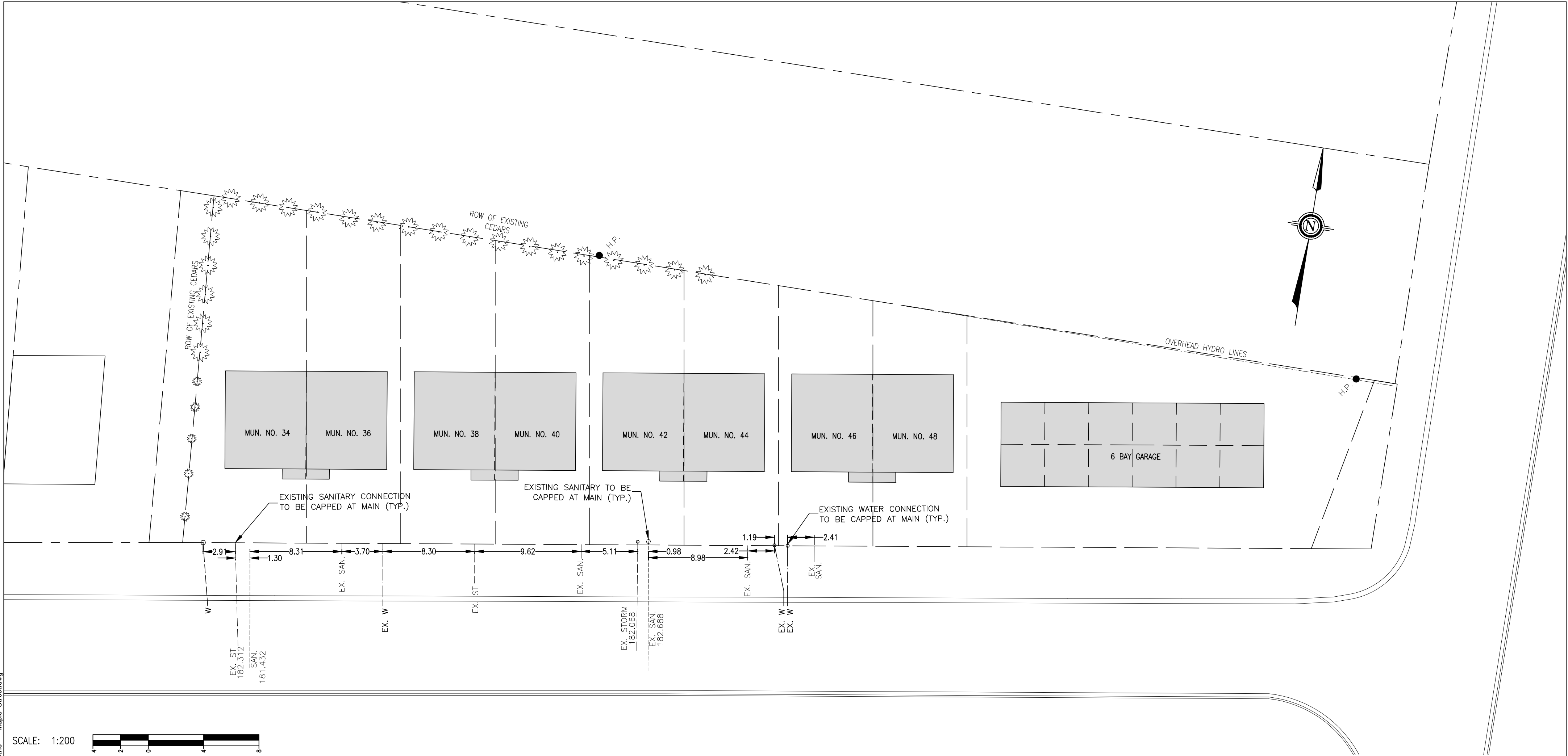
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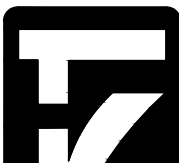
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CHECK SCALE PRINT MAY BE PHOTO-REDUCED		<b>THAMES VALLEY ENGINEERING INC.</b>  392 Park Avenue East, Suite 100 Chatham, Ontario N7M 5Y5  Phone: (519)354-2193 Fax: (519)352-4272 Email: WIN@thamesvalleyengineering.ca Web: www.thamesvalleyengineering.ca	-	-	-	-	DESIGN	W.E.	PROJECT: <b>4-2 UNITS RAISED-RANCH DWELLING UNIT &amp; 6 UNIT STORAGE GARAGE</b>	Project No.: 1610				
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			ORIGINAL SCALE: 18"x24"			2.	??	H.T.	DRAFT FOR REVIEW	DATE	JUNE 2016	CLIENT: <b>LIOVAS HOMES</b>	SHEET: <b>EXISTING SITE SERVICING</b>	SHEET No.:  <b>4</b>
					1.	??	H.T.	CLIENT REVIEW	SCALE	1:200				
					No.	DATE	BY	ISSUED FOR						

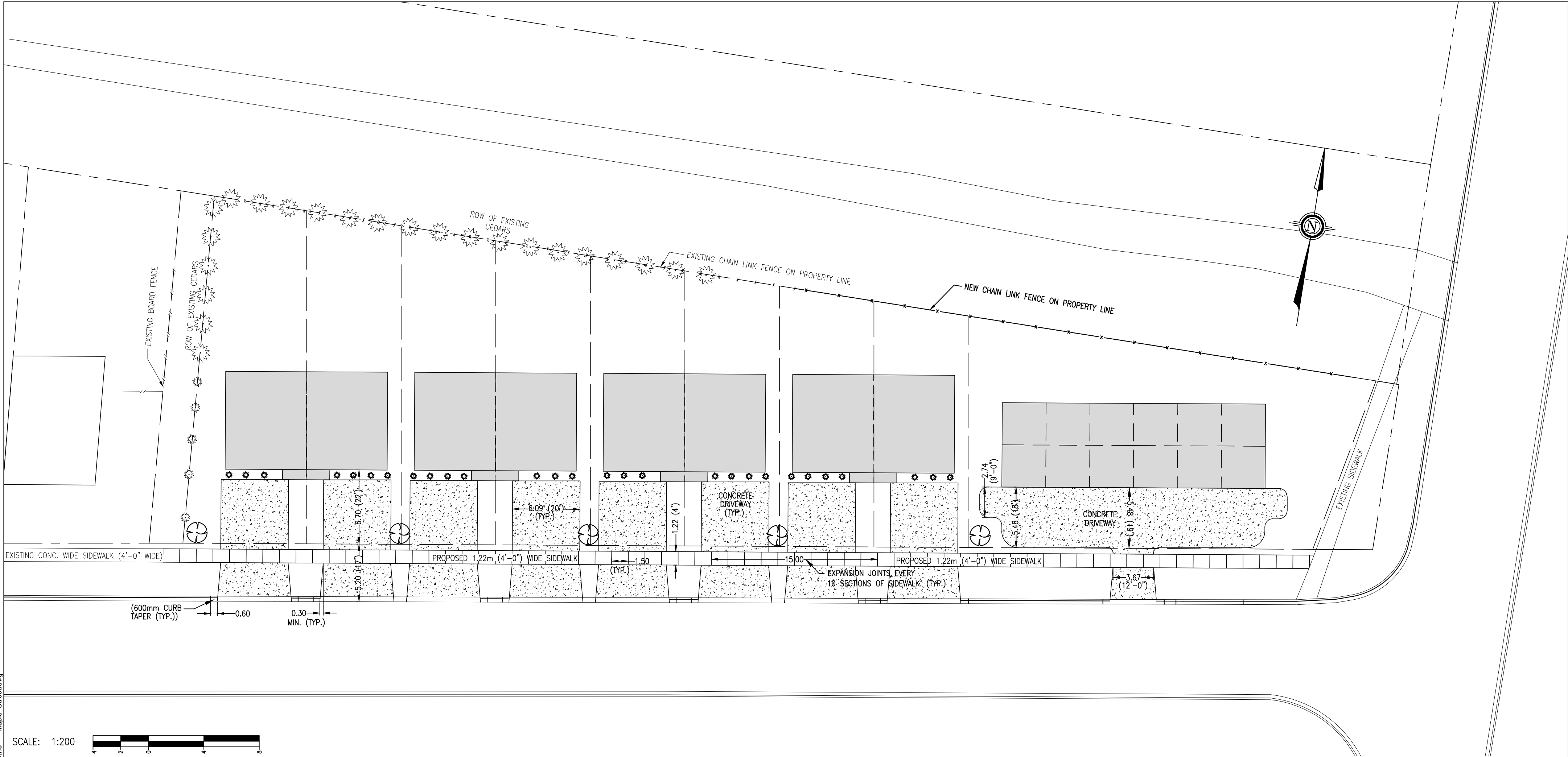


**CONDITIONS OF USE**  
VERIFY ELEVATIONS AND/OR DIMENSIONS ON DRAWING PRIOR TO USE.  
REPORT ANY DISCREPANCIES TO THAMES VALLEY ENGINEERING INC.  
DO NOT SCALE DIMENSIONS FROM DRAWING.  
DO NOT MODIFY, RE-USE, OR RE-PURPOSE DRAWING FROM INTENDED  
USE AT TIME OF PREPARATION WITHOUT PRIOR WRITTEN PERMISSION FROM  
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**DRAFT**

CHECK SCALE PRINT MAY BE PHOTO-REDUCED		<b>THAMES VALLEY ENGINEERING INC.</b>  392 Park Avenue East, Suite 100 Chatham, Ontario N7M 5Y5  Phone: (519)354-2193 Fax: (519)352-4272 Email: WIN@thamesvalleyengineering.ca Web: www.thamesvalleyengineering.ca	-	-	-	-	DESIGN W.E.	PROJECT: <b>4-2 UNITS RAISED-RANCH DWELLING UNIT &amp; 6 UNIT STORAGE GARAGE</b>	Project No.: 1610
			-	-	-	-	DRAWN H.T.		
ORIGINAL SCALE: 18"x24"			-	-	-	-	REVIEWED W.E.	CLIENT: <b>LIOVAS HOMES</b>	SHEET No.:  <b>5</b>
			-	-	-	-	CHECKED W.E.		
			-	-	-	-	DATE JUNE 2016		
			2.	??	H.T.	DRAFT FOR REVIEW	REMOVAL SITE SERVICING		
			1.	??	H.T.	CLIENT REVIEW			
			No.	DATE	BY	ISSUED FOR			





**NOTES:**

**CONDITIONS OF USE**

VERIFY ELEVATIONS AND/OR DIMENSIONS ON DRAWING PRIOR TO USE.  
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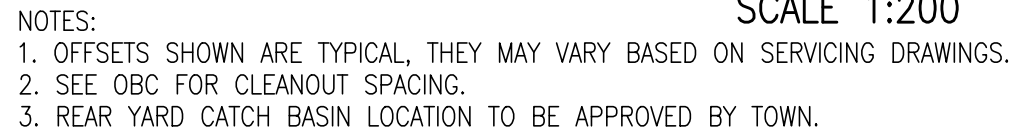
**SIDEWALKS:**

– SIDEWALKS SHALL HAVE A BRUSHED FINISH  
COMPLETE WITH TOOLED EDGES AND JOINTS, DUMMY  
JOINTS AT A MAXIMUM OF 1.8m AND A FULL  
EXPANSION JOINTS AT A MAXIMUM OF 18m OR 10  
SECTIONS OF SIDEWALK.

**DRAFT**

CHECK SCALE PRINT MAY BE PHOTO-REDUCED		<b>THAMES VALLEY ENGINEERING INC.</b>  392 Park Avenue East, Suite 100 Chatham, Ontario N7M 5Y5  Phone: (519)354-2193 Fax: (519)352-4272 Email: WIN@thamesvalleyengineering.ca Web: www.thamesvalleyengineering.ca	-	-	-	-	DESIGN	W.E.	PROJECT: 4-2 UNITS RAISED-RANCH DWELLING UNIT & 6 UNIT STORAGE GARAGE	Project No.: 1610
			-	-	-	-	DRAWN	H.T.		
ORIGINAL SCALE: 18"x24"			-	-	-	-	REVIEWED	W.E.	CLIENT: LIOVAS HOMES	SHEET No.:
			-	-	-	-	CHECKED	W.E.		
			-	-	-	-	DATE	JUNE 2016	DRIVEWAY, SIDEWALK AND LANDSCAPE PLAN	7
			-	-	-	-	SCALE	1:200		
			2.	??	H.T.	DRAFT FOR REVIEW				
			1.	??	H.T.	CLIENT REVIEW				
			No.	DATE	BY	ISSUED FOR				





TYPICAL SEMI-DETACHED UNIT  
SCALE 1:125

8



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ORIGINAL SCALE: 18"x24"



**THAMES VALLEY  
ENGINEERING INC.**

392 Park Avenue East, Suite 100  
Chatham, Ontario N7M 5Y5

Phone: (519)354-2193 Fax: (519)352-4272  
Email: WIN@thamesvalleyengineering.ca  
Web: www.thamesvalleyengineering.ca

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No.	DATE	BY	ISSUED FOR

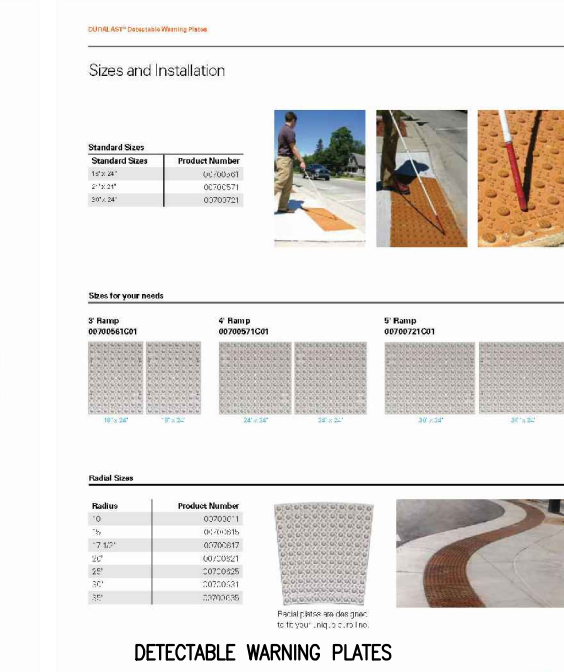
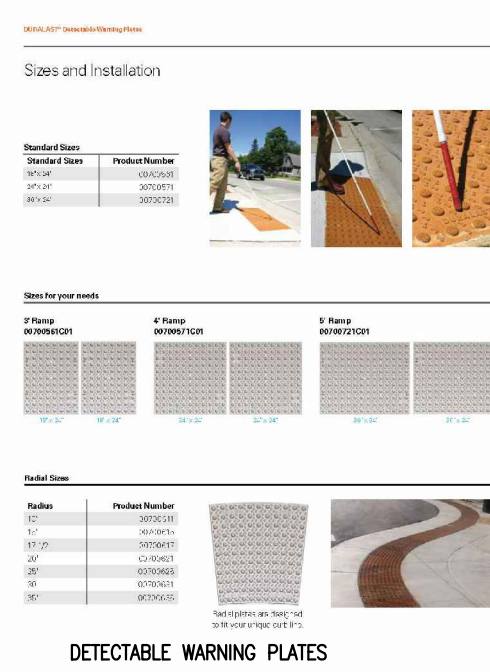
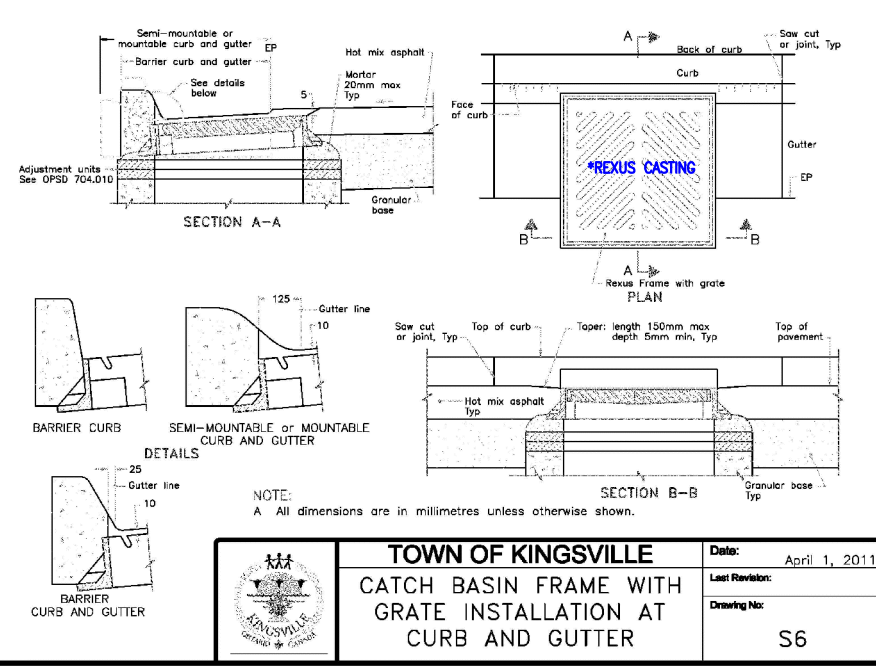
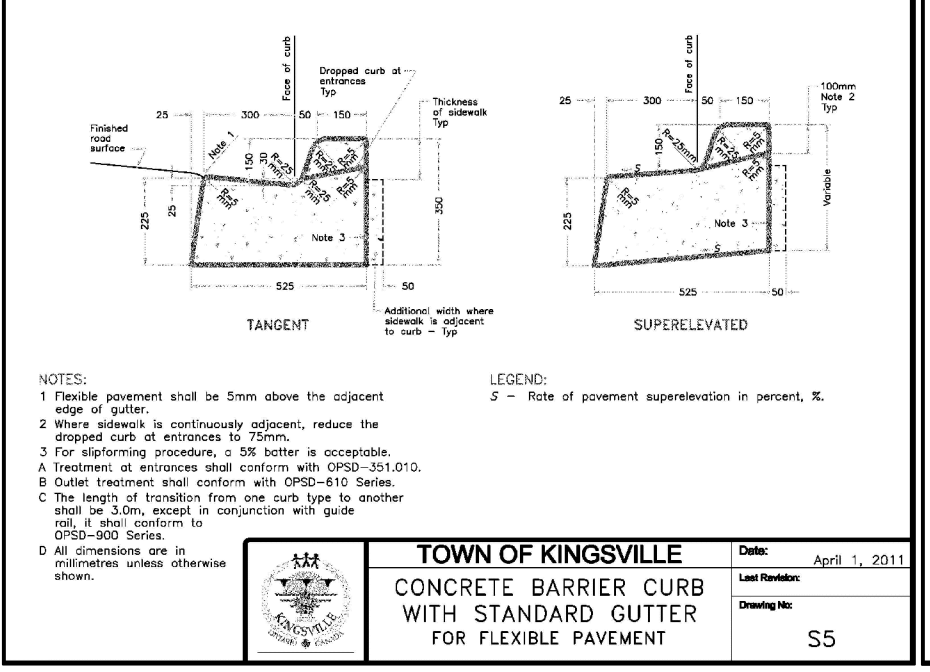
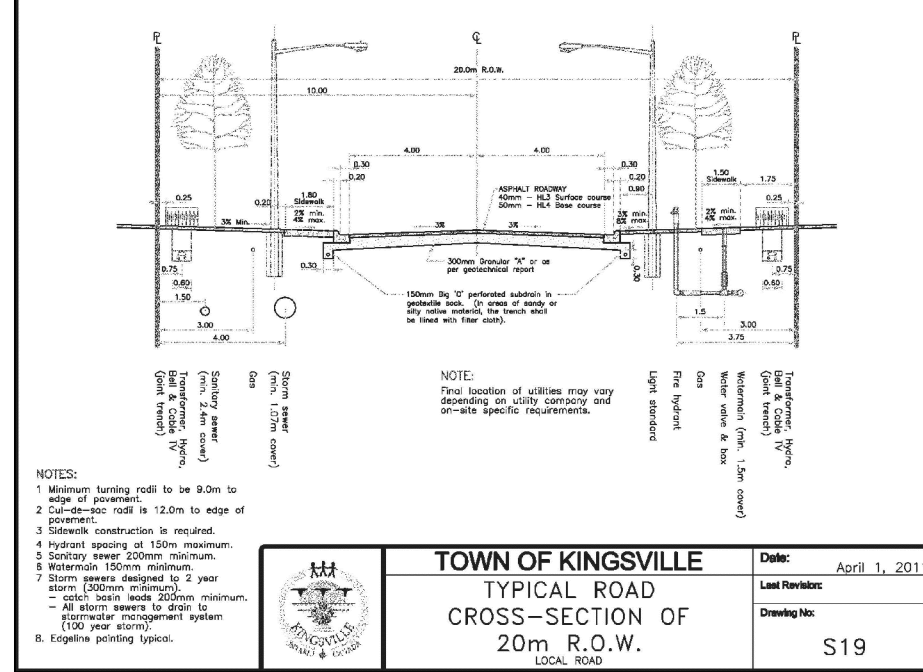
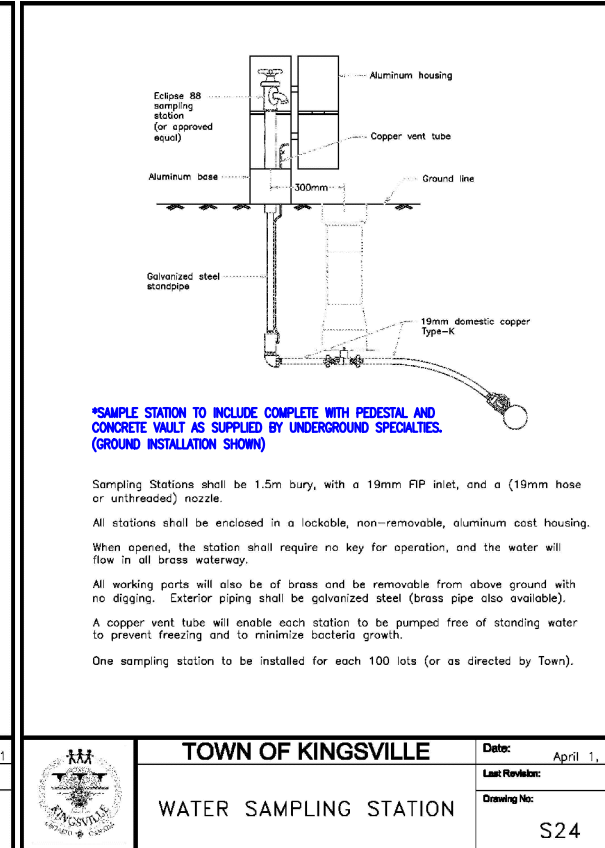
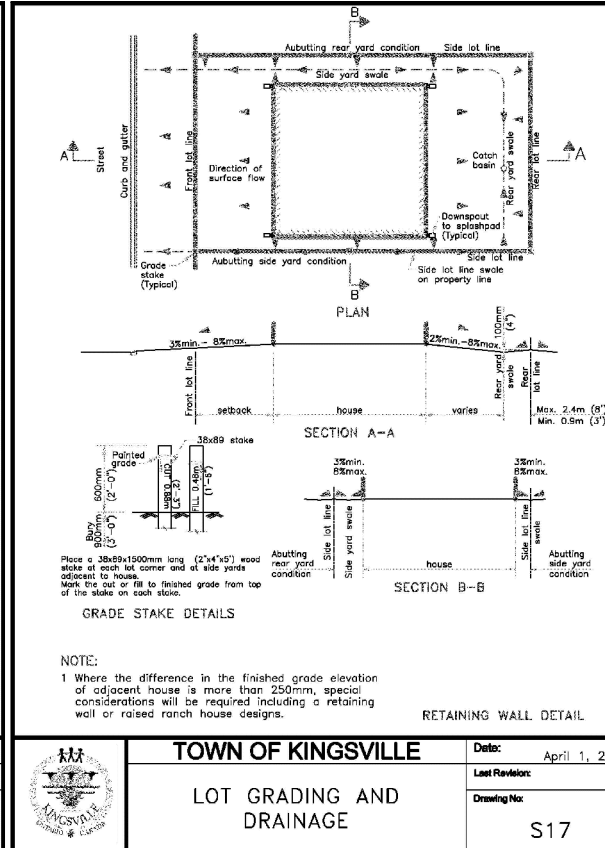
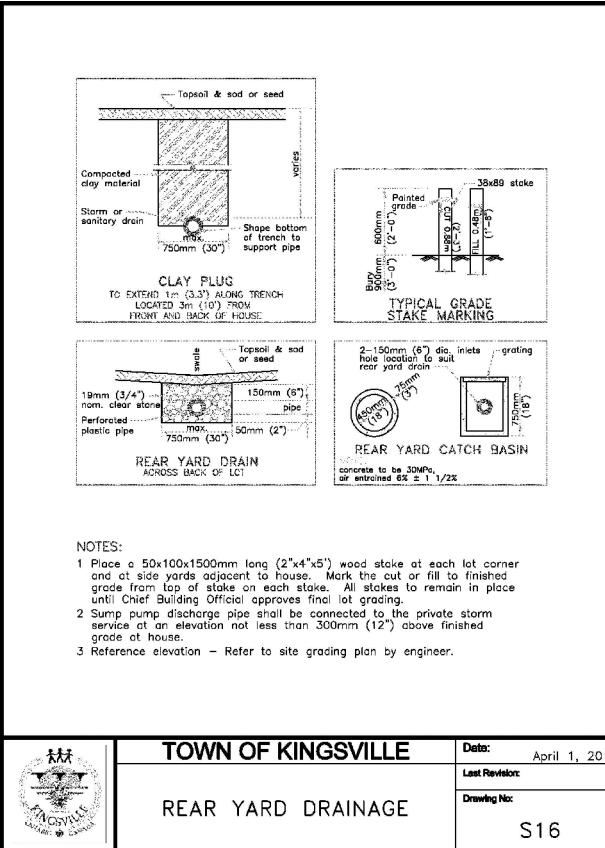
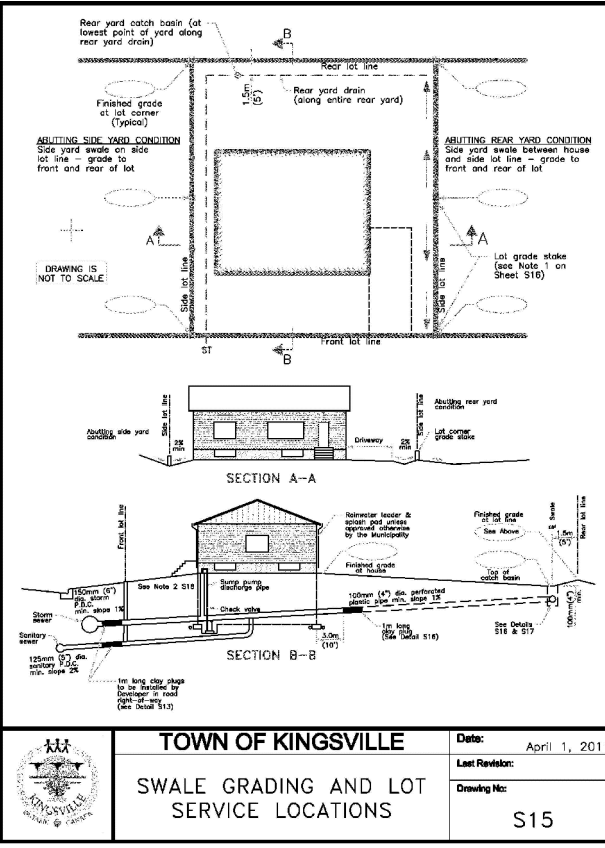
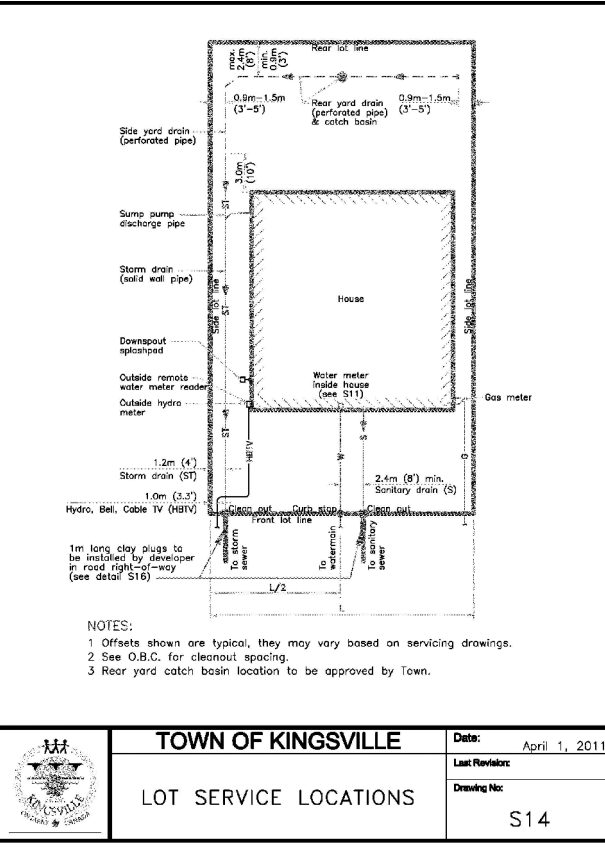
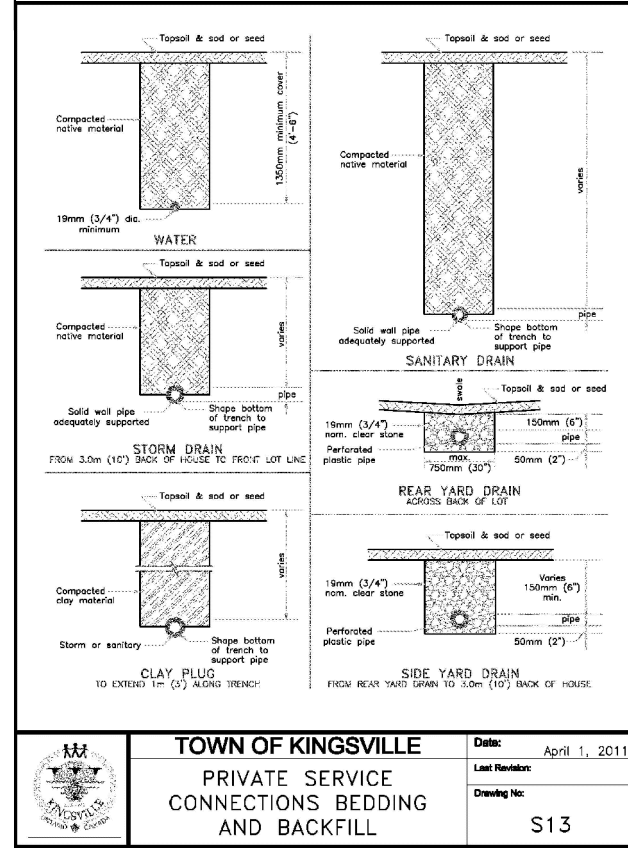
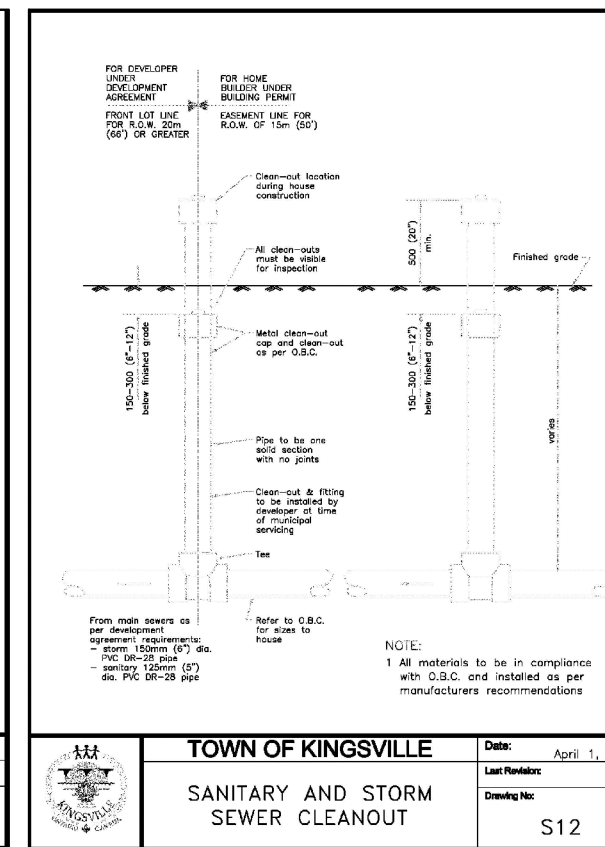
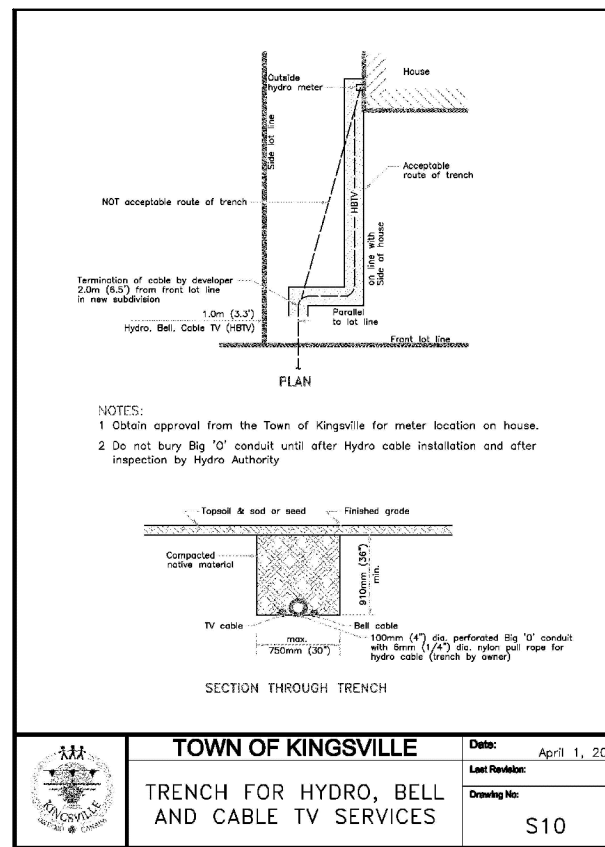
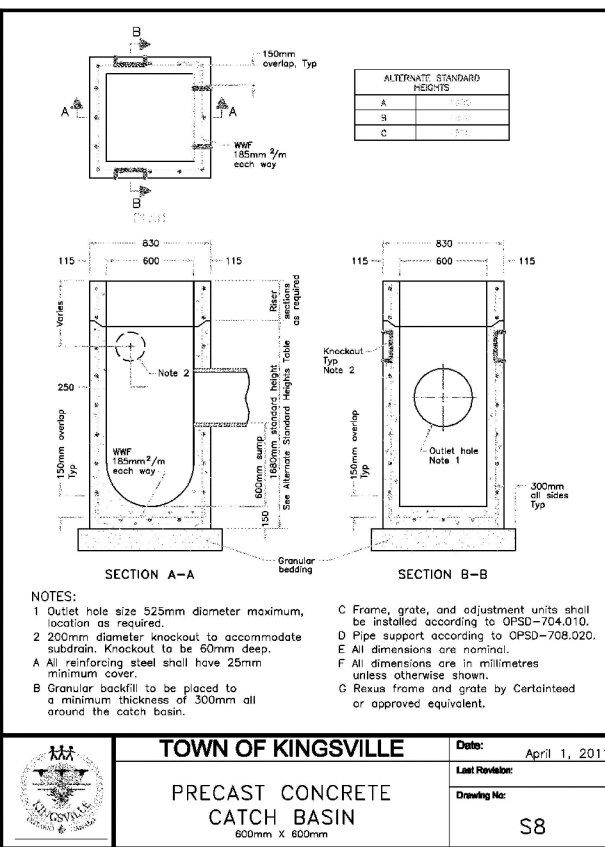
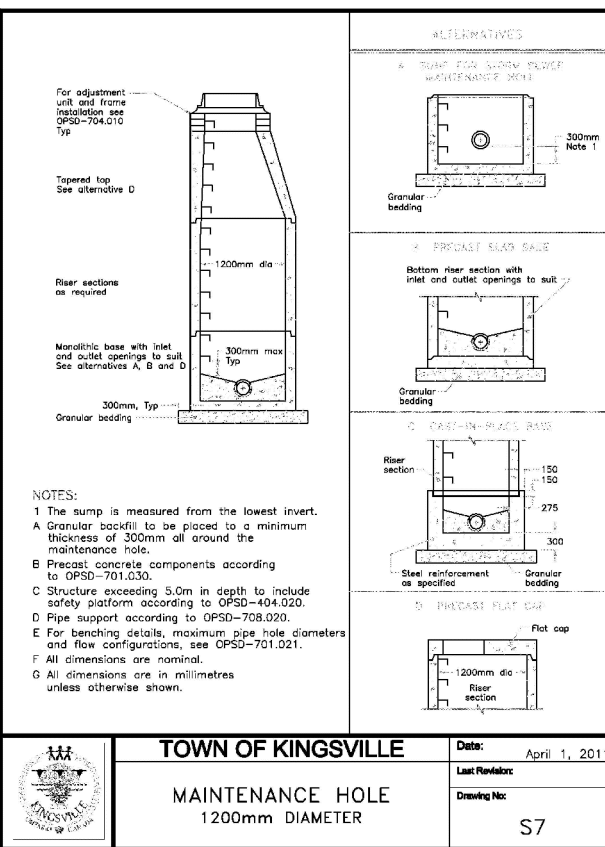
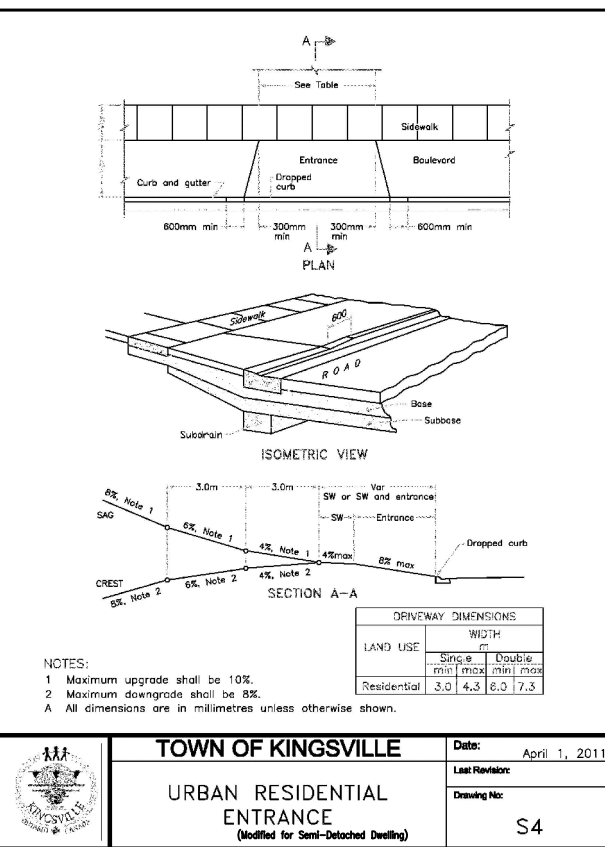
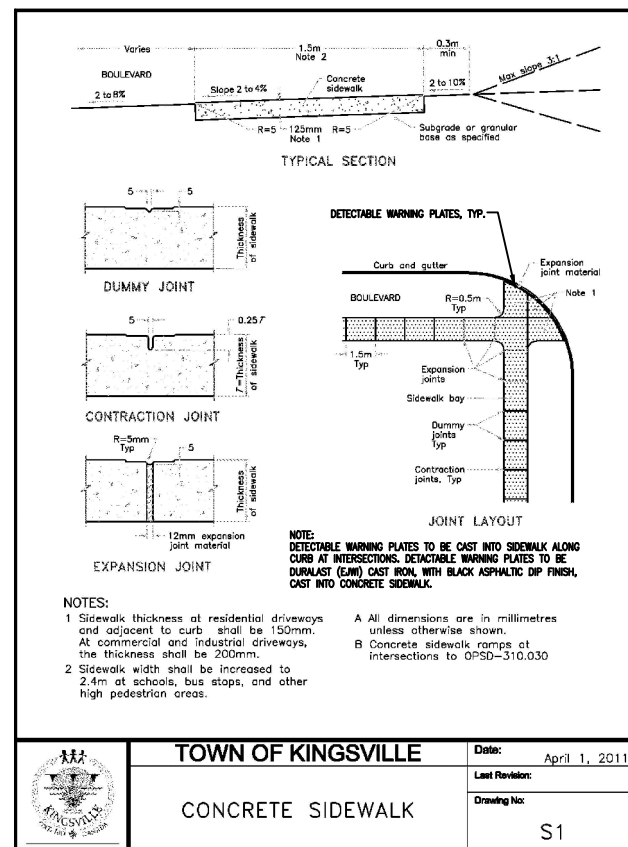
PROJECT:	4-2 UNITS RAISED-RANCH DWELLING UNIT & 6 UNIT STORAGE GARAGE
CLIENT:	LIOVAS HOMES
SHEET:	DETAILS AND NOTES

Project No.:  
1610

SHEET No.:

9

**DRAFT**





Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement,  
de la Protection de la nature et  
des Parcs

Client Services and  
Permissions Branch

Direction des services à la  
clientèle et des permissions

135 St. Clair Avenue West  
1<sup>st</sup> Floor

Toronto ON M4V 1P5

Tel.: 416 314-8001

Fax: 416 314-8452

135, avenue St. Clair Ouest  
Rez-de-chaussée

Toronto ON M4V 1P5

Tél.: 416 314-8001

Téléc.: 416 314-8452

*Via Email*

October 25, 2019

JIM LIOVAS  
LIOVAS HOLDINGS LTD.  
Post Box 121  
LEAMINGTON ON N8H 3W1

Dear JIM LIOVAS:

**Record of Site Condition Number 226101 Has Been Filed in the Environmental Site  
Registry for 40 MAPLE STREET, KINGSVILLE**

Pursuant to paragraph 3 of subsection 168.4(3.1) of the *Environmental Protection Act*, this is a written acknowledgment that Record of Site Condition (RSC) number 226101 has been filed in the Environmental Site Registry on October 25, 2019.

An electronic copy of this RSC can be viewed and downloaded from the Environmental Site Registry located here:

[https://www.lrcsde.lrc.gov.on.ca/BFISWebPublic/pub/searchFiledRsc\\_search?request\\_locale=en](https://www.lrcsde.lrc.gov.on.ca/BFISWebPublic/pub/searchFiledRsc_search?request_locale=en)

If you have any questions or require additional information, please contact Colin Lacey, Brownfields Filing and Review, at 416-326-2945.

Regards,

C-7.7 (-~)

Colin Lacey  
Director  
Subsection 168.4(3), *Environmental Protection Act*

Attachment

c: THOMAS O'DWYER, SOIL & MATERIALS ENGINEERING INC.  
District Manager, Sarnia District Office, MECP

File No.: 17-172



**Record of Site Condition**  
**Under Part XV.1 of the Environmental Protection Act**

**Summary**

Record of Site Condition Number	226101
Date Filed to Environmental Site Registry	2019/10/25
Certification Date	2018/09/05
Current Property Use	Industrial
Intended Property Use	Residential
Certificate of Property Use Number	No CPU
Applicable Site Condition Standards	Full Depth Generic Site Conditions Standard, with Non-potable Ground Water, Medium and Fine Textured Soil, for Residential property use
Property Municipal Address	40 MAPLE STREET, KINGSVILLE, ON, N9Y 1L7

**Notice to Readers Concerning Due Diligence**

This record of site condition (RSC) has been filed in the Environmental Site Registry to which the public has access and which contains a notice advising users of the Environmental Site Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Environmental Site Registry.

**Contents of this Record of Site Condition**

This RSC consists of this document which is available to be printed directly from the Environmental Site Registry as well as all supporting documentation indicated in this RSC to have been submitted in electronic format to the Ministry of the Environment, Conservation and Parks.

## Part 1: Property Ownership, Property Information and Owner's Certifications

### Information about the owner who is submitting or authorizing the submission of the record of site condition

Owner name	LIOVAS HOLDINGS LTD.
Owner type	Firm, corporation or partnership
Authorized person	JIM LIOVAS
Mailing address	Post Box 121 LEAMINGTON Ontario, Canada
Postal Code	N8H 3W1
Phone	(519) 326-7503
Fax	
Email address	jliovas@cogeco.ca

### Information about the agent

Agent name	THOMAS O'DWYER
Mailing address	2000 LEGACY PARK DRIVE, WINDSOR Ontario, Canada
Postal Code	N8W 5S6
Phone	(519) 966-8863
Fax	(519) 966-8870
Email address	todwyer@ctsoil.com

**Record of site condition property location information**

Municipal address(es)	40 MAPLE STREET, KINGSVILLE, ON N9Y 1L7
Municipality	Kingsville
Legal description	<b>See attached Lawyer's letter</b>
Assessment roll number(s)	37111700000009000000
Property identifier number(s)	75180-0235 (LT)

**Record of site condition property geographical references**

Coordinate system	<b>UTM</b>
Datum	<b>NAD 83</b>
Zone	17
Easting	356,150.94
Northing	4,654,813.04

**Record of site condition property use information**

The following types of property uses are defined by the Regulation: Agricultural or other use, Commercial use, Community use, Industrial use, Institutional use, Parkland use, and Residential use.

Current property use	Industrial
Intended property use	Residential
Certificate of property use has been issued under section 168.6 of the Environmental Protection Act	No

**Please see the signed statements of property owner, or agent,  
or receiver at the end of this record of site condition**

The rest of this page has been left intentionally blank

## Part 2: List of reports, summary of site conditions and qualified person's statements and certifications

### Qualified person's information

Name	THOMAS O'DWYER
Type of licence under Professional Engineers Act	Licence
Licence number	34563502
Qualified person's employer name	SOIL & MATERIALS ENGINEERING INC.
Mailing address	2000 LEGACY PARK DRIVE, WINDSOR Ontario, N8W 5S6 Canada
Phone	(519) 966-8863
Fax	(519) 966-8870
Email address	todwyer@ctsoil.com

### Municipal information

Local or single-tier municipality	Kingsville
Upper-tier municipality	Essex

### Ministry of the Environment, Conservation and Parks District Office

District office	Sarnia District Office
District office address	1094 London Rd., Sarnia ON N7S 1P1

## Phase one environmental site assessment report

Document used as the phase one environmental site assessment report and updates in submitting the record of site condition for filing

The date the last work on all of the records review, interviews and site reconnaissance components of the phase one environmental site assessment was done (refer to clause 28(1) (a) of O. Reg. 153/04)	(yyyy/mm/dd) 2018-09-10
--	----------------------------

Type of report	Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
Phase one environmental site assessment	Phase One Environmental Site Assessment (ESA) for the Property Located at 40 Maple Street, Kingsville, Ontario	2018-09-10	THOMAS O'DWYER	SOIL & MATERIALS ENGINEERING INC.

## Reports and other documents related to the phase one environmental site assessment

Reports and other documents relied upon in certifying the information set out in section 10 of Schedule A or otherwise used in conducting the phase one environmental site assessment

Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
N/A			



## Phase two environmental site assessment report

**Document used as the phase two environmental site assessment report and updates in submitting the record of site condition for filing**

The date the last work on all of the planning of the site investigation and conducting the site investigation components of the phase two environmental site assessment was done (refer to clause 33.5(1)(a) of O. Reg. 153/04)	(yyyy/mm/dd) 2018-09-05
---	----------------------------

Type of report	Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
Phase two environmental site assessment	Phase Two Environmental Site Assessment (ESA) for the Property Located at 40 Maple Street, Kingsville, Ontario	2018-09-25	THOMAS O'DWYER	SOIL & MATERIALS ENGINEERING INC.

## Reports and other documents related to the phase two environmental site assessment

**Reports and other documents relied upon in making any certifications in the record of site condition for the purposes of Part IV of Schedule A or otherwise used in conducting the phase two environmental site assessment**

Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
N/A			

**Environmental condition**

Section 41 applies?	No
Section 43.1 applies?	No

**Site condition information**

Certification date (yyyy/mm/dd)	2018/09/05
Total area of record of site condition property (in hectares)	0.24281
Number of any previously filed record of site condition that applies to any part of the record of site condition property	
Number of any previously filed transition notice that applies to any part of the record of site condition property	
Soil texture	Medium and fine
Assessment/restoration approach	Full depth generic
Site investigation includes the investigation, sampling and analysis of ground water?	Yes
Is there soil present that is sufficient to investigate, sample and analyze soil on, in or under the property in accordance with s. 6, Schedule E of O.Reg. 153/04?	Yes
Site investigation includes the investigation, sampling and analysis of soil on, in or under the property which is used in the record of site condition?	Yes
Name of the laboratory used to analyze any samples collected of soil, ground water or sediment	PARACEL LABORATORIES LTD
Ground water condition (potable, non-potable)	Non-potable
Applicable site condition standard	TABLE 3
Local or single-tier municipality non-potable written notification date	2019/07/31
Upper-tier municipality non-potable written notification date	2019/08/29

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards**

**Measured concentration for contaminants in soil**

Contaminant name		Maximum concentration		Applicable site condition	Unit of measure
1	Bromodichloromethane	<	0.05	13	µg/g
2	Bromoform	<	0.05	0.26	µg/g
3	Dibromochloromethane	<	0.05	9.4	µg/g
4	Boron (Hot Water Soluble)*		<b>0.9</b>	1.5	µg/g
5	Chromium VI	<	0.2	10	µg/g
6	Cyanide (CN-)	<	0.03	0.051	µg/g
7	Electrical Conductivity		<b>0.498</b>	0.7	mS/cm
8	Mercury	<	0.1	1.8	µg/g
9	Sodium Adsorption Ratio		<b>3</b>	5	
10	Acetone	<	0.5	28	µg/g
11	Bromomethane	<	0.05	0.05	µg/g
12	Carbon Tetrachloride	<	0.05	0.12	µg/g
13	Chlorobenzene	<	0.05	2.7	µg/g
14	Chloroform	<	0.05	0.18	µg/g
15	Dichlorobenzene, 1,2-	<	0.05	4.3	µg/g
16	Dichlorobenzene, 1,3-	<	0.05	6	µg/g
17	Dichlorobenzene, 1,4-	<	0.05	0.097	µg/g
18	Dichlorodifluoromethane	<	0.05	25	µg/g
19	Dichloroethane, 1,1-	<	0.05	11	µg/g
20	Dichloroethane, 1,2-	<	0.05	0.05	µg/g
21	Dichloroethylene, 1,1-	<	0.05	0.05	µg/g
22	Dichloroethylene, 1,2-cis-	<	0.05	30	µg/g
23	Dichloroethylene, 1,2-trans-	<	0.05	0.75	µg/g
24	Dichloropropane, 1,2-	<	0.05	0.085	µg/g
25	Dichloropropene, 1,3-	<	0.05	0.083	µg/g
26	Ethylene dibromide	<	0.05	0.05	µg/g
27	Hexane (n)	<	0.05	34	µg/g
28	Methyl Ethyl Ketone	<	0.5	44	µg/g
29	Methyl Isobutyl Ketone	<	0.5	4.3	µg/g
30	Methyl tert-Butyl Ether (MTBE)	<	0.05	1.4	µg/g
31	Methylene Chloride	<	0.05	0.96	µg/g
32	Styrene	<	0.05	2.2	µg/g
33	Tetrachloroethane, 1,1,1,2-	<	0.05	0.05	µg/g
34	Tetrachloroethane, 1,1,2,2-	<	0.05	0.05	µg/g
35	Tetrachloroethylene	<	0.05	2.3	µg/g

...Continued on next page

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards**

**Measured concentration for contaminants in soil**

*Continued from previous page....*

Contaminant name	Maximum concentration		Applicable site condition	Unit of measure
36 Trichloroethane, 1,1,1-	<	0.05	3.4	µg/g
37 Trichloroethane, 1,1,2-	<	0.05	0.05	µg/g
38 Trichloroethylene	<	0.05	0.52	µg/g
39 Trichlorofluoromethane	<	0.05	5.8	µg/g
40 Vinyl Chloride	<	0.02	0.022	µg/g
41 Petroleum Hydrocarbons F1****	<	7	65	µg/g
42 Petroleum Hydrocarbons F2		<b>11</b>	150	µg/g
43 Petroleum Hydrocarbons F3		<b>65</b>	1300	µg/g
44 Petroleum Hydrocarbons F4		<b>62</b>	5600	µg/g
45 Polychlorinated Biphenyls	<	0.05	0.35	µg/g
46 Acenaphthene	<	0.02	58	µg/g
47 Acenaphthylene		<b>0.07</b>	0.17	µg/g
48 Anthracene		<b>0.07</b>	0.74	µg/g
49 Benz[a]anthracene		<b>0.15</b>	0.63	µg/g
50 Benzo[a]pyrene		<b>0.13</b>	0.3	µg/g
51 Benzo[b]fluoranthene		<b>0.24</b>	0.78	µg/g
52 Benzo[ghi]perylene		<b>0.17</b>	7.8	µg/g
53 Benzo[k]fluoranthene		<b>0.11</b>	0.78	µg/g
54 Chrysene		<b>0.23</b>	7.8	µg/g
55 Dibenzo[a h]anthracene		<b>0.04</b>	0.1	µg/g
56 Fluoranthene		<b>0.47</b>	0.69	µg/g
57 Fluorene		<b>0.03</b>	69	µg/g
58 Indeno[1 2 3-cd]pyrene		<b>0.15</b>	0.48	µg/g
59 Methylnaphthalene, 2-(1-) ***		<b>0.18</b>	3.4	µg/g
60 Naphthalene		<b>0.09</b>	0.75	µg/g
61 Phenanthrene		<b>0.29</b>	7.8	µg/g
62 Pyrene		<b>0.37</b>	78	µg/g
63 Antimony	<	1	7.5	µg/g
64 Arsenic		<b>10</b>	18	µg/g
65 Selenium	<	1	2.4	µg/g
66 Barium		<b>124</b>	390	µg/g
67 Beryllium	<	0.5	5	µg/g
68 Boron (total)		<b>14.3</b>	120	µg/g
69 Cadmium	<	0.5	1.2	µg/g
70 Chromium Total		<b>22</b>	160	µg/g

*...Continued on next page*

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards****Measured concentration for contaminants in soil***Continued from previous page....*

Contaminant name	Maximum concentration		Applicable site condition	Unit of measure
71 Cobalt		9	22	µg/g
72 Copper		19	180	µg/g
73 Lead		24	120	µg/g
74 Molybdenum		5	6.9	µg/g
75 Nickel		24	130	µg/g
76 Silver	<	1	25	µg/g
77 Thallium	<	1	1	µg/g
78 Uranium	<	1	23	µg/g
79 Vanadium		35	86	µg/g
80 Zinc		102	340	µg/g
81 Benzene	<	0.02	0.17	µg/g
82 Ethylbenzene	<	0.05	15	µg/g
83 Toluene	<	0.05	6	µg/g
84 Xylene Mixture	<	0.05	25	µg/g

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards (Continued)**

**Ground water**

Contaminant name		Maximum concentration		Applicable site condition	Unit of measure
1	Chloride		63	2300000	µg/L
2	Chromium VI	<	10	140	µg/L
3	Cyanide (CN-)	<	2	66	µg/L
4	Mercury	<	0.1	2.8	µg/L
5	Acetone	<	5	130000	µg/L
6	Bromomethane	<	0.5	56	µg/L
7	Carbon Tetrachloride	<	0.2	8.4	µg/L
8	Chlorobenzene	<	0.5	630	µg/L
9	Chloroform	<	0.5	22	µg/L
10	Dichlorobenzene, 1,2-	<	0.5	9600	µg/L
11	Dichlorobenzene, 1,3-	<	0.5	9600	µg/L
12	Dichlorobenzene, 1,4-	<	0.5	67	µg/L
13	Dichlorodifluoromethane	<	1	4400	µg/L
14	Dichloroethane, 1,1-	<	0.5	3100	µg/L
15	Dichloroethane, 1,2-	<	0.5	12	µg/L
16	Dichloroethylene, 1,1-	<	0.5	17	µg/L
17	Dichloroethylene, 1,2-cis-	<	0.5	17	µg/L
18	Dichloroethylene, 1,2-trans-	<	0.5	17	µg/L
19	Dichloropropane, 1,2-	<	0.5	140	µg/L
20	Dichloropropene, 1,3-	<	0.5	45	µg/L
21	Ethylene dibromide	<	0.2	0.83	µg/L
22	Hexane (n)	<	1	520	µg/L
23	Methyl Ethyl Ketone	<	5	1500000	µg/L
24	Methyl Isobutyl Ketone	<	5	580000	µg/L
25	Methyl tert-Butyl Ether (MTBE)	<	2	1400	µg/L
26	Methylene Chloride	<	5	5500	µg/L
27	Styrene	<	0.5	9100	µg/L
28	Tetrachloroethane, 1,1,1,2-	<	0.5	28	µg/L
29	Tetrachloroethane, 1,1,2,2-	<	0.5	15	µg/L
30	Tetrachloroethylene	<	0.5	17	µg/L
31	Trichloroethane, 1,1,1-	<	0.5	6700	µg/L
32	Trichloroethane, 1,1,2-	<	0.5	30	µg/L
33	Trichloroethylene	<	0.5	17	µg/L
34	Trichlorofluoromethane	<	1	2500	µg/L
35	Vinyl Chloride	<	0.5	1.7	µg/L

...Continued on next page

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards (Continued)**

**Ground water**

*Continued from previous page....*

Contaminant name		Maximum concentration		Applicable site condition	Unit of measure
36	Petroleum Hydrocarbons F1****	<	25	750	µg/L
37	Petroleum Hydrocarbons F2	<	100	150	µg/L
38	Petroleum Hydrocarbons F3	<	100	500	µg/L
39	Petroleum Hydrocarbons F4	<	100	500	µg/L
40	Polychlorinated Biphenyls	<	0.05	15	µg/L
41	Acenaphthene	<	0.05	1700	µg/L
42	Acenaphthylene	<	0.05	1.8	µg/L
43	Anthracene	<	0.01	2.4	µg/L
44	Benz[a]anthracene	<	0.01	4.7	µg/L
45	Benzo[a]pyrene	<	0.01	0.81	µg/L
46	Benzo[b]fluoranthene	<	0.05	0.75	µg/L
47	Benzo[ghi]perylene	<	0.05	0.2	µg/L
48	Benzo[k]fluoranthene	<	0.05	0.4	µg/L
49	Chrysene	<	0.05	1	µg/L
50	Dibenz[a h]anthracene	<	0.05	0.52	µg/L
51	Fluoranthene	<	0.02	130	µg/L
52	Fluorene	<	0.05	400	µg/L
53	Indeno[1 2 3-cd]pyrene	<	0.05	0.2	µg/L
54	Methlynaphthalene, 2-(1-) ***		<b>0.4</b>	1800	µg/L
55	Naphthalene	<	0.05	6400	µg/L
56	Phenanthrene	<	0.05	580	µg/L
57	Pyrene	<	0.05	68	µg/L
58	Sodium		<b>54,100</b>	2300000	µg/L
59	Antimony	<	0.5	20000	µg/L
60	Arsenic		<b>21</b>	1900	µg/L
61	Selenium	<	1	63	µg/L
62	Barium		<b>102</b>	29000	µg/L
63	Beryllium	<	0.5	67	µg/L
64	Boron (total)		<b>91</b>	45000	µg/L
65	Cadmium	<	0.1	2.7	µg/L
66	Chromium Total		<b>2</b>	810	µg/L
67	Cobalt		<b>0.7</b>	66	µg/L
68	Copper		<b>1.7</b>	87	µg/L
69	Lead	<	0.1	25	µg/L
70	Molybdenum		<b>16.8</b>	9200	µg/L

*...Continued on next page*



**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards (Continued)****Ground water***Continued from previous page....*

Contaminant name		Maximum concentration		Applicable site condition	Unit of measure
71	Nickel		<b>3</b>	490	µg/L
72	Silver	<	0.1	1.5	µg/L
73	Thallium	<	0.1	510	µg/L
74	Uranium		<b>2.4</b>	420	µg/L
75	Vanadium		<b>3.9</b>	250	µg/L
76	Zinc		<b>18</b>	1100	µg/L
77	Benzene	<	0.5	430	µg/L
78	Ethylbenzene	<	0.5	2300	µg/L
79	Toluene	<	0.5	18000	µg/L
80	Xylene Mixture	<	0.5	4200	µg/L

## Remedial action and mitigation

### Remediated soils

Estimated quantities of the soil, if any, originating at and remaining on the record of site condition property that have been remediated, at a location either on or off the property, to reduce the concentration of contaminants in the soil. Indicate the remediation process or processes used and the estimated amount of soil remediated by each identified process.

Soil remediation process	Estimated quantity of soil (in ground-volume in cubic metres)
0	0.0

### Description of remediation

Description of any action taken to reduce the concentration of contaminants (including soil removals) on, in or under the record of site condition property.
NA

### Soil or sediment removed and not returned

Estimated quantities of soil or sediment, if any, removed from and not returned to the record of site condition property.

Estimated quantity of soil (in ground-volume in cubic metres)	0.0
Estimated quantity of sediment (in ground-volume in cubic metres)	0.0

### Soil brought to the property

Estimated quantity of the soil, if any, being brought from another property to and deposited at the record of site condition property, not including any soil that may have originated at but been remediated off the record of site condition property and that is identified in section 28 of Schedule A.

Estimated quantity of soil brought to the property (in ground-volume in cubic metres)	0.0
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**Ground water control or treatment measures**

Ground water control or treatment measures that were required for the record of site condition property prior to the certification date for the purpose of submitting the record of site condition for filing.

NA

Ground water control or treatment measures that are required for the record of site condition property after the certification date.

NA

Estimated volume of ground water, if any, removed from and not returned to the record of site condition property.

Estimated volume of ground water (in litres)	0.0
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**Other activities including risk management measures**

Constructed works that prior to the certification date for the purpose of submitting the record of site condition for filing, were required to control or otherwise mitigate the release or movement of known existing contaminants at the record of site condition property.

NA

Constructed works that after the certification date, are required to control or otherwise mitigate the release or movement of known existing contaminants at the record of site condition property.

NA

**Monitoring or Maintenance****Soil Management Measures**

Soil monitoring requirements or any requirements for care, maintenance or replacement or any monitoring or control works for known existing contaminants, if any, on the record of site condition property, after the certification date.

NA

**Ground water management measures**

Ground water monitoring requirements or requirements for care, maintenance or replacement of any monitoring or control works or known existing contaminants, if any, on the record of site condition property, after the certification date.

NA

**Remediated or removed soil, sediment or ground water from near property boundary**

Has any soil, sediment or ground water at the record of site condition property that is or was located within 3 metres of the record of site condition property boundary been remediated or removed for the purpose of remediation?

No

## D Qualified person's statements and certifications

As the qualified person, I certify that:

☒ A phase one environmental site assessment of the record of site condition property, which includes the evaluation of the information gathered from a records review, site reconnaissance, interviews, a report and any updates required, has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

☒ A phase two environmental site assessment of the record of site condition property, which includes the evaluation of the information gathered from planning and conducting a site investigation, a report, and any updates required, has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

☒ The information represents the site conditions at the sampling points at the time of sampling only and the conditions between and beyond the sampling points may vary.

As of 2018/09/05, in my opinion, based on the phase one environmental site assessment and the phase two environmental site assessment, and any confirmatory sampling, there is no evidence of any ☒ contaminants in the soil, ground water or sediment on, in or under the record of site condition property that would interfere with the type of property use to which the record of site condition property will be put, as specified in the record of site condition.

☒ Ground water sampling has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

I have, within the six months immediately before the submission of this record of site condition, given written ☒ notice of intention to apply non-potable ground water site condition standards to the clerk of the local municipality in which the property is located and the clerk of any upper-tier municipality in which the property is located.

As of 2018/09/05, in my opinion, based on the phase one and phase two environmental site assessments and any confirmatory sampling, the record of site condition property meets the applicable full depth ☒ generic site condition standards prescribed by section 37 of the regulation for all contaminants prescribed by the regulation in relation to the type of property use for which this record of site condition is filed, except for those contaminants (if any) specified in this record of site condition at Table 2, maximum contaminant concentrations compared to standards specified in a risk assessment.

As of 2018/09/05, the maximum known concentration of each contaminant in soil, sediment ☒ and ground water at the record of site condition property for which sampling and analysis has been performed is specified in this record of site condition at Table 1, maximum contaminant concentrations compared to applicable full depth generic site condition standards.

☒ I am a qualified person and have the qualifications required by section 5 of the regulation.

☒ I have in place an insurance policy that satisfies the requirements of section 7 of the regulation.

I acknowledge that the record of site condition will be submitted for filing in the Environmental Site Registry, that records of site condition that are filed in the Registry are available for examination by the public and that the ☒ Registry contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.

☒ The opinions expressed in this record of site condition are engineering or scientific opinions made in accordance with generally accepted principles and practices as recognized by members of the environmental engineering or science profession or discipline practising at the same time and in the same or similar location.

I do not hold and have not held and my employer SOIL & MATERIALS ENGINEERING INC. ☒ does not hold and has not held a direct or indirect interest in the record of site condition property or any property which includes the record of site condition property and was the subject of a phase one or environmental site assessment or risk assessment upon which this record of site condition is based.

☒ To the best of my knowledge, the certifications and statements in this part of the record of site condition are true as of 2018/09/05.

☒ By signing this record of site condition, I make no express or implied warranties or guarantees.

By checking the boxes above, and entering my membership/licence number in this submission, I, THOMAS

By checking the boxes above, and entering my membership/licence number in this submission, I, THOMAS O'DWYER, a qualified person as defined in section 5 of O. Reg. 153/04 am, on 2019/09/09:

- a) signing this record of site condition submission as a qualified person; and
- b) making all certifications required as a qualified person for this record of site condition.

☒ **I agree**

### **Additional documentation provided by property owner or agent**

The following documents have been submitted to the Ministry of the Environment, Conservation and Parks as part of the record of site condition

Certificate of status or equivalent for the owner
Authorization for agent to submit record of site condition for filing
Lawyer's letter consisting of a legal description of the property
Copy of any deed(s), transfer(s) or other document(s) by which the record of site condition property was acquired
A Current plan of survey
Area(s) of potential environmental concern
Table of current and past uses of the phase one property
Phase 2 conceptual site model
Owner or agent certification statements



As an agent acting on behalf of the owner of the record of site condition property:

1. I acknowledge that the record of site condition will be submitted for filing in the Environmental Site Registry, that records of site condition that are filed in the Registry are available for examination by the public and that the Registry contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.
2. I have conducted reasonable inquiries to obtain all information relevant to this record of site condition, including information from the other current owners of the record of site condition property named in this part of the record of site condition and I have obtained all information relevant to this record of site condition of which I am aware.
3. I have disclosed all information referred to in paragraph 2 to any qualified person named in this record of site condition.
4. To my knowledge, the statements made in this part of the record of site condition are true as of August 29, 2019.
5. I have ensured that access to the entire property, including the phase one property, any phase two property and the record of site condition property, has been afforded to the qualified person and to persons supervised by the qualified person, for purposes of conducting the site reconnaissance.

I certify that I have been authorized by the owner of the record of site condition property to make the statements prescribed by this section on their behalf and that the owner of the record of site condition property has read and understands the statements being made on their behalf.

Name of the agent Tom O'Dwyer, P.Eng

Signature



Date signed August 29, 2019



## MINUTES

### PLANNING ADVISORY COMMITTEE MEETING

**TUESDAY JUNE 21<sup>ST</sup>, 2016 AT 7:00 P.M.  
CORPORATION OF THE TOWN OF KINGSVILLE  
2021 DIVISION RD N, KINGSVILLE, ONTARIO**

#### **A. CALL TO ORDER**

Chairperson Thomas Neufeld called the meeting to order at 7:00 p.m. with the following Committee members in attendance:

Members of Planning Advisory Committee	Members of Administration
<ul style="list-style-type: none"><li>• Deputy Mayor Gord Queen</li><li>• Councillor Thomas Neufeld</li><li>• Ted Mastronardi</li><li>• Murray McLeod</li><li>• Shannon Olson</li></ul>	<ul style="list-style-type: none"><li>• Manager of Planning &amp; Development Services, Robert Brown</li><li>• Town Planner, Kristina Galinac</li></ul>

#### **B. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

Chairperson Neufeld reminded Committee members to disclose any interest they may have prior to each agenda item being discussed.

No members disclosed any conflicts with the items being presented.

#### **C. ADOPTION OF PLANNING ADVISORY COMMITTEE MEETING MINUTES DATED FEBRUARY 16<sup>TH</sup>, 2016**

##### **PAC – 08 – 2016**

Moved by Gord Queen, seconded by Shannon Olson that the Planning Advisory Committee Meeting Minutes dated February 16<sup>th</sup>, 2016 be adopted.

**CARRIED**  
**(all members concurring)**

#### **D. HEARINGS**

The purpose of the Planning Advisory Committee is to introduce the proposals and planning matters to both the members of the P.A.C. and members of the general public in order to provide an opportunity to receive comments regarding the proposed development. Recommendations of the Planning Advisory Committee will be forwarded to Council for consideration at the legislated Public Meeting under the Planning Act. R.S.O. 1990.

##### **1. ZBA/05/16 – Liovas Holdings Ltd – Maple Street North & Lansdowne Avenue West**

Town Planner, Kristina Galinac presented her report dated June 15, 2016 to the Town of Kingsville Planning Advisory Committee regarding a proposed Zoning By-law Amendment (ZBA) for lands located in the northwest corner of the intersection of Maple Street and Lansdowne Avenue, in the Town of Kingsville.

The subject land has a total lot area of 2,446.14 m<sup>2</sup> (26,330 ft<sup>2</sup>) and a combined frontage of 118.28 m (388.06 ft.). There are no existing dwellings or structures on the property. The applicant is proposing to construct four two-unit residential semi-detached dwellings; each 2-unit dwelling is 129.32 m<sup>2</sup> (1,392 ft<sup>2</sup>) with a 15.61 m<sup>2</sup> (168 ft<sup>2</sup>) covered

porch. A separate 6-unit storage garage structure is proposed on the eastern portion of the parcel.

The zoning of the parcel does not currently permit what is proposed as such a zoning amendment is necessary to rezone the parcel to a site-specific residential classification to permit the proposed buildings and establish regulations for the development.

The following outlines the historical change in use and ownership of the subject lands. CT Soils reported the sequence of land use of the subject lands having been occupied by Consolidated Leaf Tobacco and Aylmer Canadian Cannery Ltd. observed from 1947 to 1962. Then from 2001-2004, the site contained a commercial type of building with heavy traffic and two trailers used for warehousing/storage purposes. Subsequently, Golder Associates Ltd. performed soil investigations which lead to the discovery of contaminated lands. In 2006, the site appeared vacant and utilized as a traffic type property. Meanwhile, a building permit was issued to 'Youth & Family Resource Network' to construct semi-detached dwellings similar to those presently proposed, but were never built. In 2007, the Town agreed to pay for the excavation and hauling away of material necessary to meet residential standards. In 2008, it appears that the lot was completely cleaned up and empty, with no grassy areas. In 2009, ownership changed and the Town approved a site plan agreement to construct a commercial/industrial building. The current applicant obtained ownership of the lands in 2011. Presently, the site remains vacant and is covered in grass.

An 'Extended Phase I Environmental Site Assessment (ESA)' was completed in May 2016 to search for contaminants from past or current users. The report from CT Soils concludes that the site be classified as having low to a moderately low probability of containing significant quantities of environmentally impacted soils or groundwater.

Town Planner, Kristina Galinac noted to the Committee that a Record of Site Condition from the Ministry of Environment and Climate Change (RSC) will be a requirement of the site plan approval.

The Site Layout, Zoning Specifics as well as Agency Comments were presented to the Committee and to the public.

Town Planner, Kristina Galinac outlined the details of the letter received from Fred and Nancy King, 49 Maple Street, Kingsville.

Member, Gord Queen commented on the site cleanup history, which met commercial standards, he asked if added testing concluded whether it is now cleaned up

Member, Murray McLeod asked for more information on the zoning regarding lot coverage and setbacks, as well as the number of units.

Member, Shannon Olson suggested we wait on the RSC before moving the zoning forward.

Manager of Planning & Development, Robert Brown replied that zoning was to be addressed, and further outlined the details required to move forward regarding the site plan and suggested the Town could use the Holding symbol on the property.

Chairperson, Thomas Neufeld ask for more information regarding the site having a low to moderately low probability of containing significant quantities of environmentally impacted soils or groundwater.

The applicant, Jim Liovas outlined the results of the report as cleaned up.

Michael Ives, 32 Maple Street, Kingsville asked the applicant if he owned other properties within the Town of Kingsville. Mr. Ives stated that Jim Liovas is on a bad owners list in Windsor. Mr Ives also mentioned that he didn't see CT Soils do testing on the property. Mr. Ives recalls the Rail Road storing coal on the property. Mr. Ives is in objection to the number of units, crowding and traffic

The Applicant, Jim Liovas mentioned that the lots are already serviced for eight units. The issue of separate garages can be policed easier as they are not part of the residential unit rental.

Jennifer Hailstone, 37 Maple Street, Kingsville mentioned her opinion of not enough room on the lot for the proposed build. Ms. Hailstone also asked why the neighbouring lots were not tested if the soil on this particular parcel was contaminated. Ms. Hailstone would rather see the land used as Park Land, for the 14 plus children in the neighbourhood. This is already a high traffic area.

Sally Ives, 32 Maple Street, Kingsville asked if neighbours were approached to see if there is a preference of Residential Zoning over Commercial Zoning. She also made mention of her concerns with the traffic. The Applicant, Jim Liovas replied that he assumed Residential would be preferred over Commercial. The applicant stated as noted before that the site was tested.

Jennifer Hailston, 37 Maple Street, Kingsville asked if all the contaminants were removed, was soil removed, was new soil brought in. She feels that there are other vacant lands available that could accommodate this development in the Town of Kingsville.

Thomas Roelens, 33 Maple Street, Kingsville asked what will happen to surplus garage units if tenants don't rent all units? Mr. Roelens also asked if there has been leaching on contaminants from neighbouring properties? Mr. Roelens has a concern based on tenants, landlord types with 8 rental units.

The Applicant, Jim Liovas stated that the garage units could be rented to others.

Member, Gord Queen is familiar with the site, and has concern with parking, density, as well as contaminants, Member, Gord Queen needs more info on condition of soil.

Member, Murray McLeod asked for clarification on the common practice of putting storage garages like this on other developments?

Manager of Planning and Development, Robert Brown explained that it is unusual for the Town but the storage garages are considered accessory to the proposed development

#### **PAC – 09 – 2016**

Moved by Gord Queen, seconded by Shannon Olson that the Planning Advisory Committee not endorse support of the proposed rezoning to Council at his time.

**CARRIED**  
(all members concurring)

#### **E. BUSINESS / INFORMATION**

None presented.

#### **F. ADJOURNMENT**

#### **PAC – 10 – 2016**

Moved by Gord Queen seconded by Shannon Olson, that there being no further items of discussion, the meeting adjourn at 7:45 p.m.

**CARRIED**  
(all members concurring)

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CHAIRPERSON, Councillor Thomas Neufeld  

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RECORDING SECRETARY, Robert Brown



**Partner Municipalities**

Town of Amherstburg  
Town of Essex  
Town of Kingsville  
Town of Lakeshore  
Town of Lasalle  
Municipality of  
Leamington  
Township of Pelee  
Town of Tecumseh  
City of Windsor

May 12, 2016

Ms. Kristina Galinac, Town Planner  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville ON N9Y 2Y9

Dear Ms. Galinac:

RE: Applications for Site Plan Control (SPA-08-16), & Zoning By-Law Amendment (ZBA-05-16) LANSDOWNE AVE  
ARN 371117000000900; PIN: 751800235  
Applicant: LIOVAS HOLDINGS LTD

The following is provided for your information and consideration as a result of our review of Applications for Site Plan Control SPA-08-16, and Zoning By-Law Amendment ZBA-05-16. We understand that the purpose of these applications is to allow the development of 4 two unit residential semi-detached dwellings. A separate structure consisting of a 7 storage garage unit is proposed for the eastern side of the subject site.

**SECTION 28 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 Regulations under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

**WATER RESOURCES MANAGEMENT**

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

**NATURAL HERITAGE POLICIES OF THE PPS 2014**

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



Ms. Galinac  
May 12, 2016

### **ADJACENT TO ERCA OWNED LANDS**

We note that this property is adjacent to the ERCA owned Chrysler Canada Greenway. Although we encourage the public use of the Greenway, we do have concerns with the creation of illegal access points created by private landowners along the Greenway. Due to the nature of the proposed development, and also the increase in density, we would request that the following condition be included in the Site Plan Control Agreement to satisfy our concerns: that the applicant be required to erect a 5 foot chain link fence with no access gates along the north property line of the subject site in order to prevent illegal entry to private lands and create a barrier from future illegal access points on the Greenway.

For inquiries regarding the Greenway, or prior to any construction and/or site alteration activities adjacent to the Greenway (including proposals for access corridors), please contact Kevin Money, Director of Conservation Services at 776-5209 ext. 351

### **FINAL RECOMMENDATION**

That the applicant be required to erect a 5 foot chain link fence with no access gates along the north property line of the subject site in order to prevent illegal entry to private lands and create a barrier from future illegal access points on the Greenway.

**Notwithstanding the above condition, we have no other further concerns regarding this application for Site Plan Control and Zoning change.**

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA Watershed Planner, Michael Nelson by phone at (519) 776-5209 ext. 347 or by e-mail at [mnelson@erca.org](mailto:mnelson@erca.org).

Thank you.

Sincerely,



Michael Nelson, Watershed Planner  
/cor

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 27-2020

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### Being a by-law 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 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 OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. That Subsection 6.2.1 (e) RESIDENTIAL ZONE 2 URBAN (R2.1) EXCEPTIONS is amended with the addition of the following new subsection:

6.2.1.18 'RESIDENTIAL ZONE 2 URBAN EXCEPTION 18 (R2.1-18)' For lands shown as R2.1-18 on May 75 Schedule "A" of this By-law.

#### a) Permitted Uses

Those uses permitted under Section 6.2.1

#### b) Permitted Buildings and Structures

- i) Four semi-detached dwellings with a maximum of eight semi-detached dwelling units on a lot existing on the day of passing of this by-law.
- ii) One semi-detached dwelling per lot
- iii) One semi-detached dwelling unit per lot
- iv) An accessory 6-unit storage building
- v) Buildings and structures accessory to the permitted uses

#### c) Zone Provisions

Provisions of the (R2.1) Section 6.2.1 shall apply to a permitted single detached dwelling.

Notwithstanding the zone provisions of the (R2.1) Section 6.2.1 the following regulations shall apply to buildings and structures on lands zoned (R2.1-18):

#### 1. Semi-detached dwelling

- i) Lot Area – 370 m<sup>2</sup> - minimum
- ii) Lot Frontage – 17 m - minimum
- iii) Lot Coverage – 50% - maximum
- iv) Front Yard Setback – 6.0 m - minimum
- v) Rear Yard Setback – 5.0 m - minimum
- vi) Interior Side Yard – 1.22 m - minimum

2. Semi-detached dwelling unit

- i) Lot Area – 180 m<sup>2</sup> - minimum
- ii) Lot Frontage – 8.5 m - minimum
- iii) Lot Coverage – 55% - maximum
- iv) Front Yard Setback – 6.0 m - minimum
- v) Rear Yard Setback – 5.0 m - minimum
- vi) Interior Side Yard Setback – 1.22 m on one side and 0 m on the other side

3. An accessory storage building

- i) Lot Coverage – 50% - maximum
- ii) Front Yard Setback – 6 m - minimum
- iii) Rear Yard Setback – 3.5 m - minimum
- iv) Interior Side Yard – 3 m –minimum

Notwithstanding any other provisions of the by-law to the contrary the lot frontage of a lot zoned R2.1-18 shall be deemed to be Maple Street.

Notwithstanding any other provisions of the by-law to the contrary no outdoor storage or vehicle parking is permitted in combination with an accessory storage building.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
23<sup>rd</sup> DAY OF MARCH, 2020.**

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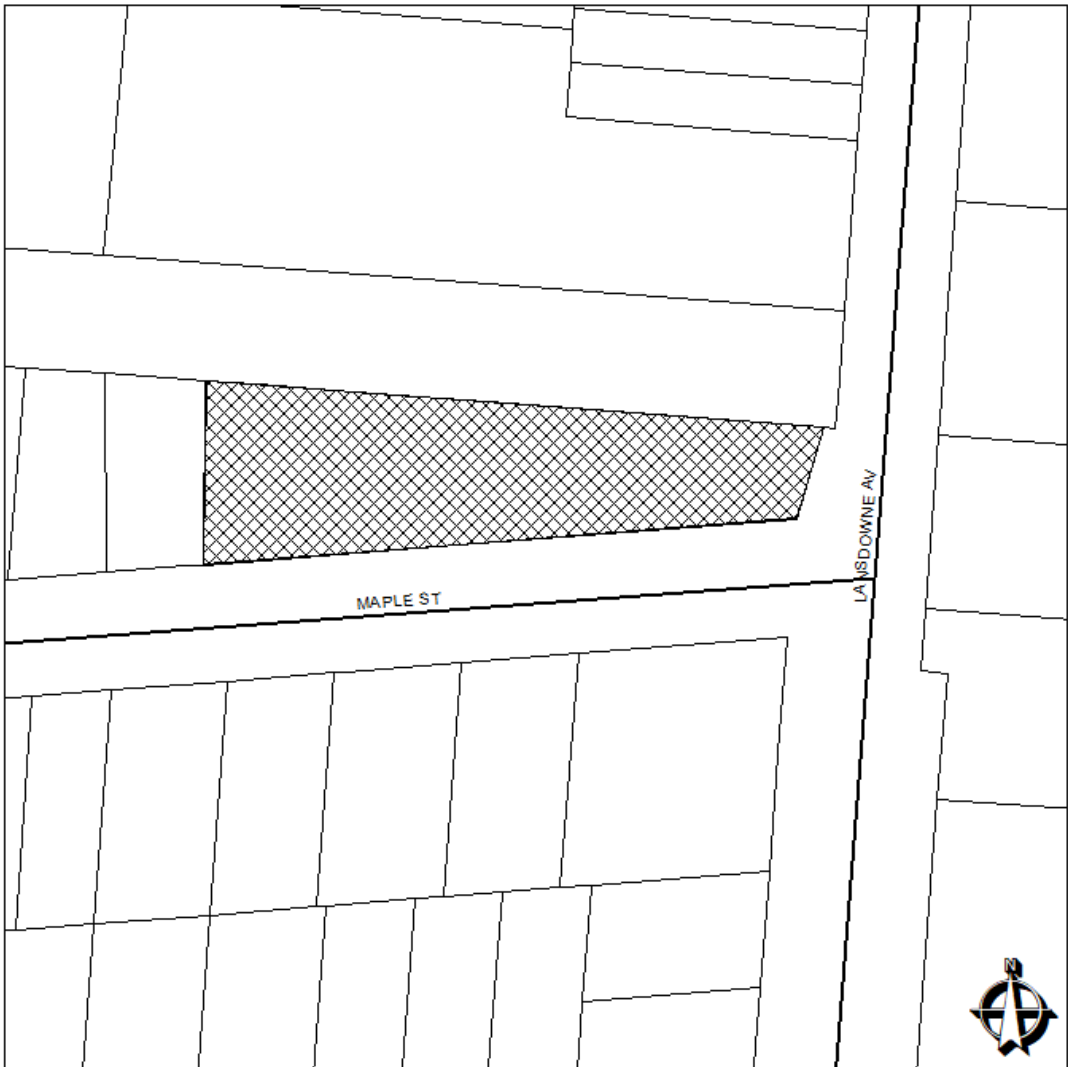
**MAYOR, Nelson Santos**

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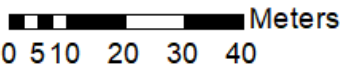
**CLERK, Jennifer Astrologo**




Schedule A



**Maple St. & Lansdowne Ave.**  
**Part of Lots 5 to 8, 23 & 24 Plan 296**  
**Part 3, RP 12R 23274**  
**ZBA/05/2016**



 Schedule "A", Map 75 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban Exception 21 (R1.1-21)' to 'Residential Zone 2 Urban Exception 18 (R2.1-18)'.



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
(519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**Date:** March 6, 2020  
**To:** Mayor and Council  
**Author:** Tony Iacobelli, Manager of Information Technology  
**RE:** Website Updates – Kingsville Heritage Committee  
**Report No.:** IT 2020-01

---

## **AIM**

To provide Council with information regarding update process to Town of Kingsville website.

## **BACKGROUND**

In 2017, Council approved a redesign of the Town of Kingsville website to comply with mandated Accessibility Standards. Various websites run by town committees became a part of the redesign into [www.kingsville.ca](http://www.kingsville.ca). Examples include the Fantasy of Lights, Migration Festival, Heritage Homes and recently Highland Games.

## **DISCUSSION**

During the website redesign, it was determined that any websites that represented and were maintained by the Town should be incorporated into the new site to ensure Accessibility standards are maintained.

Notification of this incorporation went to Council, members of Town administration and administrative representatives of Committees. Administrative representatives informed Committee members of the new procedures.

On the main Kingsville website, pages exist for Fantasy of Lights, Migration Festival, Highland Games and Heritage Homes under the Explore and Play section.

<https://www.kingsville.ca/en/explore-and-play/fantasy-of-lights.aspx>  
<https://www.kingsville.ca/en/explore-and-play/migration-festival.aspx>  
<https://www.kingsville.ca/en/explore-and-play/heritage-homes.aspx>

Space is available on the Town website to add information to the Heritage Homes page similar to the other pages. Creation of an accessible, searchable document listing all current designated properties can be made available online. With the future addition of new properties, an updated document is published on the website. The creation of additional subpages to provide general information such as links to various heritage resources can be done. Once the design has been determined, Committee members can request updates to their respective pages through the administrative contact. The Administrative contact updates the site or they can request assistance from other trained staff or the IT department. Internal staff complete review and publication of pages to the Town website.

## **LINK TO STRATEGIC PLAN**

Strive to make the Town of Kingsville a more accessible community.

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

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

Effectively manage corporate resources and maximize performance in day-to-day operations.

## **FINANCIAL CONSIDERATIONS**

There is no financial impact with this process

## **CONSULTATIONS**

None.

## **RECOMMENDATION**

That Council receives the report from Manager of Information Technology dated March 6, 2020 with respect to updating Heritage Committee's webpage on the Town of Kingsville's website.

*Tony Iacobelli*

Tony Iacobelli, MCSE, CCEA  
Title/Position

*Ryan McLeod*

Ryan McLeod, CPA, CA  
Director of Financial Services



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Kingsville, Ontario N9Y 2Y9  
(519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**Date:** February 21, 2020  
**To:** Mayor and Council  
**Author:** Tim Del Greco, Manager of Municipal Services  
**RE:** 2020 Capital Projects – Tender Approvals  
**Report No.:** MS2020 – 05

---

## **AIM**

To award tenders for various projects identified in the Kingsville 2020 Capital Budget.

## **BACKGROUND**

During the January 16<sup>th</sup> 2020 Budget Meeting, Council approved a number of projects pertaining to the rehabilitation or reconstruction of municipal infrastructure. As a result, several tenders have been advertised to the public seeking qualified contractors and/or engineers to perform the work.

As per Kingsville Procurement Policy, award of any tender exceeding \$50,000 requires Council approval. Below is a summary of tender results exceeding \$50,000 as well as a recommendation for award.

## **DISCUSSION**

### 2020 Urban Road Program Tender

Included in this tender is the following:

- Resurfacing of Union Ave (south of County Road 20)
- Resurfacing of the Briarwood Crescent, Lincoln Road, Graham Sideroad, and Campbell Lane Subdivision
- Construction of a paved multi-use path from Conservation Blvd to Lake Drive (provisional)

This tender closed on February 7<sup>th</sup>, 2020 with the following results (excluding HST):

<b>Contractor/Vendor Name</b>	<b>Bid Amount</b>
Coco Paving Inc.	\$532,853
Mill – Am Corporation	\$596,083

The recommendation is to proceed with Coco Paving. Further, it is recommended that reserves from Account #03-000-032-39121 (Active Transportation) be utilized to facilitate construction of the multi-use path from Conservation Blvd to Lake Drive. This reserve account has a balance of \$90,000 whereas Coco Paving has included a cost of \$82,914 for such works.

#### 2020 Rural Road Program Tender

Included in this tender is the following:

- Resurfacing of Cameron Sideroad East from County Road 8 to Road 11
- Resurfacing of Road 6 West from Division Road North to McCain Sideroad
- Resurfacing of Road 6 East / North Talbot from Graham Sideroad to Inman Sideroad
- Resurfacing of Road 3 East from Division Road North to Graham Sideroad
- Final application of tar and chip on Peterson Sideroad
- Final application of tar and chip on Road 9 West
- Removal of obsolete sections of Talbot Service Road

This tender closed on February 7<sup>th</sup>, 2020 with the following results (excluding HST):

<b>Contractor/Vendor Name</b>	<b>Bid Amount</b>
Shepley Road Maintenance	\$1,218,649

The recommendation is to proceed with Shepley Road Maintenance.

#### 2020 Sidewalk Program Tender

Included in this tender is the following:

- Reconstruction of sidewalk on the south side of Lakeview Ave from Park Street to Wigle Ave
- Reconstruction of sidewalk on the west side of Division Street South from Mill Street West to Stanley Street

The sidewalks will be reconstructed to current accessibility standards with a width of 1.5 metres (5 feet). There are instances along each sidewalk where large, mature trees are located and would not permit a full 1.5 metre sidewalk without removal of the tree. The sidewalk will instead narrow at these locations and remain at current width. Current accessibility standards permit such an exception.

This tender closed on February 12<sup>th</sup>, 2020 with the following results (excluding HST):

<b>Contractor/Vendor Name</b>	<b>Bid Amount</b>
Pierascenzi Construction Ltd.	\$139,365

Giorgi Bros Inc.	\$142,807
Signature Contractors	\$154,332
Nevan Construction Inc.	\$179,971
J.C.S Construction Inc.	\$180,560

The recommendation is to proceed with Pierascenzi Construction.

#### Road 2 East Reconstruction – Engineering Services

Council approved engineering services for reconstruction of Road 2 East from County Road 45 to Kratz Sideroad in the 2020 Capital Budget. The intent of this project is full depth road reconstruction, new asphalt surfacing, and active transportation paths.

In 2020, Council also approved the construction of stages 1, 2, and 3 of a major watermain project which will service lands west of Heritage Road. In order to complete this project, additional watermain construction (stages 4, 5, and 6) will be required along Road 2 East. Further, it is ideal that watermain construction along Road 2 East be completed prior to any road resurfacing. As such, this tender included a request for provisional engineering services expanding the road reconstruction from County Road 45 to Division Road North and including all necessary watermain construction.

A map of the various stages of watermain construction is included in Appendix A for your reference.

This tender closed on February 21<sup>st</sup>, 2020 with the following results (excluding HST):

<b>Vendor Name</b>	<b>Bid Amount for Original Council Approved Engineering Services</b>	<b>Bid Amount for Expanded Engineering Services</b>
RC Spencer Associates Inc.	\$190,160	\$335,810
MTE Consultants Inc.	\$289,015	\$530,371
Stantec Consulting Ltd.	\$940,000	\$1,555,000

The recommendation is to proceed with RC Spencer and to include the provisional engineering services at a total cost of \$335,810.

#### **LINK TO STRATEGIC PLAN**

To become a leader in sustainable infrastructure renewal and development.

#### **FINANCIAL CONSIDERATIONS**

The table below provides a financial summary of the recommendations as compared to the amounts allocated in the 2020 Capital Budget.

<b>Tender</b>	<b>Cost of Recommended Vendor</b>	<b>2020 Budget Amount</b>
2020 Urban Road Program	\$532,853	\$585,000

2020 Rural Road Program	\$1,218,649	\$1,661,000
2020 Sidewalk Program	\$139,365	\$140,000
Road 2 East Reconstruction – Engineering Services Only	\$335,810	\$400,000

The surplus amounts noted above can be utilized towards other 2020 capital projects should they accumulate a deficit.

## **CONSULTATIONS**

Kingsville Municipal Services Department

## **RECOMMENDATION**

That Council authorizes the Mayor and Clerk to execute an agreement with Coco Paving Incorporated for award of the 2020 Urban Road Program Tender in the amount of \$532,853 (excluding HST);

And That Council authorizes the use of funds from Account #03-000-032-39121 (Reserves - Active Transportation) to facilitate construction of the multi-use path from Conservation Blvd to Lake Drive;

And That Council authorizes the Mayor and Clerk to execute an agreement with Shepley Road Maintenance for award of the 2020 Rural Road Program Tender in the amount of \$1,218,649 (excluding HST);

And That Council authorizes the Mayor and Clerk to execute an agreement with Pierascenzi Construction for award of the 2020 Sidewalk Program Tender in the amount of \$139,365 (excluding HST);

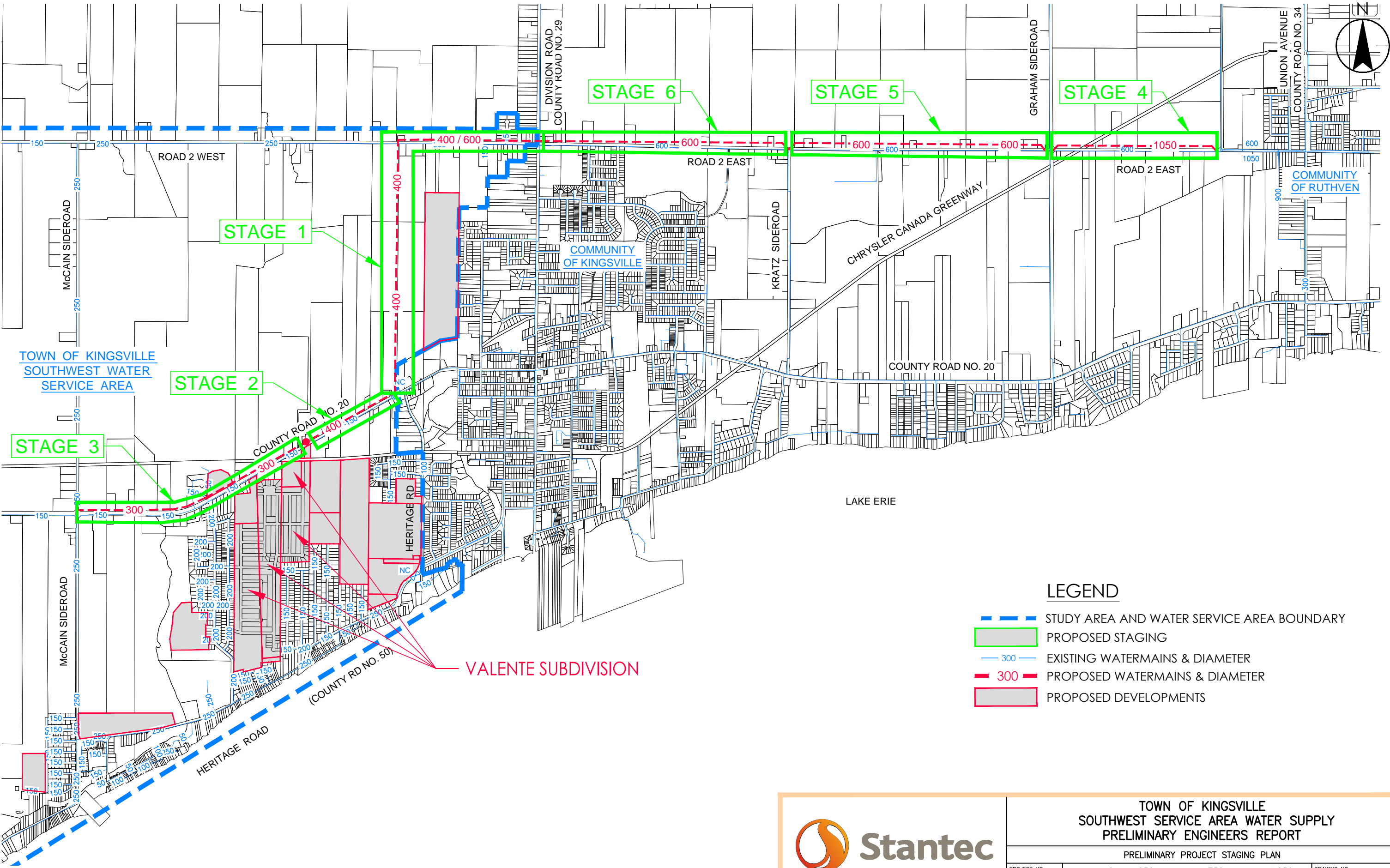
And That Council authorizes the Mayor and Clerk to execute an agreement with RC Spencer for award of engineering services pertaining to reconstruction of Road 2 East from County Road 45 to Division Road North (including all watermain engineering) in the amount of \$335,810 (excluding HST).

*Tim Del Greco*

Tim Del Greco, P.Eng  
Manager of Municipal Services

*G. A. Plancke*

G.A. Plancke, Civil Eng. Tech (Env.)  
Director of Municipal Services







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

**Date:** March 23, 2020  
**To:** Mayor and Council  
**Author:** Roberta Baines, Deputy Clerk – Administrative Services  
**RE:** Lease Extension Agreement  
**Report No.:** CS-2020-04

---

## **AIM**

To provide Council with a recommendation to extend the Lease Agreement for 116 County Road 34 West, Cottam with the landlords for its continued use as the Ontario Provincial Police (O.P.P.) satellite office.

## **BACKGROUND**

The property at 116 County Road 34 West, Cottam is an older detached building. The Kingsville O.P.P. Detachment has leased the premises since 2001 as a satellite police station. Council approved the original lease agreement (By-law 20-2001) on January 29, 2001 with Steven and John Ivanisko. The most current lease agreement in place was approved in 2011 for an additional 3-year extension (attached as Appendix 'A').

By-law 3-2011 authorized the lease extension for a 3-year term with monthly rent of \$500.00, inclusive of all applicable taxes, utilities and all other terms and conditions as contained in the original lease agreement, effective January 1, 2011 through December 31, 2014. In the absence of a renewed written agreement, the lease continued on a month-to-month basis.

## **DISCUSSION**

John and Michelle Ivanisko are the current owners of the subject property. Title changed in July 2013. In April 2017, the monthly rent was increased from \$500 to \$600 including H.S.T. and utilities. No written agreement was located to document this increase.

In a recent discussion with the landlords they have agreed to not increase the rent at this time. In an effort to have matters properly documented for our records, attached is the

proposed Lease Extension Agreement (Appendix 'B') for a 21-month term effective April 1, 2020 to December 31, 2021.

The Police Services Board and the O.P.P. recommended continuing the lease of the property at 116 County Road 34 West, Cottam for the purposes of a satellite O.P.P. office for the Kingsville Detachment.

The agreement proposes continuing with monthly payments of \$600, inclusive of H.S.T. and utilities for the 21-month term. All other terms and conditions contained in the original agreement would be maintained. The lease has been set to expire the same time as the agreement for the provision of police services. This will provide an opportunity to reevaluate the terms of the lease agreement.

### **LINK TO STRATEGIC PLAN**

There is no link to the Strategic Plan.

### **FINANCIAL CONSIDERATIONS**

The rental cost of the lease is reflected in the Police Services Board Operating Budget.

### **CONSULTATIONS**

Police Services Board  
O.P.P.

### **RECOMMENDATION**

That Council approves the lease extension agreement between John and Michelle Ivanisko and The Corporation of the Town of Kingsville for 116 County Road 34 West, Cottam, Ontario, and authorize the Mayor and Clerk to execute said agreement, and adopt By-law 33-2020.

*Roberta Baines*

Roberta Baines, BA  
Deputy Clerk, Administrative Services

*Jennifer Astrologo*

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

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW NO. 3-2011**

***Being a By-law authorizing the Mayor and Clerk to enter into an Agreement with John Ivanisko and Steve Ivanisko to extend the Lease of O.P.P. Cottam location, 116 County Road 34***

**WHEREAS** Section 8 of the *Municipal Act, 2001*, S.O. c. 25 confers natural person powers on municipalities which include the power to enter into agreements with individuals and corporations.


**WHEREAS** the Council of The Corporation of the Town of Kingsville passed By-law No. 20-2001 authorizing the entering into of a Lease Agreement with John Ivanisko and Steve Ivanisko for the premises known municipally as 116 County Road 34, in the Town of Kingsville.

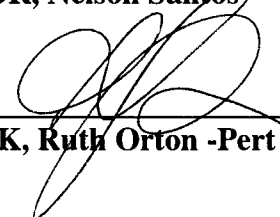
**AND WHEREAS** the parties have agreed to extend the Lease Agreement for a term of three years to December 31, 2014.

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

1. **THAT** the Municipality enters into and executes with John Ivanisko and Steve Ivanisko an Agreement shown as Schedule "A" attached to this By-law;
2. **THAT** the Mayor and Clerk are hereby authorized and directed to execute the Agreement hereto attached as Schedule "A" on behalf of The Corporation of the Town of Kingsville.
3. **THAT** where the provisions of any other by-law are inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY ENACTED THIS 17<sup>th</sup> DAY OF JANUARY, 2011.**

  
\_\_\_\_\_  
MAYOR, Nelson Santos

  
\_\_\_\_\_  
CLERK, Ruth Orton -Pert

Schedule "A" to By-law 3-2011 of The Corporation  
of the Town of Kingsville

**THIS AGREEMENT** effective as of the 1<sup>st</sup> day of January, 2011.

**B E T W E E N:**

**JOHN IVANISKO AND STEVE IVANISKO**

(together the "Landlord")

-AND-

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

(the "Tenant")

**WHEREAS:**

1. The Landlords leased to the Tenant certain premises located at 116 County Road 34, Cottam, Ontario pursuant to a Lease Agreement dated the 1<sup>st</sup> day of January, 2001 and extensions thereto (collectively the "Lease Agreement"), a copy of which is attached hereto as Schedule A and the term was to expire on December 31, 2010.
2. The parties have agreed to extend the terms, covenants and conditions of the Lease Agreement on the terms set out in this Agreement.

**NOW THEREFORE WITNESSETH THAT** in consideration of the mutual covenants and obligations set forth and of the payment of Two (\$2.00) Dollars, the one to the other (the sufficiency and receipt of which is hereby acknowledged), the parties hereto covenant and agree as follows:

1. The recitals as set out above are true in substance and in fact.
2. The Lease Agreement is extended for a further term of three (3) years commencing January 1, 2011 and ending on December 31<sup>st</sup>, 2014.
3. The Tenant shall pay to the Landlord the sum of Five Hundred Dollars (\$500.00) per month in advance commencing on the first day of January 2011 and continuing

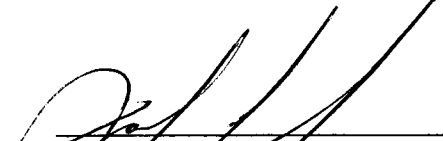
monthly thereafter until the expiration of the term. The aforesaid monthly payments are inclusive of all applicable taxes, including HST, and utilities except telephone.


4. The parties confirm that in all other respects the terms, covenants and conditions of the Lease Agreement remain unchanged and in full force and effect, except as modified by this Agreement. It is understood and agreed that all terms and expressions when used in this Agreement shall, unless a contrary intention is expressed herein, have the same meanings as ascribed to them in the Lease Agreement.
5. This Agreement shall enure to the benefit of and be binding upon the parties and their respective heirs, successors and permitted assigns as the case may be.

**IN WITNESS WHEREOF** this Agreement has been executed by the parties hereto on the 17 day of January 2011.


  
Witness

  
Witness

  
John Ivanisko

  
Steve Ivanisko

**THE CORPORATION OF THE TOWN  
OF KINGSVILLE**

Per:   
Mayor, Nelson Santos

Per:   
Clerk, Ruth Orton-Pert

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW 76- 2007**

*Being a by-law to Amend By-law 20-2001  
authorizing the Mayor and Clerk  
to enter into a Commercial Lease  
Agreement with John Ivanisko and Steve  
Ivanisko  
(OPP Cottam Location, 116 County Rd. 34)*

**WHEREAS** the Council of The Corporation of the Town of Kingsville passed By-law 20-2001 to enter into a Commercial Lease Agreement with John Ivanisko and Steve Ivanisko for the premises known municipally as 116 County Road 34, in the Town of Kingsville;

**AND WHEREAS** the Council of The Corporation of the Town of Kingsville has agreed to renew the existing lease arrangement of the Cottam O.P.P. sub-station with the same terms and conditions, save and except the monthly rent payable and the term of the Lease;

**AND WHEREAS** this location will be used as the store front for the O.P.P. substation.

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

1. **THAT** the Commercial Lease Agreement shown as Schedule "A" to By-law 20-2001 be amended to change the monthly rent payable by the Municipality to Four Hundred and Seventy-five (\$475.00) Dollars.
2. **THAT** the Commercial Lease Agreement shown as Schedule "A" to By-law 20-2001 be amended to change the term of the lease from August 1, 2007 until December 1, 2010.
3. **THAT** all other terms set out in By-law 20-2001 and any amendments thereto for The Corporation of the Town of Kingsville shall remain in full force and effect;
4. **THAT** this By-law shall come into force and effect upon third reading and being finally passed.

**READ a FIRST and SECOND time this 13<sup>th</sup> day of August, 2007.**

**READ a THIRD time and FINALLY PASSED this 13<sup>th</sup> day of August, 2007.**

  
MAYOR Nelson Santos

  
CLERK Linda Burling

**AMENDED BY  
BY-LAW 76-2007**

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW 20 - 2001**

*Being a by-law authorizing the  
Mayor and Clerk  
to enter into a lease agreement with  
John Ivanisko and Steve Ivanisko  
(OPP Cottam Location, 116 Talbot)*

**WHEREAS** the Corporation of the Town of Kingsville deems it expedient for the Mayor and Clerk enter into a lease agreement with John Ivanisko and Steve Ivanisko from January 1, 2001 until December 31, 2003 unless the Town extends the renewal;

**AND WHEREAS** as this lease agreement will grant the Town the premises known as 116 Talbot (County Road 34), in the Town of Kingsville, consisting of five rooms;

**AND WHEREAS** this location will be used as the storefront for the Ontario Provincial Police's substation.

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

1. **THAT** the Municipality enters into and executes with the John Ivanisko and Steve Ivanisko a lease agreement shown as Schedule "A" attached to this By-law.
2. **THAT** the Mayor and the Clerk are hereby authorized and directed to execute this agreement hereto attached as Schedule "A" on behalf of the Corporation of the Town of Kingsville.
3. **THAT** this by-law shall come into force and effect upon third reading and being finally passed.

**READ a FIRST and SECOND time this 29<sup>th</sup> day of January 2001.**

**READ a THIRD and FINALLY PASSED this 29<sup>th</sup> day of January 2001.**

**THE CORPORATION OF THE  
TOWN OF KINGSVILLE**

  
**MAYOR Patrick M. O'Neil**

**CLERK Victoria Sim**

**THIS INDENTURE** made the 1<sup>st</sup> day of January, 2001

*In Pursuance of the Short Forms of Leases Act*

**B E T W E E N:**

**JOHN IVANISKO AND STEVE IVANISKO**  
(Hereinafter called the "Landlords")  
**OF THE FIRST PART**

**-AND-**

**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
(Hereinafter called the "Tenant")  
**OF THE SECOND PART**

**The Landlords and Tenant hereby agree as follows:**

1. The Landlords grant to the Tenant a Lease of the premises known municipally as 116 Talbot (County Road 34), in the Town of Kingsville consisting of five rooms (front office area and back kitchen area).
2. The term of this Lease commences on the 1<sup>st</sup> day of January, 2001 and ends on the 31<sup>st</sup> day of December, 2003.

If the Tenant continues in occupation of the premises with the consent of the Landlords after expiry of the term of this Lease, the Tenant shall be deemed to be leasing the premises on a month to month basis, but otherwise on the same terms as set out in this Lease.

3. The Tenant may use the premises for a storefront police substation and for no other purpose.
4. (a) The Tenant shall pay to the Landlords in lawful money of Canada, the sum of Four Hundred (\$400.00) Dollars per month in advance commencing on the first day of January, 2001 and continuing monthly thereafter until the expiration of the term. The last monthly payment in the term will be December 1<sup>st</sup>, 2003. The aforesaid monthly payments are inclusive of all applicable taxes and utilities except telephone.

- (b) If not in default under this Lease, the Tenant shall have the right to renew this Lease for a further term of three (3) years exercisable by giving written notice of renewal to the Landlords in the six month period immediately before the expiry of



the original fixed term of this Lease. The renewed Lease is granted on the same terms as set out in this Lease except as to base rent.

- (c) The Landlords covenant with the Tenant that so long as the Tenant complies with the terms of this Lease, the Tenant may occupy and enjoy the premises without any interruption from the Landlords.

- 5 (a) The Landlords shall, at their expense, be responsible for all interior renovations to the rented premises to the satisfaction of the Tenant and/or the Kingsville O.P.P. as may be required by the Kingsville O.P.P. to be in a position to operate a storefront police substation therefrom. The Landlords shall then be responsible to provide the continued maintenance and repair of the said interior renovations as may be deemed to be required from time to time by the Tenant and/or the Kingsville O.P.P.

- (b) The Landlords shall, at their expense, be responsible for the continued maintenance and repair of any and all aspects of the exterior of the subject premises.

- (c) The Landlords shall take the necessary steps to insure, at their expense, the subject building and appurtenances thereto against any and all loss from any cause whatsoever, and without limiting the generality of the foregoing, shall include a loss of fire, the elements or explosion, for its full insurable value.

- (d) The Landlords shall be responsible for the cost of all utilities consumed in the subject building except telephone but including hydro, water, and gas supplied to the rented premises.

6. The following services and expenses are the sole responsibility and expense of the Tenant:

- (a) The Tenant shall be responsible for the cost of installing its telephone and any telephone charges in connection therewith.
- (b) The Tenant shall provide, at its expense any janitorial services and supplies that may be required for the appropriate upkeep and maintenance of the interior of the rented premises.
- (c) The Tenant shall take the necessary steps to obtain insurance coverage, at its expense, on the contents of the storefront police substation, and for the public liability with regard to the use of the rented premises.

7. The Tenant may not assign or sublet the premises, in whole or in part, or allow the premises to be used by any other person or entity without the written consent of the Landlords, which consent may not be unreasonably withheld.
8. The Tenant shall keep the premises in a reasonable state of repair and cleanliness and shall not make improvements or alterations to the premises without the written consent of the Landlords, which consent shall not be unreasonably withheld.
9. At the end of the Lease, the Tenant shall deliver vacant possession to the Landlords of the premises in the same condition as at the commencement of the Lease, reasonable wear and tear excepted and except that the Landlords may, in the Landlords' sole discretion, elect to keep any of the Tenant's improvements, alterations, or fixtures.
10. Any written notice required or permitted to be given by this Lease is sufficiently given if sent in proper form by ordinary mail to the last known address of the party for whom the notice is intended. Any written notice sent by ordinary mail in accordance with this paragraph is deemed, for the purposes of this Lease, received by the addressee on the seventh (7<sup>th</sup>) day after mailing unless actually received before. Nothing in this paragraph prevents giving written notice in any other manner recognized by law.
11. This Agreement may be amended with regard to any one or more of the terms herein in writing duly executed by both parties.
12. The Landlords may terminate this Lease for any one of the following causes:
  - (a) sixty (60) days' arrears of rent provided that whether written notice of any arrears is given to the Tenant in a timely fashion;
  - (b) the bankruptcy or insolvency of the Tenant;
  - (c) a material change in the use of the premises by the Tenant, and in particular (without limiting the generality of this provision), any changes that affect the Landlords' building insurance or that constitute a nuisance;
  - (d) any unauthorized assignment or subletting of this lease by the Tenant;
13. In this Lease, words importing the singular include the plural, and vice versa, and words importing the masculine gender include the feminine, and words importing an

individual include a corporation and vice versa. This Lease binds and benefits the parties and their respective heirs, administrators, successors and permitted assigns.

14. Additional provisions are herewith attached as Schedule "A" and form part of this Lease.

*IN WITNESS WHEREOF*, the parties hereto have executed these presents.

SIGNED, SEAL AND DELIVERED  
In the presence of

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
*John Avramidis*

(the Landlords)

THE CORPORATION OF THE  
TOWN OF KINGSVILLE

Per: \_\_\_\_\_

Per: *21* \_\_\_\_\_

(the Tenant)

We have authority to bind the  
Corporation.

**SCHEDULE 'A' TO COMMERCIAL LEASE**  
**ADDITIONAL PROVISIONS**

In addition to any other provisions of this Lease, the parties hereto agree as follows:

1. It is expressly agreed that if, during the term hereof, the premises shall be damaged by fire, lightning, tempest, impact of aircraft, Acts of God, riots, insurrections, explosives or similar cause(s), the following provisions shall have effect:
  - (a) If the premises are rendered partially unfit for occupancy by the Tenant, the rent hereby reserved shall abate in part only in the proportion of the part of the premises so rendered unfit is of the whole of the premises until the premises have been repaired or restored.
  - (b) If the premises are rendered wholly unfit for occupancy by the Tenant, the rent hereby reserved shall be suspended until the premises have been repaired or restored.
  - (c) Notwithstanding the provisions of clause (a) of this proviso, if the premises shall be incapable of being repaired or restored with reasonable diligence within sixty (60) days of the happening of the damage, the Landlords or the Tenant may at their/its option, terminate this Lease by notice in writing to the other given within thirty (30) days of the date of the damage, and if such notice is given, this Lease shall cease and become null and void from the date of the damage, and the Tenant shall immediately surrender the premises and all its interest therein to the Landlords and the rent shall be apportioned and shall be payable by the Tenant only to the date of such damage, and the Landlords may enter and repossess the premises.
  - (d) If the premises are capable with reasonable diligence of being repaired or restored within 60 days of the happening of such damage, then the Landlords shall restore or repair the premises with all speed within said sixty (60) day timeframe.

**LEASE EXTENSION AGREEMENT**  
(the "Agreement") **MADE** as of the 1<sup>st</sup> day of April, 2020.

**BETWEEN:**

**JOHN IVANISKO AND MICHELLE IVANISKO**  
(the "Landlords")

-AND-

**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
(the "Tenant")

**WHEREAS:**

1. The Landlords leased to the Tenant certain premises located at 116 County Road 34, Cottam, Ontario pursuant to a Lease Agreement dated the 1<sup>st</sup> day of January, 2001 and extensions thereto (collectively the "Lease Agreement"), a copy of which is attached hereto as Schedule A and the term was to expire on December 31, 2014;
2. The term of the Lease Agreement expired on December 31, 2014.
3. Since January 1, 2015, the Landlords have rented the premises to the Tenant on a month to month basis;
4. The parties have agreed to extend the terms, covenants and conditions of the Extension Agreement until December 31, 2021.

**NOW THEREFORE WITNESSETH THAT** in consideration of the mutual covenants and obligations set forth and of the payment of Two (\$2.00) Dollars, the sufficiency and receipt of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1. The recitals as set out above are true in substance and in fact.

2. The Extension Agreement commences April 1, 2020 and ends on December 31<sup>st</sup>, 2021, a term of 21 months.
3. The Tenant acknowledges and agrees that as of the date of execution of this Extension Agreement, they have no claims against the Landlords in respect of any default or obligation of the Landlords pursuant to the terms of the Lease Agreement.
4. The Tenant will pay monthly rent of Six Hundred (\$600.00) dollars, including H.S.T. and utilities, on the first day of each and every month commencing on the 1<sup>st</sup> day of April, 2020 and ending with the last payment due on the 1<sup>st</sup> day of December 2021.
5. The parties confirm that in all other respects the terms, covenants and conditions of the Lease Agreement remain unchanged and in full force and effect, except as modified by this Extension Agreement. It is understood and agreed that all terms and expressions when used in this Extension Agreement shall, unless a contrary intention is expressed herein, have the same meanings as ascribed to them in the Lease Agreement.
6. This Extension Agreement shall enure to the benefit of and be binding upon the parties and their respective heirs, successors and permitted assigns as the case may be.

**IN WITNESS WHEREOF** this Extension Agreement has been executed by the parties hereto:

**THE CORPORATION OF THE TOWN  
OF KINGSVILLE (the Tenants)**

Per: \_\_\_\_\_  
Nelson Santos  
Mayor

Per: \_\_\_\_\_  
Jennifer Astrologo  
Director of Corporate Services/  
Clerk

We have authority to bind the Corporation

\_\_\_\_\_  
**Witness**

\_\_\_\_\_  
**John Ivanisko (the Landlord)**

\_\_\_\_\_  
**Witness**

\_\_\_\_\_  
**Michelle Ivanisko (the Landlord)**

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 33-2020

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**Being a By-law authorizing the Mayor and the Clerk to enter into a Lease Extension Agreement with John Ivanisko and Michelle Ivanisko to Extend the Tenancy Lease of O.P.P. Cottam location, 116 County Rd 34**

**WHEREAS** Section 9 of the *Municipal Act, 2001*, S.O. c. 25 confers natural person powers on municipalities which include the power to enter into agreements with individuals and corporations;

**AND WHEREAS** The Corporation of the Town of Kingsville (the "Town") passed By-law no. 20-2001 authorizing the entering into of a Lease Agreement with John Ivanisko for the premises known municipally as 116 County Rd 34, in the Town of Kingsville.

**AND WHEREAS** the parties have agreed to extend the Lease Agreement to December 31, 2021.

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

1. **THAT** the Town enters into and executes with John Ivanisko and Michelle Ivanisko a Lease Extension Agreement attached hereto as Schedule "A" and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Lease Extension Agreement attached as Schedule "A".
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 23<sup>rd</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**





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

**Date:** March 18, 2020

**To:** Mayor and Council

**Author:** Jennifer Astrologo, Director of Corporate Services  
Ryan McLeod, Director of Financial Services

**RE:** COVID-19 – Municipal Response

**Report No.:** CS-2020-006

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## **AIM**

To provide Council with information regarding the steps taken in response to the global pandemic of COVID-19 (also known as the Coronavirus) and to make recommendations to Council with respect to municipal operations moving forward.

## **BACKGROUND**

On March 11, 2020, the World Health Organization (“WHO”) declared COVID-19 as a pandemic. At that time, WHO advised that there were over 118,000 cases in 114 countries.<sup>1</sup> The next day (March 12), the Minister of Education issued a Ministerial Order to close all publicly funded schools in Ontario from March 14 through to April 5, 2020.

Between March 13 and 15, provincial and federal levels of government warned against non-essential travel outside the country and made recommendations regarding self-isolation upon return. Ontario Hospitals were asked to take a planned approach to ramping down elective surgeries, and the Windsor-Essex County Health Unit (“Health Unit”) made a number of recommendations regarding public events, social distancing and self-isolation for residents and citizens returning from non-essential international travel. At the same time, Kingsville and surrounding municipalities announced cancellations and closures of recreation programs and facilities.

On March 17, Premier Ford declared an emergency under the *Emergency Management and Civil Protection Act* (“EMCPA”). Orders-in-Council were issued in response to the

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<sup>1</sup> <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>

declared state of emergency. Amongst other things, those orders mandated the closure of certain businesses and facilities (i.e. bars and restaurants, private schools, theatres etc.) and prohibited all organized public events of over 50 people. That same day, the Federal Government announced border closures and the redirection of international flights.

On March 18, the Federal Government, working with the U.S. Government, restricted all non-essential cross-border travel for its citizens and residents. On March 20, the City of Windsor declared an emergency and ordered the closure of two major retail shopping centres. At the same time, the Windsor-Essex County's Medical Officer of Health strongly recommended the closure of other business operations, namely retail and personal service businesses.

In addition to these measures, municipalities across Windsor-Essex County have locked their doors to public access. As of March 19, a number of municipalities have taken steps to reduce operations, temporarily suspending all services they deem to be non-essential. Additionally, private businesses across the province that have not been mandated closed have suspended operations, and some have no projected date for reopening.

## **DISCUSSION**

Without a doubt, this situation has escalated quickly and the information changes faster than it can be disseminated.

Since the global pandemic was declared, Administration has taken a number of steps to respond. In addition to educating its workforce about the various directives from the Health Unit and upper levels of government, Administration has implemented several measures to protect the health, safety and well-being of its staff and residents. Those measures include, but are not limited to, preparing screening questions for visitors, enhancing cleaning and sanitization efforts, mandating self-isolation for those returning from international travel or those experiencing symptoms of the virus, and restricting public access to the municipal offices and facilities.

However, acknowledging that this pandemic could persist much longer than the 2-week period following March Break, Administration recommends that Council consider the following:

- Amending the Procedure By-law to allow for electronic participation in meetings;
- Amending the delegation of authority with respect to the approval of certain capital projects; and
- Temporarily eliminating and/or reducing the scheduled Regular Meetings of Council.

### **Procedure By-law Amendment – Electronic Meeting Participation**

Section 238(3.1) of the *Municipal Act, 2001*, allows municipalities to include a provision in their procedure by-law for electronic participation in meetings. However, under that

provision, members participating electronically do not count toward quorum, and are not allowed to participate in meetings closed to the public.<sup>2</sup>

On March 19 and in response to the global pandemic, COVID-19, the Ontario Legislature enacted the *Municipal Emergency Act, 2020* (“Act”). This piece of legislation broadens municipal authority with respect to holding electronic meetings in circumstances where an emergency has been declared under section 4 or 7.0.1 of the *EMCPA*. Those sections contemplate an emergency being declared by a municipality, or by the province.

In this regard and when an emergency is declared, these new provisions permit members of council to meet electronically and such electronic participation may be counted toward fulfilling the quorum requirements of the meeting. They also permit electronic participants to participate in meetings closed to the public.

In order to take advantage of those provisions, Council must amend the Procedure By-law. A draft amending by-law is attached as Appendix “A” for Council’s consideration. The by-law proposes the following:

- To permit Council to meet electronically when an emergency has been declared by the municipality or province.
- Electronic participation is open to all members of Council, with the exception that the Chair of the meeting be present at the meeting site.
- Members participating electronically would count towards quorum and be permitted to participate in meetings closed to the public.
- Members participating electronically would be required to verbally declare how they wish to vote when the chair calls the question.

### **Delegation of Authority for Procurement**

The Town’s Procurement Policy currently requires Council’s approval for all contracts awarded in excess of \$50,000. As the number of meetings during the COVID-19 outbreak may be reduced, Management is requesting the following expanded authority while the Province is under a state of emergency:

- To permit the Director of Corporate Services and Director of Financial Services to jointly approve contracts up to \$500,000, provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget. A report will be provided to Council at the next available meeting to advise them of any contracts awarded under this expanded authority.

Attached at Appendix “B” is a draft by-law for Council’s consideration.

Council should be aware that Kingsville’s existing procurement policy allows a Department Head, when an emergency situation occurs, to immediately purchase goods and services essential to prevent safety hazards, serious delays and further damage or to restore

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<sup>2</sup> *Municipal Act, 2001*, ss. 238(3.1) and (3.2)

minimum service levels. In the event that such purchases are greater than \$50,000, a report will be brought forward to Council outlining the emergency and the required procurements as soon after the emergency situation as practical. To assist with any such reporting requirements, a separate general ledger account has been created for tracking COVID Response expenses

## **Municipal Operations**

As you are well aware, this global pandemic has interrupted municipal operations.

Recreations programs were cancelled and all municipal facilities closed effective March 15. Since that time, the municipal offices have been closed to the public and only permitting access to the building in limited circumstances. Committee meetings have been postponed at this time. Residents have been requested to conduct their business through the Town's website or over the phone. All non-essential administrative meetings with the public are being cancelled or conducted electronically. Moreover, the Town has enhanced its sanitization and disinfecting practices in an effort to protect the staff and public.

Staff have been supplied with a number of internal memos designed at educating them about COVID-19 and the safety precautions that they should take aimed at preventing contraction of the virus (i.e. social distancing, frequent handwashing, etc.). In this regard and for the health and safety of Council and staff, Administration recommends that Council consider cancelling its next Regular Meeting with the possibility of cancelling both Regular Meetings scheduled for the month of April. There are no public meeting matters nearing the legislative deadlines and there is no business so immediately pressing at this time that would require a meeting. Moreover, the current set up in Council Chambers is not conducive to adhering to the social distancing recommendations. If urgent businesses arises, a Special Meeting can be called, or the business item can be placed on the April 27 Regular Meeting Agenda.

As the outbreak of the Coronavirus will undoubtedly have a significant financial impact on the residents of Kingsville, Management is proposing to waive all penalties and interest on Tax and Water accounts until April 30<sup>th</sup>. Waiving the penalties and interest to April 30<sup>th</sup> will provide residents and businesses with the flexibility to manager their cash flows during this time of crisis, without additional financial hardship. For clarity, any residents on a pre-authorized payment plan will continue to have their payments withdrawn as previously scheduled, unless the residents provide us with alternative direction.

Waving these penalties will represent approximately \$25,000 in lost interest revenue for the Municipality. Management is currently reviewing the possibility of additional interest and penalty reductions; however, the implications of such strategies need to be carefully considered in light of the Town's own cash flow requirements.

## **LINK TO STRATEGIC PLAN**

To promote a safe community.

## **FINANCIAL CONSIDERATIONS**

Waiving penalties will represent approximately \$25,000 in lost revenue for the Town.

## **CONSULTATIONS**

Senior Management Team

## **RECOMMENDATION**

That Council adopt By-law 36-2020, being a by-law to amend the Procedure By-law (By-law 55-2016) to allow Council Members to electronically participate in Council Meetings;

And That, Council adopt By-law 38-2020, being a by-law to delegate authority to the Director of Corporate Services and the Director of Financial Services to jointly award contracts up to a monetary limit of \$500,000 provided that the works are within the scope and budget limits of the 2020 Budget;

And That, Council cancel the April 14 Regular Meeting and allow the Mayor to make a determination regarding the cancellation of the April 27 Regular Meeting;

And That, interest and penalties be waived for tax and water accounts through to April 30;

And That, Council endorse the actions taken by Administration thus far in the wake of the COVID-19 pandemic to maintain the health and safety of employees and members of the community.

*Jennifer Astrologo*

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

*Ryan McLeod*

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Ryan McLeod, CPA, CA  
Director of Financial Services

# APPENDIX “A”

## THE CORPORATION OF THE TOWN OF KINGSVILLE

### BY-LAW 36 - 2020

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#### Being a By-law to amend By-law 55-2016, being a By-law to Govern the Calling, Place and Proceedings of Council and Committees

**WHEREAS** Subsection 238 (3.1) of the *Municipal Act, 2001* allows that a municipality’s procedure by-law (for governing the calling, place and proceedings of meetings) may also provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law;

**AND WHEREAS** the *Municipal Emergency Act, 2020* amends the *Municipal Act, 2001* by adding subsections 3.3 and 3.4 to the *Municipal Act, 2001*, which sections expand on the ability of municipal councils to conduct electronic meetings in the wake of a declared emergency under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*;

**AND WHEREAS** the Council of The Corporation of the Town of Kingsville hereby deems it expedient to amend its procedure By-law 55-2016, for the reason of electronic participation during an emergency.

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

1. **THAT** By-law 55-2016 is hereby amended under Section 1 – **Definitions**, to add the following definition:

“1.t) “Electronic Participation” shall mean participation in a Meeting by means of telecommunication instruments including but not limited to telephone and video conferencing.”

2. **THAT** By-law 55-2016 is hereby amended on page 4 by the addition of a Subheading titled Electronic Participation to include the following:

#### **“Electronic Participation**

14.1. During any period where an emergency has been declared to exist in all or part of the Municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* Members of Council may participate in Meetings electronically, subject to the following:

- a) Notification for Electronic Participation must be given to the Clerk 8 hours prior to the meeting unless the circumstances do not permit such notice, at which point the Member shall provide the Clerk with notice of his/her need for Electronic Participation as soon as possible;
- b) Members participating electronically shall be counted in determining quorum;
- c) Members may participate electronically in a Meeting that is closed to the public;
- d) Members participating electronically in a Meeting closed to the public must ensure that they are participating from a location that ensures the privacy and confidentiality of the closed meeting discussion;
- e) The chair of the Meeting, regardless of whether open or closed to the public, may not participate electronically and must be present in the meeting room scheduled for the Meeting with the Clerk;
- f) The Meeting chair, in consultation with the Clerk, shall rule on and determine the applicable meeting processes as may be adapted to a meeting with electronic participants, which processes shall be

consistent with the Procedure By-law and in accordance with the Act.”

3. THAT By-law 55-2016 is hereby amended on page 8 under the heading **Conduct of Members** to include the following:

“50.1. The following practices will be followed when a Member is participating in a Meeting electronically:

- a) The Member shall be available at least thirty (30) minutes before the beginning of the meeting to assist staff in establishing the necessary electronic connection;
  - b) The Member will mute his or her electronic device when he or she is not speaking;
  - c) The Chair will canvass the Member about their intention to speak to a matter on the floor and will notify the Member when it is his or her turn to speak;
  - d) After putting a motion to a vote, the Member will be required to identify verbally how he or she wishes to vote;
  - e) A member shall inform the Chair about his or her intentions to leave the meeting either on a temporary or permanent basis;
  - f) A member will be deemed to have left the meeting when they are no longer electronically connected to the meeting;
  - g) In the case of a loss of connection, or any connection issue which impedes the ability of a Member to participate in the meeting in real time, the meeting will continue without attempts by either staff or the member(s) to reconnect, reconnection efforts by staff or the Member may be made during a recess.”
4. THAT all other terms set out in said By-law 55-2016 of The Corporation of the Town of Kingsville shall remain in full force and effect.
5. THAT this By-Law shall come into effect upon third reading and being finally passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

**APPENDIX “B”**  
**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
**BY-LAW 38-2020**

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**Being a By-law to authorize the delegation of authority to the  
Director of Corporate Services/Clerk and to  
the Director of Financial Services  
for certain acts during the Provincially declared state of emergency  
under *the Emergency Management and Civil Protection Act***

**WHEREAS** on March 17, 2020 Premier Ford declared a state of emergency in the Province of Ontario under the *Emergency Management and Civil Protection Act* as the Province tries to rapidly slow the spread of COVID-19;

**AND WHEREAS** The Town’s Procurement Policy currently requires Council’s approval for all contracts awarded in excess of \$50,000.00;

**AND WHEREAS** Subsection 23.1 of the Act provides that a municipality may delegate its powers and authority subject to the restrictions as set out in such Subsection 23.1;

**AND WHEREAS** Council deems it expedient to delegate authority to the Director of Corporate Services and the Director of Financial Services during this provincially declared state of emergency to jointly approve contracts up to Five Hundred Thousand Dollars (\$500,000.00), provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget.

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

1. **THAT** Council delegates authority to Director of Financial Services R. McLeod and to Director of Corporate Services J. Astrologo during this provincially declared state of emergency to jointly approve contracts up to Five Hundred Thousand Dollars (\$500,000.00), provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget.
2. **THAT** the delegated authority as outlined in Section 1 above shall take effect and be limited to the period during the provincially declared state of emergency under the *Emergency Management and Civil Protection Act*, which declaration was made on March 17, 2020, by Premier Ford, and which declaration may be extended, renewed or re-declared.
3. **THAT** notwithstanding the pre-condition outlined in Section 2, the delegated authority shall remain in force and effect if the Mayor of the Town of Kingsville declares a state of emergency for the municipality and that declaration remains in effect following the expiry or removal of the emergency declaration ordered by the province.
4. **THAT** prior to the exercise of the delegation of authority outlined in Section 1 and 2 above:
  - i) The Director of Financial Services and the Director of Corporate Services will consult with the relevant Departmental Director/Manager on such contracts; and that
  - ii) The Director of Financial Services will advise Council in writing of the exercise of the authority prior to that authority being exercised.



## **APPENDIX “B”**

5. This By-law shall come into force and effect upon its final passage and shall continue until such time as the Province and Municipality lift the aforementioned state of emergency declaration(s).

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
(519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

March 11, 2020

To: Members of Kingsville Council  
From: Kingsville Striking Committee

RE: 2020-2022 Updated Appointments to Boards and Committees for Kingsville

Members of the Kingsville Striking Committee, comprised of Mayor Nelson Santos, Deputy Mayor Gord Queen and Councillor Tony Gaffan met on Wednesday, March 11, 2020 to review updated applications for Lay Appointees in response to a new recruitment call to help fill vacancies on the Kingsville Municipal Heritage Advisory, Communities in Bloom, Migration Festival and Mettawas Waterfront Park Fundraising committees.

The Committee is pleased to report that 12 letters of interest and applications were received for the various lay appointments. A summary report of the recommended committee appointments is attached for Council consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nelson Santos", is written over a light blue rectangular background.

Mayor Nelson Santos

## **2020 - 2022 RECOMMENDED BOARD/COMMITTEE APPOINTMENTS**

### **Communities in Bloom**

#### *Previously Appointed:*

##### Council Appointees:

1. Councillor Thomas Neufeld

##### Lay Appointees:

1. Alan Batke
2. Melissa Tremaine-Snip

#### **New Lay Appointees:**

1. Laura Janisse
2. Marcy Fogal
3. Janet Willoughby
4. Christina Bedal

### **Kingsville Municipal Heritage Advisory Committee**

#### *Previously Appointed:*

##### Council Appointee:

1. Councillor Kimberly DeYong

##### Lay Appointees:

- |                         |                    |
|-------------------------|--------------------|
| 1. Margie Luffman       | 5. Sarah Sacheli   |
| 2. Elvira Cacciavillani | 6. Shannon Olson   |
| 3. Bruce Durward        | 7. Matthew Biggley |
| 4. Anna Lamarche        |                    |

#### **New Lay Appointee:**

1. Christine Mackie

### **Migration Festival Committee**

#### *Previously Appointed:*

##### Council Appointee:

1. Councillor Laura Lucier

##### Lay Appointees:

- |                         |                           |
|-------------------------|---------------------------|
| 1. Allison Araujo       | 4. Matt Kraus             |
| 2. Robyn Braybrook-Gard | 5. Diane-Marie Swiderski  |
| 3. Susan Girardin       | 6. Stephanie Allen Santos |

#### **New Lay Appointees:**

1. Shelby Wye
2. Michele Law
3. Marcy Fogal

### **Mettawas Waterfront Park Fundraising Committee**

#### *Previously Appointed:*

##### Council Appointees:

1. Mayor Nelson Santos
2. Councillor Tony Gaffan

##### Lay Appointees:

- |                      |               |
|----------------------|---------------|
| 1. Marilyn Farnworth | 2. Matt Kraus |
| 3. William Escott    |               |

#### **New Lay Appointees:**

2. Diane-Marie Swiderski
2. Deanna Mathies Diab

### **Recommendation:**

1. THAT Council adopt the recommended board and committee lay appointments for the Corporation of the Town of Kingsville as presented to be effective immediately and that the appropriate by-law be updated at a future meeting of council.



**SPECIAL MEETING OF COUNCIL  
MINUTES**

**Monday, March 2, 2020  
5:30 PM  
Council Chambers  
2021 Division Road N  
Kingsville, Ontario N9Y 2Y9**

Members of Council    Mayor Nelson Santos  
                                 Deputy Mayor Gord Queen  
                                 Councillor Tony Gaffan  
                                 Councillor Thomas Neufeld  
                                 Councillor Larry Patterson  
                                 Councillor Kimberly DeYong  
                                 Councillor Laura Lucier

Members of                J. Astrologo, Director of Corporate Services  
Administration        J. Galea, Human Resources Manager  
                                 P. Van Mierlo-West, CAO

**A.     CALL TO ORDER**

Mayor Santos called the Special Meeting to order at 5:30 p.m.

**B.     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.

Ms. Van Mierlo-West left the room, and did not return.

**C.     CLOSED SESSION**

**192-2020**

Moved by Councillor Larry Patterson  
Seconded by Councillor Kimberly DeYong

That Council, at 5:31 p.m., pursuant to Section 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following item: Subsection 239(2)(d), labour relations or employee negotiations.

**CARRIED**

**D. REPORT OUT OF CLOSED SESSION**

Upon rising from Closed Session at 6:40 p.m., Mayor Santos reported that Council dealt with a matter pursuant to Subsection 239(2)(d) of the *Municipal Act, 2001* (labour relations or employee negotiations) and Council provided direction to Administration.

**E. CONFIRMATORY BY-LAW**

**1. By-law 22-2020**

**193-2020**

Moved by Deputy Mayor Gord Queen  
Seconded by Councillor Larry Patterson

That Council reads By-law 22-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 2, 2020 Special Meeting, a first, second and third and final time.

**CARRIED**

**F. ADJOURNMENT**

**194-2020**

Moved by Councillor Kimberly DeYong  
Seconded by Councillor Tony Gaffan

That Council adjourns this Special Meeting at 6:41 p.m.

**CARRIED**

MAYOR, Nelson Santos

---

CLERK, Jennifer Astrologo



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, March 9, 2020  
5:30 PM  
Council Chambers  
2021 Division Road N  
Kingsville, Ontario N9Y 2Y9**

Members of Council    Mayor Nelson Santos  
                                Deputy Mayor Gord Queen  
                                Councillor Tony Gaffan  
                                Councillor Thomas Neufeld  
                                Councillor Larry Patterson  
                                Councillor Kimberly DeYong  
                                Councillor Laura Lucier

Members of                J. Astrologo, Director of Corporate Services  
Administration        S. Kitchen, Deputy Clerk-Council Services  
                                R. McLeod, Director of Financial Services

**A.     CALL TO ORDER**

Mayor Santos called the Regular Meeting to order at 5:32 p.m.

**B.     CLOSED SESSION**

**195-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Kimberly DeYong

That Council, at 5:32 p.m., pursuant to section 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following items:

- i) Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; being an update from Solicitor

David Halliwill regarding 190 Main St. East, being Part of Lot 1, Concession 2, ED Part 2 12R- 26799;

ii) Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; being an update from Solicitor Dave Sundin regarding Main St. West expropriation; and

iii) Subsection 239(2)(d) labour relations or employee negotiations.

## **CARRIED**

Upon rising from Closed Session at 6:58 p.m. Mayor Santos called for a short recess.

At 7:05 p.m. Mayor Santos reconvened the Regular Meeting of Council with all members of Council in attendance, along with the following Members of Administration: Director of Financial Services R. McLeod, Director of Corporate Services/Clerk J. Astrologo, Fire Chief C. Parsons, Manager of Municipal Facilities and Property D. Wolicki, Manager of Public Works S. Martinho, Drainage Superintendent K. Vegh, Planner K. Brcic, Manager of Planning Services R. Brown, and Deputy Clerk-Council Services S. Kitchen.

### **C. 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 playing of O'Canada.

### **D. PLAYING OF NATIONAL ANTHEM**

### **E. 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.

### **F. REPORT OUT OF CLOSED SESSION**

Mayor Santos reported that Council had entered into Closed Session earlier this evening in respect to three items, being Closed Session Items Bi), ii) and iii) as described above.

He reported that in connection with item Bi) (update from Solicitor Halliwill regarding 190 Main St. East) Council provided direction to Solicitor Halliwill. In connection with item Bii) Mayor Santos reported that an update was received regarding Main St. West expropriation. Lastly, Mayor Santos reported that in



connection with item Biii) being a matter relating to labour relations or employee negotiations, Council received an update for information.

**G. PRESENTATIONS/DELEGATIONS**

**1. Anne Marie Lemire, to submit a petition supporting the preservation of 183 Main St East**

Anne Marie Lemire, 171 Main St. East, Kingsville, addressed Council in connection with the preservation of the property municipally known as 183 Main St. East.

She presented a Petition against the demolition and rezoning of 183 Main St. East containing roughly 400 signatures signed in person, together with an online Petition containing approximately 2,300 signatures. Ms. Lemire stated that of the 2,300 online signatures, approximately 800 petitioners are Kingsville residents, and other Petitioners are former residents of Kingsville, business and holiday travellers, etc. On behalf of 2,700 Petitioners, Ms. Lemire urged that the Town designate 183 Main St. East, Kingsville.

**196-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Larry Patterson

That Council receives the Petition as presented by Ms. Anne Marie Lemire at this Regular Meeting.

**CARRIED**

**2. Kingsville Municipal Heritage Advisory Committee--Chair S. Sacheli to present the Committee's Report and recommendation to Council on 183 Main Street East**

Ms. Sacheli presented the Committee's Research Report and indicated that it is the Committee's recommendation that Council issue a Notice of Intent to Designate the property at 183 Main Street East, to be known as The Esther Jaspersen Campbell House.

**197-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council receives the Report of the Kingsville Municipal Heritage Advisory Committee regarding 183 Main Street East, Kingsville.

**CARRIED**

A recorded vote was requested on the following motion.

**198-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

That Council issue a Notice of Intent to Designate the property at 183 Main St. East, to be known as The Esther Jasperson Campbell House.

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Mayor Nelson Santos	X	
Deputy Mayor Gord Queen		X
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld	X	
Councillor Larry Patterson	X	
Councillor Kimberly DeYong	X	
Councillor Laura Lucier	X	
<b>Results</b>	<b>6</b>	<b>1</b>

**CARRIED (6 to 1)**

**3. Ed Hooker, request dated February 28, 2020 RE: Cottam Solar Development**

Mayor Santos stated that in lieu of the delegation presentation this evening, Mr. Hooker provided correspondence to Director of Corporate Services/Clerk J. Astrologo, indicating support of Application (ZBA/02/2020) and removal of the H from the zoning. The Application for the Removal of the H Holding Symbol will be dealt with this evening, being Agenda Item H-3.

**199-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council receives correspondence provided to the Clerk from Ed Hooker dated March 9, 2020 indicating no objections to Application ZBA/02/2020 (Cottam Solar Limited) and the removal of the H from its zoning.

**CARRIED**

**4. Joanne Winger, request dated March 4, 2020 RE: Fees and Charges By-law**

Mayor Santos indicated Ms. Winger (of 104 Fox Street, Cottam) would address Council in connection with the proposed Fees and Charges By-law, proposed Building Services Fees By-law, and proposed Water and Sewer Rate By-law, when those items come forward this evening.

**H. MATTERS SUBJECT TO NOTICE**

**1. ENGINEER'S REPORT CONSIDERATION--Branch of the Smith Newman Drain, Town of Kingsville**

*K. Vegh, Drainage Superintendent and Dennis R. McCready, B.A.Sc., P. Eng.*

i) Notice of Meeting to Consider the Engineer's Report, dated February 7, 2020;

ii) Engineer's Report, dated October 7, 2019 (RC Spencer Associates Inc. Project No.: 17-691).

Mr. Vegh indicated that it is Administration's recommendation to defer the Report Consideration until the draft plan approval and changes to the storm water design have been sorted out. Engineer McCready explained the *Drainage Act* procedures, and confirmed that it would be premature to provisionally adopt the Report at this time, and deferral is the preferred course of action.

**200-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Tony Gaffan

That Council defers the consideration of the Engineer's Report for the Repair, Improvement and Extension of the Branch of the Smith Newman Drain, near the Community of Cottam, Town of Kingsville, dated October 7, 2019 (RC Spencer Associates Inc. Consulting Engineers Project No. 17-691).

**CARRIED**

**2. PUBLIC MEETING Applicant for Zoning By-law Amendment ZBA/01/20 by  
Chris and Lori King 1681 Division Road North (County Road 29)  
PT Lot 1, CON 1, WD, 12R24704 Parts 1 & 3 Roll No. 3711 320 000  
07900**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law  
Amendment, dated February 13, 2020;

ii) Report of Town Planner K. Brcic, dated March 2, 2020 together with attached  
Appendices A to D;

iii) Proposed By-law 29-2020, being a By-law to amend By-law 1-2014, the  
Comprehensive Zoning By-law for the Town of Kingsville.

Ms. Brcic presented the Planning Report.

There were no comments from anyone in attendance in the audience.

**201-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Tony Gaffan

That Council approves Zoning By-law Amendment Application ZBA/01/20 to  
rezone the subject lands at 1681 Division Road North (County Road 29), Part Lot  
1, Con 1, WD, 12R24704 Parts 1 and 3, Town of Kingsville, from 'Rural  
Residential Exception 11 (RR-11)' to 'Rural Residential Exception 13 (RR-13)'  
and adopt the implementing by-law.

**CARRIED**

**3. PUBLIC MEETING Application for Removal of the H-Holding Symbol  
ZBA/02/2020**

R. Brown, Manager of Planning Services

i) Notice of an Intention to Pass an Amending By-law to Remove a Holding  
Symbol, dated February 27, 2020 (deferred from February 24, 2020);

- ii) Report of R. Brown, Manager of Planning Services, dated February 6, 2020 (RE: Application for Removal of the H-Holding Symbol ZBA/02/2020 and Development Agreement by Cottam Solar Limited; Lots 1 to 42, Block 44-48, Plan 12M 392 and Parts 1 to 7 RP 12R-14958, Belleview Drive, Victor Lane and Whitewood Avenue) together with attached Appendices A and B;
- iii) Proposed By-law 19-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville;
- iv) Correspondence from Joanne Winger, dated March 4, 2020 RE: ZBA/02/2020.

Mr. Brown presented the Planning Report.

Comments from the Public:

Ms. Joanne Winger, 104 Fox St., Cottam, referenced concerns contained in her correspondence dated March 4, 2020 (Agenda item H.3.iv above). She indicated that this subdivision had always been known as the Cottam Woods Subdivision, and asked why the name has changed. Mr. Brown explained that there has been a change of ownership, and with such new ownership, the development is now known as the Woodridge Estates Subdivision. She asked for clarification as to the capacity of the existing lagoon system in Cottam, and how that is impacted by this proposal. Mr. Brown explained that there is no change in location of the subdivision; that the subdivision is not moving. The developer is using the capacity currently existing here, instead of where the solar panels are, and paying the 50% as a re-allocation.

There were no further questions or comments.

## **202-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council approves Zoning By-law Amendment Application ZBA/02/2020 to remove the H-Holding provision from the subject lands in order to permit development to proceed and adopt the implementing by-law;

And That Council authorizes the Mayor and Clerk to execute the Development Agreement between Cottam Solar Ltd. (Woodridge Estates Subdivision) in the community of Cottam for a 46-lot residential subdivision and directs Administration to have the Agreement registered on title.

**CARRIED**

**4. PUBLIC MEETING--2020 Fee By-law Amendments**

R. McLeod, Director of Financial Services

i) Notice of Consideration of Amendments to Fees and Charges By-law, Building Services Fees By-law, and Water and Sewage Rate By-law, dated February 13, 2020;

ii) Report of Director of Financial Services R. McLeod, dated March 3, 2020;

a) Proposed Fees and Charges By-law 24-2020 with attached Schedules A to E;

b) Proposed Building Services Fees By-law 25-2020, with attached Schedule A.

Public Comments:

Ms. Joanne Winger asked for clarification of various items in the Proposed Fees and Charges Law, and in the proposed Building Services Fees By-law.

Administration provided explanations and responses to her queries.

There were no further questions or comments from anyone in attendance in the audience.

**203-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council adopts By-law 24-2020, being a by-law to impose fees and charges.

**CARRIED**

**204-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council gives notice of a proposed intent to raise 'use of parking space' fee to \$200.00 per month/space for existing sidewalk patios to be implemented this season, and for circulation by Kingsville B.I.A. representative of notice to the BIA community for their comment.

**CARRIED**

**205-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council adopts By-law 25-2020, being a by-law to regulate permits issued under the Building Code Act, set fees, and establish a Code of Conduct for the Chief Building Official and Inspectors.

**CARRIED**

Mr. McLeod presented his 2020 Water and Wastewater Rates Report, dated March 3, 2020.

Comments:

Joanne Winger, 104 Fox Street, asked for clarification on various sections of the proposed Water and Sewage Rate By-law. She asked that the drastic change to the sewage charge not be made at this time.

There were no further questions or comments from anyone in attendance in the audience.

**206-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council approves By-law 26-2020, being a by-law to impose a water rate and sewage rates, as amended to reflect an increase in Cottam Facility sewage rates for Multi-Residential, Commercial and Industrial properties to \$1.46 per m<sup>3</sup> of water volume, and Greenhouse Sewage Rates to \$1.46 per m<sup>3</sup> of sewage discharge.

**CARRIED**

**I. AMENDMENTS TO THE AGENDA**

There were no amendments to the Agenda.

**J. ADOPTION OF ACCOUNTS**

1. **Town of Kingsville Accounts for the monthly period ended February 29, 2020 being TD cheque numbers 0072110 to 0072445, for a grand total of \$1,606,903.60**

**207-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Larry Patterson

That Council receives Town of Kingsville Accounts for the monthly period ended February 29, 2020 being TD cheque numbers 0072110 to 0072445 for a grand total of \$1,606,903.60.

**CARRIED**

## **K. STAFF REPORTS**

1. **Purchase of Replacement Engine 216**

C. Parsons, Fire Chief.

**208-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Kimberly DeYong

That Council approves the acquisition of a replacement Fire Engine from Metalfab (Carrier Centres Emergency Vehicles) of Brantford, Ontario for the purchase price of \$633,367.90 inclusive of the rebated HST assessed to the Fire Department Fleet Reserves (account # 01-121-360-72015).

**CARRIED**

2. **Replacement SUV for Car 1**

C. Parsons, Fire Chief

**209-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Kimberly DeYong

That Council approves the acquisition of a replacement SUV vehicle from Ken Knapp Ford of Essex, Ontario for the purchase price of \$41,934.28 inclusive of



the rebated HST assessed to the Fire Department Fleet Reserves (account # 01-121-360-72016).

**CARRIED**

**3. Design of Floating Docks at Cedar Island Boat Launch**

D. Wolicki, Manager of Municipal Facilities and Property

**210-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council receives the Report of D. Wolicki, Manager of Municipal Facilities and Property dated March 9, 2020, and endorses the design of the floating docks system for the Cedar Island Boat Launch.

**CARRIED**

**4. Kingsville's Christmas Tree Recycling Program**

S. Martinho, Manager of Public Works

**211-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

That Council receives the Report of Shaun Martinho, Manager of Public Works, dated January 6, 2020 containing information related to the revised Christmas Tree Recycling Program.

**CARRIED**

**5. Fleet Replacement Report**

S. Martinho, Manager of Public Works

**212-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Kimberly DeYong

That Council approves the acquisition of the Fleet assets utilizing Fleet Management Reserves as follows:

One (1) 2020 Chevy Silverado pick-up truck for the Public Works Department for the purchase price of \$36,644.44 inclusive of the HST burden.

One (1) Olympia Ice Resurfer for the Arena for the purchase price of \$104,856.24 inclusive of the HST burden.

One (1) 2020 Chevy Silverado pick-up truck for Parks and Recreation for the purchase price of \$35,291.69 inclusive of the HST burden.

One (1) 2020 Ford F-350 for the Environmental Service Department outfitted with a service body for the combined purchase price of \$69,559.49 inclusive of the HST burden.

One (1) 2020 Chevy Silverado pick-up truck for the Environmental Services Department for the purchase price of \$36,083.44 inclusive of the HST burden.

One (1) 2020 Chevy Silverado pick-up truck for the Building Department for the purchase price of \$34,839.00 inclusive of the HST burden.

**CARRIED**

**6. Sumac Drive Watermain-Award of Tender**

S. Martinho, Manager of Public Works

**213-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council awards the Sumac Drive Watermain Reconstruction project to Nevan Construction Inc. in the amount of \$121,150.00 excluding HST and authorizes the Mayor and Clerk to execute the agreement and draft the appropriate authorizing by-law.

**CARRIED**

**7. Main Street Development Policy Review and Interim Control By-law**

R. Brown, Manager of Planning Services

Having in mind the late hour and the number of items remaining to be addressed this evening, Mr. Brown's Report (to provide an outline of the current policies regulating land use on Main St. between Heritage Road and Kratz Road, and other items) was deferred as per the following motion:

**214-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Tony Gaffan

That Council defers the Report of R. Brown, Manager of Planning Services, dated February 25, 2020 RE: Main Street Development Policy Review and Interim Control By-law to one of the scheduled April Regular Meeting of Council dates.

**CARRIED**

8. **Application for Part-lot Control Extension PLC/02/20 by Builder Direct Buy Corporation Lots 74 and 76 to 79 Plan 12M-552 1, 3, 5, 7, 9, 11, 13, 15, 21 & 23 Woodland Street, Millbrook Subdivision**

K. Brcic, Town Planner

**215-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Tony Gaffan

That Council approves the further extension of Part lot Control exemption, By-law 56-2017, to allow Lots 74 and 76, 77, 78 and 79 on Plan 12M-552 to continue to be exempt from Section 50(5) of the *Planning Act*, and that Council authorizes and directs Planning Services to register the by-law (30-2020) on title.

**CARRIED**

9. **Greenhouse Policy Update – Official Plan and Zoning By-law Amendment**

R. Brown, Manager of Planning Services

**216-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council approves Zoning By-law Amendment ZBA/17/19 to update the current zoning by-law standards for greenhouse development as established by the Greenhouse Policy Review Committee and amended through Council and public feedback and adopt the implementing by-law; and

That Council endorses the outlined Official Plan policies in Appendix A (as attached to and forming part of the Report of R. Brown dated February 21, 2020) including an attachment which contains the definition of adverse affect as an addendum to the policy, established by the Greenhouse Policy Review Committee and amended through Council and public feedback, for inclusion in the 5-year Official Plan review process and associated amendment.

**CARRIED**

**10. Statement of Remuneration & Expenses for 2019**

Director of Financial Services R. McLeod

**217-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Larry Patterson

That Council receives the Statement of Remuneration & Expenses Report for 2019 of D. Broda, Payroll and Billing Supervisor, dated February 21, 2020.

**CARRIED**

**L. BUSINESS/CORRESPONDENCE-ACTION REQUIRED**

**1. Group Hug Apparel, Proclamation Request for Down Syndrome Day dated March 4, 2020**

**218-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Kimberly DeYong

WHEREAS on World Down Syndrome Day around the globe, we celebrate the abilities and worth of individuals with Down Syndrome;

AND WHEREAS we recognize their daily contributions to the communities in which they live and the families of which they are a part;

AND WHEREAS we strive to educate and raise awareness about how important individuals with Down Syndrome are to our community;

AND WHEREAS we advocate for inclusion and compassion to strengthen our community as a whole.

NOW THEREFORE Council of The Corporation of the Town of Kingsville proclaims March 21, 2020 World Down Syndrome Day in the Town of Kingsville.

**CARRIED**

**M. MINUTES OF THE PREVIOUS MEETINGS**

**1. Regular Meeting of Council--February 24, 2020**

**219-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes dated February 24, 2020.

**CARRIED**

**N. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

**1. Union Water Supply System Joint Board of Management - January 15, 2020**

**220-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Tony Gaffan

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated January 15, 2020

**CARRIED**

**2. Committee of Adjustment - January 21, 2020**

**221-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Deputy Mayor Gord Queen

That Council receives Committee of Adjustment Meeting Minutes dated January 21, 2020

**CARRIED**

**3. Police Services Board- January 22, 2020**

**222-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Kimberly DeYong

That Council receives Police Services Board Meeting Minutes dated January 22, 2020

**CARRIED**

**4. Parks, Recreation, Arts and Culture Committee - January 23, 2020**

**223-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated January 23, 2020 together with Minutes of the following sub-committees:

Mettawas Park Fundraising - November 6, 2019

Fantasy of Lights - October 22, 2019

Migration Festival - October 8, 2019

**CARRIED**

**O. BUSINESS CORRESPONDENCE - INFORMATIONAL**

1. **Town of Bracebridge--Resolution No. 20-GC-032/033 passed January 23, 2020 RE: Support for Ban of Single-Use Disposable Wipes**
2. **County of Haliburton--Correspondence from Warden Liz Danielsen dated February 3, 2020 RE: Tourism Oriented Destination Signage Fee Increases**
3. **Township of Madoc--Letter of Support for Bill 156: Security from Trespass and Protecting Food Safety Act, dated February 11, 2020**
4. **Municipality of Southwest Middlesex--Correspondence dated February 13, 2020 RE: Southwest Middlesex Resolution regarding Government Bill 156**
5. **Township of Madoc--Correspondence received February 19, 2020 RE: Madoc support of Resolution from the Township of Springwater--Conservation Authorities**
6. **Northumberland County Council--Resolution 2020-02-19- 55 passed February 19, 2020 RE: Conservation Authorities**
7. **County of Peterborough--Resolution passed February 19, 2020 RE: Bill 156 Security from Trespass and Protecting Food Safety Act**
8. **Township of Puslinch--Correspondence dated February 20, 2020 RE: AMO's position on the Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe Drinking Water Act**
9. **Township of Puslinch--Correspondence dated February 20, 2020 RE: Support for ministers to allow for electronic delegation**
10. **County of Frontenac--Correspondence dated February 21, 2020 RE: Frontenac County Council Resolution of Support for Conservation Authorities**

**224-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Larry Patterson

That Council receives information items 1-10 as outlined.

**CARRIED**

**P. NOTICES OF MOTION**

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

**225-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council receive a report as to what we do or require now for Bed and Breakfast and Airbnb™ establishments, along with any recommendations that staff may be aware of, including safety, noise, public concerns, and fees, such report to be brought back to Council within six months.

**CARRIED**

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

**226-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That the footbridge at Lakeside Park be repaired before next winter; and that staff advise Council if this repair is in the five-year plan.

**CARRIED**

**3. Councillor Neufeld may move, or cause to have moved:**

**227-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Kimberly DeYong

That a report be provided from Administration to investigate alternatives to using salt on the road and sidewalks, such report to be provided within six months.

**CARRIED**

**Q. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

**R. BYLAWS**

**1. By-law 89-2019**



**228-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council reads By-law 89-2019, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Greenhouse regulations), as amended, a first, second and third and final time.

**CARRIED**

**2. By-law 16-2020**

By-law 16-2020 was not read at this meeting.

**3. By-law 19-2020**

**229-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council reads By-law 19-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/02/2020; Lots 1 to 42; Blocks 43 to 48; Plan 12M 392, Pts. 1 to 7, RP 12R 14958), a first, second and third and final time.

**CARRIED**

**4. By-law 24-2020**

**230-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council reads By-law 24-2020, being a By-law to impose fees and charges by The Corporation of the Town of Kingsville, a first, second and third and final time.

**CARRIED**

**5. By-law 25-2020**

**231-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council reads By-law 24-2020, being a By-law to Regulate Permits Issued Under the Building Code Act, Set Fees, and Establish a Code of Conduct for the Chief Building Official and Inspectors, a first, second and third and final time.

**CARRIED**

**6. By-law 26-2020**

**232-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council reads By-law 26-2020, being a By-law to impose a Water Rate and Sewage Rates, as amended, a first, second and third and final time.

**CARRIED**

**7. By-law 29-2020**

**233-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council reads By-law 29-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/01/20; 1681 Division Road North (County Road 29), Part Lot 1, Con 1, WD 12R-24704, Parts 1 and 3) a first, second and third and final time.

**CARRIED**

**8. By-law 30-2020**

**234-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council reads By-law 30-2020, 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 56-2017 (Millbrook Subdivision, Stage II, Phase 1 - Plan 12M-552) a first, second and third and final time.

**CARRIED**

**9. By-law 31-2020**

**235-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council reads By-law 31-2020, being a By-law authorizing the entering into of a Transfer Payment Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing for the Municipal Modernization Program (MMP) a first, second and third and final time.

**CARRIED**

**S. CONFIRMATORY BY-LAW**

**1. By-law 32-2020**

**236-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council reads By-law 32-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 9, 2020 Regular Meeting, a first, second and third and final time.

**CARRIED**

**T. ADJOURNMENT**

**237-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Laura Lucier

That Council adjourns this Regular Meeting at 10:52 p.m.

**CARRIED**

# MINUTES

THE CORPORATION OF  
THE TOWN OF KINGSVILLE  
**KINGSVILLE BIA**

**ANNUAL GENERAL MEETING**

**FEBRUARY 26, 2019 AT 7 P.M.**

**Pelee Island Winery, 455 Seacliffe Dr., Kingsville, Ont.**

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**A. Call to Order and Welcome**

After the membership signed in and enjoyed a beverages and food and one hour of networking time, Beth Riddiford called the meeting to order at 7:01 p.m. with the following persons in attendance:

BIA Members and Guests: Roberta Weston, Heather Brown, Tony Gaffan, Mike Lauzon, Beth Riddiford, Izabela Muzzin, Jason Martin, Brian Sanford, Thomas Neufeld, Gord Queen, Nelson Santos, Troy Loop, Jon Gyou Loop, Kim DeYoung, Lisa Pannunzio, Sherry Seguin, Tim Seech, Paul Thompson, Maria Edwards, Krysta McKnight, Abby Jakob, Renee Brassard, Tom Souvan, Krysta Edwards, Mike Maloney, Dawn McKinnon, Natasha Whifield, Nelly Pereirei, Cathy Baskin, Trevor Loop, Kim Loop, Trevor Whaling, Krista Whaling, Paul Thompson, Tim Seech, Aaron Nixon, Amanda Everaert, Derek Prowse, Savannah Kungel, Aaron Dvernychuk, Kristen Proctor, Sarah Trdell, Brad Trudell, Haley Rogers, Dennis Rogers, Christina Martin, Wes Cronheimer, Greg Pras, Reanne Vanderbeek

Members of Administration: Christina Bedal

Beth paid tribute to all of the new members that joined throughout 2018 and announced the Board of Managers for the next four year term.

**B. Reflection on 2018**

Tony Gaffan shared the successes of the Kingsville BIA from 2018 including:

1. Our downtown was so beautiful with the hanging baskets and matching planters as well as festive greens throughout the district. Our thanks to Cindy's Gardens for the excellent work!
2. THE *BIA* hosted a series of Small Business Seminars to the membership at the Carnegie to help educate business owners on various Human Resources topics. This was offered free of charge to our members.
3. We introduced Facebook Welcomes to all new Regular and Associate members this year. Additionally, great effort has been made to share your information at your request. Ultimately building a stronger following and reach through our social media.
4. We had another successful year at "Sidewalk Sales" where we saw amazing weather and a grand turnout of shoppers.
5. We partnered with the town to do another production the very popular fold out maps. The map was so popular that it was reformatted to allow for even more advertising spaces. Additionally, the BIA Coordinator actively participates in partnership with the Communities in Bloom and Economic Development & Tourism committees. This gives the BIA membership a seat at those tables.
6. The BIA office has moved to the lower level of The Carnegie building. This has allowed us to realize some cost savings to our budget and more importantly allows our Coordinator to spend more time outside of the office working with and working for our membership.
7. We funded the annual Holiday Shopping Guide where tribute was paid to our many local attractions to include Jack Miners Bird Sanctuary, Canadian Transportation Museum & Heritage Village as well as the Kingsville Historical Park Museum.

8. Updated the Customer Service Hero Program and recognized 14 winners in 2018.
9. The BIA very successfully sold \$100,000.00 in BIA Dollars in just 24 hours.
10. The Strategic Plan Survey was sent out and we have leveraged the findings to develop our upcoming plan.
11. We presented opportunities for businesses to showcase themselves at the Carnegie for 2 week periods, and artists for 4 weeks.
12. A \$500 donation was given to the Kingsville Food Bank.
13. Held a successful “Shopping Spree” promotion in late November and December.

**C. Minutes of the Previous Meeting**

Annual General Meeting - February 20, 2018

Moved by L. Lucier, seconded by H. Brown, to accept the 2018 Annual General Meeting minutes.

**CARRIED**

**D. Presentation of 2018 Budget**

Christina Bedal presented the budget to the membership.

**E. Retirement Recognition**

Heather Brown presented Brian Sanford with a plaque to commemorate his many years of service to the BIA Board of Managers and spoke of his history with the BIA.

**F. Presentation of Tourism 2019**

Mayor Nelson Santos presented tourism events gracing the Town of Kingsville in 2019.



**G. Customer Service Hero of the Year Recognition Award**

Izabela Muzzin paid tribute to all of the winners of 2018. Trevor Loop announced the Customer Service Hero Winner and presented the plaque.

**H. Road to Greatness**


Christina Bedal presented upcoming 2019 tourism events and conveyed information as to how local businesses can prepare for the influx of visitors expected. Outline of BIA participation with the Tall Ships was provided. An overview of the Strategic Plan for the next four years was also provided.

**I. Adjournment**

Meeting adjourned at 8:15 p.m.

Moved by I.Muzzin, seconded by H. Brown, to adjourn

**CARRIED**

  
\_\_\_\_\_  
CHAIR, Beth Riddiford

  
\_\_\_\_\_  
RECORDING SECRETARY, Christina Bedal



**KINGSVILLE BIA**  
**FEBRUARY 11, 2020 @ 6:15 P.M.**  
**Carnegie Arts & Visitor Centre, 28 Division St. S, Kingsville**

**A. CALL TO ORDER**

Beth Riddiford called the Meeting to order at 6:15 p.m. with the following Members in attendance:

**MEMBERS OF BIA BOARD:**

Beth Riddiford  
Councillor Tony Gaffan  
Councillor Laura Lucier  
Heather Brown  
Roberta Weston  
Trevor Loop  
Amanda Everaert  
Jason Martin  
Dave Debergh

**MEMBERS OF ADMINISTRATION:**

Christina Bedal

**Absent:**

Maria Edwards  
Izabel Muzzin  
Sarah Trudell

**Guests:**

Peggy Van-Mierlo-West  
Andrew Plancke

**B. DISCLOSURE OF PECUNIARY INTEREST**

Beth Riddiford reminded the Committee that any declaration is to be made prior to each items being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

**C. PRESENTATIONS/DELEGATIONS**

1. **ANDREW PLANCKE & PEGGY VAN-MIERLO-WEST** – attended the meeting to discuss wedding plans and protocols. Andrew updated that summer students are expected to be performing more weeding duties and indicated that the downtown areas of Kingsville were a priority where they are working to get ahead of the

weeds. Andrew shared they are often busy and sending communications to the Coordinator of their planning is not possible. The Coordinator is asked to proactively communicate with the Town when any wedding activities are being planned by the BIA to avoid duplication of work. Andrew said that requests should go through City Request and if no response is given after 2 days that the Coordinator should call for an update. The Town is working to put together a stronger horticulture team to help stay ahead of the needs.

**D. AMENDMENTS TO THE AGENDA**

1. NONE

**E. ADOPTION OF ACCOUNTS**

1. **BIA Accounts** – RE: Budget actuals ending JANUARY 2020

**BIA-166-2020**      Moved by Trevor Loop, seconded by Heather Brown to receive the accounts ending January 2020

**CARRIED**

**F. STAFF REPORTS**

1. CHRISTINA BEDAL PRESENTED HER REPORT- Community support, Committees and meetings; Membership support and interactions; Project updates; 2020 AGM planning update, Administrative work update; BIA Dollars; Associate Membership Invoices, recruiting and interviewing efforts for replacement Coordinator. Proposed Tourism Map was shared
2. LAURA LUCIER PRESENTED HER REPORT – It was shared that there had been meetings regarding greenhouse policy, 183 Main Street East updates, budget deliberations had taken place. Mettawa Park project progress was shared, Main Street West resurfacing tender is out.
3. EDDK REPORT - none

**G. BUSINESS/CORRESPONDENCE – ACTION REQUIRED**

1. KINGSVILLE BUSINESS AWARDS SPONSORSHIP COMMUNICATION from Tara Hewitt request date January 16, 2020 RE: Sponsorship of an award

**BIA-167-2020** Moved by Heather Brown, seconded by Trevor Loop to sponsor Business of the Year Award.

**NOT CARRIED**

2. FACELIFT GRANT APPLICATION COMMUNICATION from Green Heart Kitchen request date February 2020 RE: Seeking Approval

**BIA-168-2020** Moved by Trevor Loop, seconded by Heather Brown to approve \$500 for Facelift Grant Application

**CARRIED**

3. ASSOCIATE MEMBERSHIP APPLICATION COMMUNICATION from Folk Fest request date February 2020 RE: Seeking Approval

**BIA-169-2020** Moved by Roberta Weston, seconded by David Debergh to approve Application

**CARRIED**

**H. MINUTES OF THE PREVIOUS MEETING**

1. Kingsville BIA Meeting Minutes—January 14, 2020

**BIA-170-2020** Moved by Laura Lucier, seconded by Roberta Weston to receive the minutes of the Kingsville BIA Meeting dated January 14, 2020

**CARRIED**



2. Kingsville BIA Special Meeting Minutes—January 29, 2020

**BIA-171-2020** Moved by Laura Lucier, seconded by Heather Brown to receive the minutes of the Kingsville BIA Special Meeting dated January 29, 2020

**CARRIED**

**I. NEW AND UNFINISHED BUSINESS**

1. BIA 2020 LEVY ASSESSMENTS – Information as of the date of the meeting has not yet been received from the town for the Board to review. Coordinator will follow up again.

**BIA-172-2020** Moved by Trevor Loop, seconded by Roberta Weston to approve the levy assessment and levy rates for 2020

**CARRIED**

2. CROSS ROAD BANNER INPUT – No communications have been received from the Town to date for the Board to review or discuss
3. AGM – Planning is in process
4. BIA COORDINATOR RESIGNATION AND RECRUITMENT & CONTRACT – an update was provided to the board on recruitment activities and interview progress.

**BIA-173-2020** Moved by Jason Martin, seconded by Trevor Loop to edit the BIA Coordinator job description be edited to become a 24 hour per week part time role and advertise at a rate of \$21 per hour with an annual August compensation review.

**CARRIED**

**J. CLOSED SESSION**

**BIA-174-2020**      Moved by Heather Brown, seconded by Tony Gaffan to move into closed session.

**CARRIED**

EXIT INTERVIEW OF BIA COORDINATOR CONDUCTED

**K. NEXT MEETING DATE**

The next meeting of the Committee will be held on Tuesday, March 10, 2020 at 6:15 PM

**L. ADJOURNMENT**

The meeting adjourned 8:04 p.m.

  
\_\_\_\_\_  
CHAIR, Beth Riddiford

  
\_\_\_\_\_  
RECORDING SECRETARY,  
Christina Bedal



## COMMITTEE MINUTES

### **KINGSVILLE MUNICIPAL HERITAGE ADVISORY COMMITTEE**

**TUESDAY, FEBRUARY 11, 2020 AT 7:00 P.M**

**Council Chambers, 2021 Division Rd N, Kingsville**

#### **A. CALL TO ORDER**

Chair S. Sacheli called the Meeting to order at 7:00 p.m. with the following Members in attendance:

#### **MEMBERS OF MUNICIPAL HERITAGE ADVISORY COMMITTEE:**

Elvira Cacciavillani  
Matthew Biggley  
Kimberly DeYong  
Bruce Durward  
Anna Lamarche  
Margie Luffman  
Sarah Sacheli

#### **MEMBERS OF ADMINISTRATION:**

Sandra Kitchen, Deputy Clerk-  
Council Services

Absent: Shannon Olson (on personal business)

#### **B. DISCLOSURE OF PECUNIARY INTEREST**

Chair S. Sacheli reminded the Committee members in attendance 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.

#### **C. REPORTS AND ACCOUNTS**

1. Update—S. Sacheli—RE: Update re: Presentation of Report to Kingsville Council at its Regular Meeting to be held on Monday February 10<sup>th</sup>, 2020 Re: 183 Main St. East

Ms. Sacheli advised that Council accepted the Committee's recommendation that the property at 183 Main St. East remain on the Heritage Register as a property of interest.

2. V. Brown—No Report to be submitted for February, 2020.

## D. MINUTES OF THE PREVIOUS MEETING

1. Kingsville Municipal Heritage Advisory Committee Meeting Minutes — January 21, 2020

**MHC11-2020** Moved by B. Durward, seconded by M. Luffman to adopt the Minutes of the Kingsville Municipal Heritage Advisory Committee Meeting dated January 21, 2020.

**CARRIED**

## E. BUSINESS CORRESPONDENCE – INFORMATIONAL

## F. NEW AND UNFINISHED BUSINESS

1. 183 Main St. East development

**MC12-2020** Moved by K. DeYong, seconded by B. Durward that Chair Sacheli provide comments pertaining to the planning circulation in connection with the Planning Advisory Committee RE: development proposal for 183 Main St. East.

**CARRIED**

2. Mr. Durward advised that he is continuing his research pertaining to Heritage Rebuild in the event of a natural disaster, and will bring his findings back to the committee at the March meeting.
3. Mr. Durward advised that he will bring his Report on The Jack Miner Migratory Foundation to the March meeting.

## G. NEXT MEETING DATE

1. March 11, 2020 at 6:30 p.m.

## H. ADJOURNMENT

**MHC13-2020** Moved by M. Biggley, seconded by M. Luffman that the meeting adjourn at 7:41 p.m.

**CARRIED**



## COMMITTEE MINUTES

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**CHAIR, Sarah Sacheli**

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**DEPUTY CLERK-COUNCIL SERVICES,  
Sandra Kitchen**





## COMMITTEE MINUTES

### **KINGSVILLE MUNICIPAL HERITAGE ADVISORY COMMITTEE**

**WEDNESDAY, FEBRUARY 27, 2020 AT 6:30 P.M.**  
**Council Chambers, 2021 Division Rd N, Kingsville**

#### **A. CALL TO ORDER**

Chair S. Sacheli called the Meeting to order at 6:31 p.m. with the following Members in attendance:

#### **MEMBERS OF MUNICIPAL HERITAGE ADVISORY COMMITTEE:**

Elvira Cacciavillani  
Kimberly DeYong  
Bruce Durward  
Anna Lamarche  
Margie Luffman  
Sarah Sacheli

#### **MEMBERS OF ADMINISTRATION:**

Sandra Kitchen, Deputy Clerk-  
Council Services

Absent: Matt Biggley, Shannon Olson (absent on personal business)

#### **B. DISCLOSURE OF PECUNIARY INTEREST**

Chair S. Sacheli reminded the Committee members in attendance 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.

#### **C. AMENDMENTS TO THE AGENDA**

The Agenda was revised under Business Item C.1 i) Proposed Report to Council, to remove the word "Proposed", so that the line reads:

1. i) Report to Council

#### **D. BUSINESS**

##### **1. 183 Main Street East**

- i) Report to Council (*presented by Chair Sacheli to Kingsville Council at Council's February 10, 2020 Regular Meeting*).



## COMMITTEE MINUTES

- ii) Draft Speaking Notes;
- iii) Photographs of the property from realtor listings (2 separate sets; one set containing 21 pgs; the 2nd set containing 26 pages);
- iv) Aladdin Homes—information on kit home;
- v) Designation Report—Bon Jasperson House—171 Main St. East;
- vi) Designation By-law—Bon Jasperson House;
- vii) Blank Score Sheets;
- viii) Correspondence to the Kingsville Municipal Heritage Advisory Committee, dated February 21, 2020 from Solicitor Peggy E. Golden.

### **DISCUSSION:**

Ms. Sacheli presented the Report, and the Committee viewed the photographs from the realtor listings onscreen.

The Committee also reviewed the email from Andrew Mutch, who notified the Committee of the existence of a Canadian subsidiary of Aladdin Homes. The Canadian name for the Brentwood model was the "Lockwood". Members viewed the Aladdin Canadian catalogue (from the Clarke Historical Library at Central Michigan University website link) including the pages showing the illustration of the Lockwood model and the floor plans. It is not known whether Bon Jasperson bought the kit from Canada, or had it shipped from Bay City, which would have been the closest Aladdin home outlet. The plan was on the cover of the 1913 catalogue out of Bay City under the Brentwood name, and also included in the 1920 catalogue that was distributed in Canada under the Lockwood name.

### **Evaluation**

The Committee discussed and evaluated the Esther Jasperson Campbell home under the criteria categories of History, Architecture and Context.

The Committee scored the property at 81/100.



## COMMITTEE MINUTES

**MHC14-2020** Moved by B. Durward, seconded by M. Luffman that, as the Esther Jaspersen Campbell house is evaluated as a Class 1 property with a score of 81/100, this Committee recommends to Council that the property municipally known as 183 Main Street East be designated as a heritage property under the *Ontario Heritage Act*.

**CARRIED**

### **E. ADJOURNMENT**

**MHC15-2020** Moved by A. Lamarche, seconded by E. Cacciavillani that the Meeting adjourn at 8:56 p.m.

**CARRIED**

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**CHAIR, Sarah Sacheli**

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**DEPUTY CLERK-COUNCIL SERVICES,  
Sandra Kitchen**



## MINUTES

**TOURISM AND ECONOMIC DEVELOPMENT COMMITTEE  
THURSDAY, FEBRUARY 13, 2020 @ 5:30 P.M.  
Committee Room 'A', 2021 Division Rd N, Kingsville**

### **A. CALL TO ORDER**

Mayor Santos called the Regular Meeting to order at 5:30 p.m. with the following persons in attendance:

**Members:**

T. Gaffan  
B. Durward  
D. Hunt  
M. Law

**Members of Administration:**

CAO, P. Van Mierlo-West  
Executive Assistant to the Mayor and CAO, T. Hewitt  
BIA Coordinator, C. Bedal  
Tourism Coordinator, N. Cobby

**Regrets:**

M. Somerville  
S. Lowrie

### **B. DISCLOSURE OF PECUNIARY INTEREST**

When a member of the Committee has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of the Committee (or that was the subject of consideration at the previous Meeting of the Committee 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. None were reported

### **C. STAFF REPORTS**

#### **1. Report – Project Status Update February 2020 – N. Cobby**

N. Cobby provided an overview of recent tourism events and initiatives. She summarized the Tourism Website Updates. She stated remaining passports will be distributed at the 3<sup>rd</sup> annual London I Heart Beer & Taco Festival and the Town is receiving a discount rate of \$250.00.

**06-2020** Moved by T. Gaffan seconded by D. Hunt to receive the report.

**CARRIED**

## **2. Report – Fold Out Map 2020 – N. Cobby**

N. Cobby presented a comparison between the printed map options. She is recommending a more traditional map format which is more affordable than the pocket maps printed previously. She invited comment from the committee regarding content. There was discussion on implementing a Kingsville app. The CAO will bring information about an app back to the next committee meeting.

There was a discussion of the benefits and drawbacks of each map format.

**07-2020** Moved by T. Gaffan seconded by B. Durward to approve the larger map option.

**CARRIED**

## **3. Report – Carnegie Arts & Visitor Centre - N. Cobby**

N. Cobby presented a proposal to offer free month-long exhibitions to surrounding area elementary and secondary students at the Carnegie Arts & Visitor Centre. She intends to begin this in 2021. The potential to extend to the Grovedale was discussed.

**08-2020** Moved by D. Hunt seconded by M. Law that the committee consents to N. Cobby sending out a letter to the schoolboard to gather information and gauge interest.

**CARRIED**

## **4. Budget vs. Actuals ending January 31, 2020 – P. Van Mierlo-West**

P. Van Mierlo-West presented Budget versus Actuals ending January 31, 2020. She provided an update on sponsorship revenue from the 2020 Business Recognition Awards. She informed the committee there will be a subcommittee formed for the Economic Development/Tourism conferences.

## **D. MINUTES OF THE PREVIOUS MEETING**

### **1. Tourism/Economic Development Committee Meeting Minutes—January 9, 2020**

**09-2020** Moved by M. Law seconded by T. Gaffan to approve the minutes of the Tourism/Economic Development Committee Meeting dated January 9, 2020 with the correction to the time.

**CARRIED**

## **E. NEW AND UNFINISHED BUSINESS**

### **1. Go Wild Grow Wild**

N. Cobby presented information about Go Wild Grow Wild event which Kingsville will attend alongside Tourism Windsor Essex Pelee Island (TWEPI) on April 18, 2020. She stated we are also attending the Staycation Expo the following week April 24 and 25, 2020.

### **2. Daytripping Magazine Advertising Opportunity**

P. Van Mierlo-West presented the advertising rate card for Daytripper Magazine. She informed the committee the Town did not run ads in Daytripper last year as the focus was on digital advertising. There was consensus to pass on advertising in Daytripper Magazine again this year.

### **3. BIA Update – C. Bedal**

C. Bedal stated that N. Santos will be discussing the Business Recognition Awards at the AGM. It was suggested to add a “People’s Choice” category in 2021. C. Bedal stated she attended the Kingsville-Leamington Collaboration and found it very interesting and productive. She announced that her last day with the BIA is March 20<sup>th</sup>, 2020 and her replacement (once hired) will be part-time.

### **4. GECD SB Property – D. Hunt**

D. Hunt presented a report he drafted regarding the Surplus School Disposition of Kingsville District Highschool and Kingsville Public School. The committee discussed various possibilities for the two properties and the role of the Town in those developments. N. Santos stated that council adopted the Affordable Housing Strategy which includes acquiring the parcel of land at Migration Hall and discussions/negotiations have been in effect for 6 years. Should the Town be successful in acquiring the full site, we expect a hybrid situation between the Town and a partner (Agencies / Grants / Developers / Federal and provincial programs for housing)

**10-2020** Moved by D. Hunt seconded by T. Gaffan that the committee recommends to have both properties for consideration and investigate the cost.

**CARRIED**

## **F. TOURISM ACTION PLAN WORK SHOP**

The committee reviewed the proposed vision statements and narrowed them down to two options:

### **Option #1**

*MyKingsville is a sustainably vibrant and creative destination that provides our visitors welcoming, family friendly, and cultural experiences.*

**Option #2**

*Destination Kingsville is a vibrant, sustainable and culturally rich town with a thriving tourism sector that provides our visitors with a welcoming, family friendly experience.*

T. Hewitt will send the two vision statement options for the committee members to vote on. T. Hewitt will also resend the proposed Mission Statements to the committee prior to the meeting for additional thinking.

**G. NEXT MEETING DATE**

1. The next meeting of the Tourism and Economic Development Committee is on Thursday, March 12, 2020 at COMMITTEE ROOM A, 2021 DIVISION RD N. @ 5:30 p.m.

**H. ADJOURNMENT**

**11-2020** Moved by B. Durward seconded by D. Hunt to adjourn this Meeting at 7:04p.m.

**CARRIED**

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**CHAIR, Nelson Santos**

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**RECORDING SECRETARY, T. Hewitt**



## The Corporation of the Town of Tecumseh

February 13, 2020

Hon. Ernie Hardeman  
Minister of Agriculture, Food & Rural Affairs  
77 Grenville Street, 11<sup>th</sup> Floor  
Toronto, Ontario M5S 1B3

Dear Minister Hardeman,:

The Council of the Town of Tecumseh, at its regular meeting held Tuesday, February 11, 2020, gave consideration to correspondence from the Essex County Federation of Agriculture, dated February 6, 2020, requesting support for Bill 156.

At their meeting, Tecumseh Council passed the following resolution:

**“That the Essex County Federation of Agriculture letter be supported;**

**And that** The Corporation of the Town of Tecumseh **send a letter** of support for the proposed legislation, Bill 156: Security from Trespass and Protecting Food Safety Act, 2019 to the Honourable Ernie Hardeman, Ministry of Agriculture, Food and Rural Affairs.

Carried”

Please consider this letter as confirmation of the Town of Tecumseh’s action on the above matter.

Yours very truly,

Laura Moy, Dipl.M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

LM/kc

### Attachments

1. Essex County Federation Letter

CC: Essex County Federation of Agriculture,  
Taras Natyshak, MPP, [tnatyshak-co@ndp.on.ca](mailto:tnatyshak-co@ndp.on.ca)  
Percy Hatfield, MPP, [phatfield-co@ndp.on.ca](mailto:phatfield-co@ndp.on.ca)  
Lisa Gretzky, MPP, [lgretzkey-co@ndp.on.ca](mailto:lgretzkey-co@ndp.on.ca)  
Association of Municipalities of Ontario, AMO, [policy@amo.on.ca](mailto:policy@amo.on.ca)  
Town of LaSalle, [arobertson@lasalle.ca](mailto:arobertson@lasalle.ca)  
Town of Leamington, [bpercy@leamington.ca](mailto:bpercy@leamington.ca)  
Town of Kingsville, [jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca)  
Town of Lakeshore, [knewman@lakeshore.ca](mailto:knewman@lakeshore.ca)  
Town of Amherstburg, [pparker@amherstburg.ca](mailto:pparker@amherstburg.ca)  
Town of Essex, [rauger@essex.ca](mailto:rauger@essex.ca)  
County of Essex, [mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca)  
City of Windsor, [vcritchley@citywindsor.ca](mailto:vcritchley@citywindsor.ca)



February 6, 2020

Dear Mayor and Council,

**RE: Bill 156, *Security from Trespass and Protecting Food Safety Act***

The Essex County Federation of Agriculture represents the voice of agriculture in the local community, and advocates on behalf of our farm family members. Along with our Commodity partners in Essex and the Ontario Federation of Agriculture, the Essex County Federation of Agriculture is committed to a sustainable and profitable future for farm families.

Ontario farms have increasingly come under threat of unwanted trespassers and activists who are illegally entering property, barns and buildings, seizing private property and threatening the health and safety of the farm, employees, livestock and crops.

On December 2<sup>nd</sup>, 2019, the provincial government introduced Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019*. The bill is intended to protect Ontario farm animals, farms, farmers and their families, and the safety of the entire food supply by addressing the ongoing threat of unwanted trespassing and from unauthorized interactions with farm animals. The risks of these actions include exposing farm animals to stress and potential diseases, as well as the introducing contaminants into the food supply.

The Essex County Federation of Agriculture appreciates the support from the provincial government for taking a strong stance to protect our farms and food safety, and introducing more significant consequences for illegal trespassing activities.

The Essex County Federation of Agriculture is calling on all municipal councils in the province to reassure their citizens that the safety of Ontario farm animals, farmers and farm families, and the safety of the entire food system matters. We respectfully ask that your council show your support for Bill 156 by sending the following letter (see below) to Ontario's Minister of Agriculture, Food and Rural Affairs, the Honourable Ernie Hardeman.

If you have already indicated to Minister Hardeman your support for Bill 156, we thank you for your initiative!

Thank you for showing your support for stronger legislation to protect Ontario farms, animals, and food from intruders.

Sincerely,

Lyle Hall, President

Essex County Federation of Agriculture

March 3, 2020

**Re: New Business- Motion of Support for a peaceful conclusion to the ongoing rail disruptions and encouragement for ongoing discussions for a solution to the Costal GasLink Project.**

At its meeting of March 2, 2020, the Council of the Corporation of the Township of Tyendinaga ratified a motion, regarding the support for a peaceful conclusion to the ongoing rail disruptions and encouragement to find a path a peaceful solution regarding the Costal GasLink Project.

“WHEREAS the dispute regarding the Coastal Gas Link Project in British Columbia is continuing;

AND WHEREAS the dispute has directly affected both the Township of Tyendinaga and the Mohawks of the Bay of Quinte;

AND WHEREAS a resolution of the situation lies in discussion and negotiations with the appropriate parties;

NOWTHEREFORE the Corporation of the Township of Tyendinaga calls on those parties to work together to find a successful and peaceful resolution of the pipeline matter as quickly as possible;

AND FINALLY that the Township urges all municipalities and municipal organizations across the Country to support the parties involved in their search for a resolution of this critically important matter.”

Best Regards,



**Brad Roach**

CAO (Chief Administrative Officer)

Clerk-Treasurer

**The Corporation of the Township of Tyendinaga**

859 Melrose Road, Shannonville, ON, K0K 3A0

(613) 396-1944 | [clerk@tyendinagatownship.com](mailto:clerk@tyendinagatownship.com)

[www.tyendinagatownship.com](http://www.tyendinagatownship.com)

March 3, 2020

SENT VIA E-MAIL

Honourable Doug Ford, Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

Honourable Premier Ford:

**SUBJECT: PROVINCIALY SIGNIFICANT WETLANDS DESIGNATION**

---

At its regular meeting held on February 25, 2020, Council for the Municipality of West Nipissing passed resolution **2020/080**, attached hereto. The resolution supports a request circulated by the Village of Merrickville-Wolford, asking the Ministry of Natural Resources and Forestry to respectfully review its practices and procedures to include a requirement to provide supporting evidence, to impacted municipalities, when designating Provincially Significant Wetlands within their boundaries.

We trust the enclosed is self-explanatory.

Respectfully,



Deputy Clerk / Assistant to the  
Chief Administrative Officer

\Encl.

cc: Minister of Natural Resources and Forestry  
Minister of Municipal Affairs and Housing  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)  
Ontario Municipalities



The Corporation of the Municipality of West Nipissing /  
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2020 / 0 8 0

FEBRUARY 25, 2020

Moved by / Proposé par :

Seconded by / Appuyé par :

**WHEREAS** the Municipality of West Nipissing received resolution no. R-029-20 from the Village of Merrickville-Wolford, attached hereto; pertaining to the Ministry of Natural Resources and Forestry's practices and procedures when designating of Provincially Significant Wetlands;

**BE IT RESOLVED THAT** Council for the Municipality of West Nipissing supports the Village of Merrickville-Wolford requesting that the Ministry of Natural Resources and Forestry to respectfully provide supporting evidence with respect to the expansion of wetlands designations within their boundaries;

**BE IT FURTHER RESOLVED THAT** Council for the Municipality of West Nipissing calls upon the Ministry of Natural Resources and Forestry to respectfully review its practices and procedures to include a requirement to provide supporting evidence, to impacted municipalities, when designating Provincially Significant Wetlands within their boundaries;

**BE IT FURTHER RESOLVED THAT** a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA) and all Ontario municipalities.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: \_\_\_\_\_

DEFEATED: \_\_\_\_\_

DEFERRED OR TABLED: \_\_\_\_\_

Established 1793  
Incorporated  
Wolford 1850  
Merrickville 1860  
Amalgamated 1998



Telephone (613) 269-4791  
Facsimile (613) 269-3095

## VILLAGE OF MERRICKVILLE-WOLFORD

February 5, 2020

**The Honourable Doug Ford, Premier of Ontario**

Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON, M7A 1A1

Dear Premier Ford:

**Re: Provincially Significant Wetlands Designation**

Please find attached the Council of the Corporation of the Village of Merrickville-Wolford's Resolution No. R-029-20, with respect to the Village's concerns surrounding the Ministry of Natural Resources and Forestry's practices and procedures while implementing designations of Provincially Significant Wetlands.

While the attached resolution is tailored to a Village-specific issue, it is Council's position that the concerns expressed therein are being experienced by municipalities Province-wide.

Thank you in advance for the consideration that you give this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug Robertson".

Doug Robertson  
CAO/Clerk/Director, Economic Development

c. Honourable John Yakabuski, Minister of Natural Resources and Forestry  
Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Andy Brown, CAO of the United Counties of Leeds and Grenville  
Association of Municipalities of Ontario  
Rural Ontario Municipal Association  
All Ontario municipalities



## VILLAGE OF MERRICKVILLE-WOLFORD

For Clerk's use only, if  
required:

**Recorded Vote Requested  
By:**

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - 029 - 20

Date: January 27, 2020

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

WHEREAS the Village of Merrickville-Wolford is endeavouring to adopt a new Official Plan as required per Section 17 of the *Planning Act* and the Village is required to incorporate the Provincial Policy Statements of the Act;

AND WHEREAS the Provincial Policy Statements require the Village to provide in its Official Plan the updated provisions of new and expanded Provincially Significant Wetlands designations;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford is concerned that the expansion of these wetlands is detrimentally affecting certain landowners and the Village's assessment base;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford is concerned that designations of Provincially Significant Wetlands have occurred throughout the Province of Ontario without the provision of supporting evidence;



## **VILLAGE OF MERRICKVILLE-WOLFORD**

**AND WHEREAS** the Council of the Corporation of the Village of Merrickville-Wolford is concerned about the expansion of the Provincially Significant Wetlands in the Northeast quadrant of the Village;

**AND WHEREAS** the Council of the Corporation of the Village of Merrickville-Wolford is concerned that these wetlands designations have been expanded without the Ministry of Natural Resources and Forestry having provided to the Village supporting evidence to justify said expansion;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Village of Merrickville-Wolford does hereby respectfully request that the Ministry of Natural Resources and Forestry provide the Village with supporting evidence with respect to the expansion of these wetlands designations;

**AND THAT** the Ministry of Natural Resources and Forestry re-evaluate the subject properties without delay;

**AND THAT** a copy of this resolution be sent to the Honourable Premier Doug Ford, Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the United Counties of Leeds and Grenville, the Association of Municipalities of Ontario and the Rural Ontario Municipal Association and all Ontario municipalities.

Carried / Defeated

A handwritten signature in black ink, consisting of a large loop followed by a horizontal line and a small flourish.

**J. Douglas Struthers, Mayor**

---

Honourable Doug Ford  
Premier of Ontario  
Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

March 5, 2020

Re: **Supporting Conservation Authorities**

Please be advised that the following resolution was endorsed by Ajax Town Council at its Meeting held February 24, 2020:

WHEREAS, the Town of Ajax is committed to planning for a sustainable future, protecting human life and property from natural hazards, and promoting environmental education and stewardship;

AND WHEREAS the Town of Ajax is located within the Toronto and Region Conservation Authority (TRCA) and the Central Lake Ontario Conservation Authority (CLOCA) jurisdiction and has representatives on both Board of Directors;

AND WHEREAS each respective Board of Directors determine the policies, priorities and budget of the TRCA and CLOCA;

AND WHEREAS the TRCA and CLOCA provide valuable non-mandatory programs and services including expert advice on the environmental impacts associated with land use planning and source water protection, environmental restoration services, educational and recreational opportunities, and community engagement programs, in an efficient manner delivered at a watershed scale;

THEREFORE BE IT RESOLVED that the Town of Ajax supports the continuation of both mandatory and non-mandatory programs and services provided by the TRCA and CLOCA, and that no programs or services of the TRCA or CLOCA, or the other Conservation Authorities in Ontario be "wound down" at this time;

AND THAT the Province engage in early consultations with the TRCA, CLOCA, and other Conservation Authorities, and member municipalities including the Region of Durham, to fully understand the funding structure and local benefits of programs delivered by the Conservation Authorities;

AND THAT a copy of this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario; Jeff Yurek, Minister of Environment, Conservation and Parks; Rod Philips, MPP Ajax; the Association of Municipalities of Ontario; the Toronto and Region Conservation Authority; Central Lake Ontario Conservation Authority; Conservation Ontario; and all Ontario Municipalities.



If you require any additional information please do not hesitate to contact Sean McCullough, Senior Planner, at 905-619-2529 ext. 3234 or [sean.mccullough@ajax.ca](mailto:sean.mccullough@ajax.ca)

Sincerely

A handwritten signature in cursive script, appearing to read "S. Moore".

Sarah Moore  
Acting Manager of Legislative Services/Deputy Clerk

Copy: Jeff Yurek, Minister of Environment, Conservation and Parks  
Rod Philips, MPP Ajax  
Association of Municipalities of Ontario  
Toronto and Region Conservation Authority  
Central Lake Ontario Conservation Authority  
Conservation Ontario; and  
S. McCullough, Senior Planner,  
all Ontario Municipalities

March 5, 2020

**SENT VIA E-MAIL**

Hon. John Yakabuski  
Minister of Natural Resources and Forestry  
Whitney Block 6th Flr Rm 6630,  
99 Wellesley St W,  
Toronto, ON M7A 1W3

Honourable Minister Yakabuski:


**SUBJECT: LEGISLATIVE CHANGES IN BILL 132**

---

At its regular meeting held on March 3, 2020, Council for the Municipality of West Nipissing passed resolution **2020/101**, attached hereto. The resolution supports a request circulated by the Township of Puslinch, supporting AMO's position on the legislative changes in Bill 132 with respect to the *Aggregate Resources Act* and the *Safe Drinking Water Act*.

We trust the enclosed is self-explanatory.

Respectfully,



Deputy Clerk / Assistant to the  
Chief Administrative Officer

\Encl.

cc: Minister of Health and Long-Term Care  
Association of Municipalities of Ontario (AMO)  
Ontario Municipalities



The Corporation of the Municipality of West Nipissing /  
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2020 / 1 0 1

MARCH 3, 2020

Moved by / Proposé par :

Seconded by / Appuyé par :

**WHEREAS** the Municipality of West Nipissing received resolution no. 2020-010 from the Township of Puslinch supporting the Association of Municipalities of Ontario's (AMO) position on the Legislative Changes in Bill 132 with respect to the *Aggregate Resources Act* and the *Safe Drinking Water Act*;

**BE IT RESOLVED THAT** Council for the Municipality of West Nipissing also supports AMO's position on the Legislative Changes in Bill 132 with respect to the *Aggregate Resources Act* and the *Safe Drinking Water Act*, as supported by the Township of Puslinch;

**BE IT FURTHER RESOLVED THAT** a copy of this resolution be forwarded to the Ministry of Natural Resources and Forestry, the Ministry of Health and Long-Term Care, the Association of Municipalities of Ontario (AMO) and Ontario municipalities for their consideration.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: \_\_\_\_\_

DEFEATED: \_\_\_\_\_

DEFERRED OR TABLED: \_\_\_\_\_



February 20, 2020

RE: AMO's position on the Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe Drinking Water Act.

Please be advised that Township of Puslinch Council, at its meeting held on January 2, 2020, considered the aforementioned topic and subsequent to discussion, the following was resolved:

**Resolution No. 2020-010:** Moved by Councillor Sepulis and  
Seconded by Councillor Bailey

**That Council receives the Intergovernmental item 7.9 Queens Park Update; and  
That Council direct staff to send correspondence in support of AMO's position on the  
Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe  
Drinking Water Act.**

**CARRIED**

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Yours very truly,  
Courtenay Hoytfox  
Development and Legislative Coordinator

**From:** AMO Communications <Communicate@amo.on.ca>  
**Sent:** Monday, December 16, 2019 11:17 AM  
**To:** Courtenay Hoytfox  
**Subject:** Queen's Park Update - December 16, 2019

AMO Update not displaying correctly? [View the online version](#) | [Send to a friend](#)  
Add [Communicate@amo.on.ca](mailto:Communicate@amo.on.ca) to your safe list



December 16, 2019

## Queen's Park Update

### Cannabis

On December 12<sup>th</sup>, the government amended Ontario Regulation 478/18 under the *Cannabis License Act, 2018*. This opens Ontario's cannabis retail market in 2020. Retail applications begin on January 6, 2020 and the new changes in the regulation include:

- Ceasing the lottery for retail licenses
- Eliminating pre-qualification requirements for retailers
- Allowing licensed producers to open retail store connected to a production facility

On March 2, 2020, the restrictions on the total number of store authorizations permitted in the province will be revoked. Licensed operators will be allowed to have up to 10 stores until September 2020, up to 30 stores until September 2021 and up to 75 stores afterwards. Store applications will only be eligible in municipalities that have opted-in to sell cannabis.

For more information, visit [www.agco.ca](http://www.agco.ca).

### End of the Fall Legislative Session

The Legislative Assembly of Ontario ended its 2019 legislative session on December 12<sup>th</sup> and is adjourned until February 18, 2020. Here are some short summaries of Bills of municipal interest that have received Royal Assent.

**Bill 132, Better for People, Smarter for Business Act, 2019** – Received Royal Assent on Dec. 10<sup>th</sup>.

The legislative changes in Bill 132 of most municipal concern are to the *Aggregates Act*. While it is an improvement that a change will require an application process for below water table extraction, rather than just an amendment to a licence, it still allows the province to issue licences for below water table extraction while the *Safe Drinking Water Act*, Section 19 stipulates that owners of municipal drinking water sources are guilty of an offence if they fail to exercise care over a drinking water system, like a well. As aquifers are connected, a decision of the province to allow below water table extraction could lead to contamination of municipal drinking water sources.

Given the conflict between these two Acts, AMO had asked for a concurrent amendment to the *Safe Drinking Water Act* to indemnify Council members for decisions on *Aggregates Act* applications that the province makes. This amendment was not made to the legislation that now has Royal Assent. We believe this will result in municipal councils appealing all provincial decisions on below water table extraction to the Local Planning Appeal Tribunal (LPAT) to show appropriate due diligence.

As well through Bill 132, the *Highway Traffic Act* was amended to allow municipal governments to pass by-laws that will allow some off-road vehicles to be driven on municipal highways.

For more information on this omnibus bill, please refer to AMO's [Bill 132 submission](#).

**Bill 138, Plan to Build Ontario Together Act, 2019** – Received Royal Assent on December 10<sup>th</sup>.

This omnibus Bill accompanied the 2019 Fall Economic Statement and affected 40 statutes. This included:

- Section 26.1 of the *Development Charges Act* is amended and will remove industrial development and commercial development from eligible development types that can be charged.
- Subsection 329 (2) of the *Municipal Act, 2001* and section 291 (2) of the *City of Toronto Act, 2006* has been amended regarding calculating property taxes when the permitted uses of land change.
- The *Supply Chain Management Act* specifies how the broader public sector may carry out supply chain management and procurement. AMO has confirmed that these provisions will not apply to municipalities.
- Section 37 of the *Planning Act* has been amended to set out a process for a person or public body to appeal a community benefits charge by-law to the Local Planning Appeal Tribunal.
- Section 40 (1) of the *Liquor Licence and Control Act* permits municipal councils to designate a recreational area under its jurisdiction to prohibit the possession of liquor.

**Bill 136, Provincial Animal Welfare Services Act, 2019** – Received Royal Assent on December 5<sup>th</sup>.

This bill creates an animal welfare framework. Under the Act, in the event of a conflict between a municipal by-law and the *Provincial Animal Welfare Services Act*, the provision that affords the greater protection to animals will prevail. The legislation

requires an implementation of a full provincial government-based animal welfare enforcement model.

The province has confirmed that all enforcement mechanisms will be performed by them.

**Bill 124, Protecting a Sustainable Public Sector for Future Generations Act, 2019**

– Received Royal Assent on November 7<sup>th</sup>.

Under Bill 124, broader public sector employee salary increases will be limited to 1% for the next three years. AMO has been assured that this Act does not apply to employers that are a municipality, a local board as defined in the *Municipal Act*, and persons and organizations that are appointed or chosen under the authority of a municipality.

**AMO Contact:**

You can contact AMO's Policy Team at [policy@amo.on.ca](mailto:policy@amo.on.ca) or 416-971-9856.

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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before printing this.

Association of Municipalities of Ontario  
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

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# Stop The Great Lakes Nuclear Dump

Stop The Great Lakes Nuclear Dump  
info@stopthegreatlakesnucleardump.com

March 6, 2020

Via Email

Mayor Nelson Santos  
Town of Kingsville  
2021 Division Road North  
Fort Erie, Ontario  
Canada N9Y 2Y9

Dear Mayor Santos,

Re: Proposed OPG Nuclear Waste Repository in Kincardine Ontario

I am writing to share some fantastic news ---- following years of opposition from Great Lakes communities, environmental groups, first nations and tribes and lawmakers in Canada and the US, Ontario Power Generation (OPG) has abandoned its plan to build a nuclear waste repository on the Kincardine site, 1 mile from the shore of Lake Huron. OPG's decision followed the January 31<sup>st</sup> vote by the Saugeen Ojibway Nation (SON) that overwhelmingly rejected OPG's plan to bury radioactive nuclear waste in SON territory right beside the drinking water of 40 million people.

Thank you for standing up for the protection of the Great Lakes and for being part of this important victory.

The Town of Kingsville showed great leadership in passing a resolution on July 22, 2013 opposing OPG's nuclear waste repository and in being one of 104 signatories to a joint letter to Canada's Federal Minister of Environment and Climate Change. You helped to raise awareness of the danger and irresponsibility of OPG's plan and you were part of an international opposition effort that undoubtedly lent vital support to SON on the eve of its momentous 'NO' vote.

With OPG now committing to investigate an alternate site for its low and intermediate nuclear waste, the need for vigilance remains.

AND, there is a new threat on the horizon----the municipality of South Bruce, about 18 miles from the shore of Lake Huron, is one of 2 communities being considered by the Nuclear Waste Management Organization (NWMO) for a nuclear waste repository that would house all of Canada's high level nuclear waste.

We will continue to keep you apprised of this new threat as it unfolds.

Very best regards,

Frank Fernandez  
Stop The Great Lakes Nuclear Dump

*Stop The Great Lakes Nuclear Dump Inc. is a non-profit organization comprised of concerned Canadians who believe that the protection of the Great Lakes from buried radioactive nuclear waste is responsible stewardship, and is of national and international importance.*

*The Great Lakes were created by an ice age 12,000 years ago.*

*The Egyptian pyramids were created 4,500 years ago.*

*Some nuclear waste remains radioactive for 100,000 years.*

*The Great Lakes constitute 21% of the world's fresh water.*

*The Great Lakes are the water source supporting 40 million people in 2 countries.*

*An underground nuclear waste dump right beside the Great Lakes defies common sense.*





Hon. Ernie Hardeman  
Minister of Agriculture, Food & Rural Affairs  
77 Grenville Street, 11th Floor  
Toronto, Ontario M5S 1B3

Via Email: [minister.omafra@ontario.ca](mailto:minister.omafra@ontario.ca)

Dear Minister Hardeman,

Ontario farms have come under increasing threat from trespassers and activists who illegally enter property, barns and buildings, causing significant disruptions to the entire agri-food sector. These activists are trespassing under false pretenses to gain entry on to farm properties. They have seized private property and threatened the health and safety of Ontario farms, employees, livestock and crops. These individuals and organizations are causing health and safety concerns and undue stress to Ontario farmers, their families, and their businesses. Once peaceful protests have escalated to trespassing, invading, barn break-ins and harassment. These incidents distress farmers, their families and employees, and threaten the health of livestock and crops when activists breach biosecurity protocols, ultimately putting the entire food system at risk.

We strongly support the new proposed legislation, *Bill 156: Security from Trespass and Protecting Food Safety Act*. This new legislation is an important way to keep our farm and food supply safe for all Ontarians. Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest. This new legislation will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system. *Bill 156: Security from Trespass and Protecting Food Safety Act* is good news for Ontario's agri-food industry. Thank you for this important new legislation. Protection of our Ontario should be the highest priority.

Sincerely,

**Meagan Elliott**  
**Municipal Clerk**

Moved: Eugene Ivanov

Seconded: Patrick Adams

**Whereas** the Provincial Government of Ontario is considering Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019*; and

**Whereas** Bill 156 is intended to protect farms, farm operations, and food safety and security by addressing unwanted trespassing; and

**Whereas** Ontario farmers are increasingly under threat of unwanted trespassers who are illegally entering property, barns and buildings, and safety of drivers of motor vehicles transporting farm animals which threatens the health and safety of the farm, employees, livestock and crops; and

**Whereas** additional protection for the agri-food industry to protect the security of the food chain, the farm owners, family and employees is the purpose of the *Security from Trespass and Protecting Food Safety Act, 2019*; and

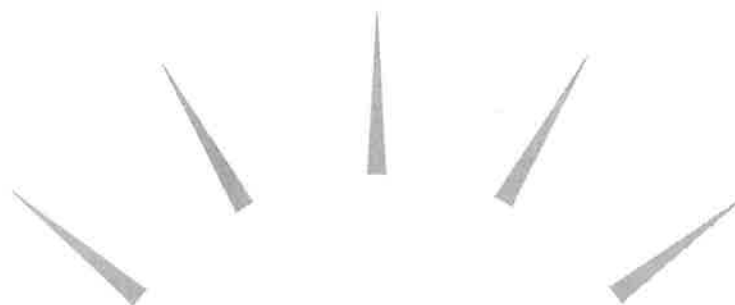
**Whereas** unwanted trespassing occurs on all types of farm operations, including grain farmers, which has the potential to impact the safety and security of people and the food chain;

**Now Therefore Be It Resolved That** the Town of Kirkland Lake supports the intent of Bill 156 and requests that the Province of Ontario expanding Bill 156 to identify and include protections against trespass for grain farm operations; and

**That** a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Andrea Horwath, Leader of the New Democratic Party of Ontario, John Fraser, Interim Leader of the Liberal Party of Ontario, Mike Schreiner, Leader of the Green Party of Ontario, and Monte McNaughton, MPP, Middlesex-Kent; and

**That** a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), and Ontario municipalities.

CARRIED



OFFICE OF THE MAYOR  
THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

Postal Bag 1757, 3 Kirkland Street, Kirkland Lake, Ontario, Canada P2N 3P4 T (705) 567-9361 F (705) 567-3535 E bill.enouy@tkl.ca  
www.teamkirklandlake.com

**From:** [Sandy Kitchen](#)  
**To:** [Sandy Kitchen](#)  
**Subject:** FW: Resolution re Electronic meetings during COVID-19 Pandemic for your Council's support  
**Date:** Thursday, March 19, 2020 2:46:59 PM  
**Attachments:** [Callander Resolution re COVID-19 measures.pdf](#)

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**From:** Elaine Gunnell <[egunnell@callander.ca](mailto:egunnell@callander.ca)>  
**Sent:** Tuesday, March 17, 2020 9:37 PM  
**To:** clerk <[clerk@callander.ca](mailto:clerk@callander.ca)>  
**Subject:** Resolution re Electronic meetings during COVID-19 Pandemic for your Council's support

Hello Everyone,

Please see the attached resolution passed by the Council of the Municipality of Callander on March 16, 2020 regarding electronic meetings during the COVID-19 pandemic, for your Council's consideration and support. Thank you.

Elaine Gunnell, Dipl.M.A., AOMC  
Municipal Clerk  
Municipality of Callander  
280 Main Street N., P.O. Box 100  
Callander, ON P0H 1H0  
Phone: 705-752-1410 ext 222  
Fax: 705-752-3116



MUNICIPALITY OF CALLANDER

Monday, March 16, 2020

Moved by Councillor

Seconded by Councillor

**RESOLUTION NO. 2020/03/ 84**

Whereas the World Health Organization has declared the COVID-19 Virus a world-wide pandemic; and

Whereas all levels of Government in Canada are taking precautionary measures to help protect their citizens and communities and slow the spread of this virus; and

Whereas these measures include social distancing and avoiding where possible public gatherings; and

Whereas the duration of these measures is unknown at this time; and

Whereas municipal governments need to continue to operate; and

Whereas the technology exists to allow Council members to participate in meetings electronically and for the public to be able to view the proceedings of Council electronically, thus allowing for increased social distancing without compromising accountability and transparency of Council decisions; and

Whereas the Municipal Act currently provides for Council Members to participate electronically in meetings, but only if a quorum is present in person and the meeting is open to the public; and

Whereas additional measures to control the COVID-19 pandemic could be employed if the Provincial Government waives the quorum and closed session restrictions to electronic participation in meetings by Council Members;

Now therefore, be it resolved that the Council of the Municipality of Callander petition the Provincial Government to waive the restrictions on electronic participation in Council Meetings, at least for the duration of the COVID-19 pandemic;

And further that copies of this motion be sent to the Premier of Ontario, the Minister of Municipal Affairs; our local MPP; and all Ontario Municipalities for support.

\_\_\_\_\_  
Mayor

CARRIED / DEFEATED / AMENDED / DEFERRED

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 27-2020

---

### **Being a by-law 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 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 OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. That Subsection 6.2.1 (e) RESIDENTIAL ZONE 2 URBAN (R2.1) EXCEPTIONS is amended with the addition of the following new subsection:

6.2.1.18 'RESIDENTIAL ZONE 2 URBAN EXCEPTION 18 (R2.1-18)' For lands shown as R2.1-18 on May 75 Schedule "A" of this By-law.

#### a) Permitted Uses

Those uses permitted under Section 6.2.1

#### b) Permitted Buildings and Structures

- i) Four semi-detached dwellings with a maximum of eight semi-detached dwelling units on a lot existing on the day of passing of this by-law.
- ii) One semi-detached dwelling per lot
- iii) One semi-detached dwelling unit per lot
- iv) An accessory 6-unit storage building
- v) Buildings and structures accessory to the permitted uses

#### c) Zone Provisions

Provisions of the (R2.1) Section 6.2.1 shall apply to a permitted single detached dwelling.

Notwithstanding the zone provisions of the (R2.1) Section 6.2.1 the following regulations shall apply to buildings and structures on lands zoned (R2.1-18):

#### 1. Semi-detached dwelling

- i) Lot Area – 370 m<sup>2</sup> - minimum
- ii) Lot Frontage – 17 m - minimum
- iii) Lot Coverage – 50% - maximum
- iv) Front Yard Setback – 6.0 m - minimum
- v) Rear Yard Setback – 5.0 m - minimum
- vi) Interior Side Yard – 1.22 m - minimum

2. Semi-detached dwelling unit

- i) Lot Area – 180 m<sup>2</sup> - minimum
- ii) Lot Frontage – 8.5 m - minimum
- iii) Lot Coverage – 55% - maximum
- iv) Front Yard Setback – 6.0 m - minimum
- v) Rear Yard Setback – 5.0 m - minimum
- vi) Interior Side Yard Setback – 1.22 m on one side and 0 m on the other side

3. An accessory storage building

- i) Lot Coverage – 50% - maximum
- ii) Front Yard Setback – 6 m - minimum
- iii) Rear Yard Setback – 3.5 m - minimum
- iv) Interior Side Yard – 3 m –minimum

Notwithstanding any other provisions of the by-law to the contrary the lot frontage of a lot zoned R2.1-18 shall be deemed to be Maple Street.

Notwithstanding any other provisions of the by-law to the contrary no outdoor storage or vehicle parking is permitted in combination with an accessory storage building.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
23<sup>rd</sup> DAY OF MARCH, 2020.**

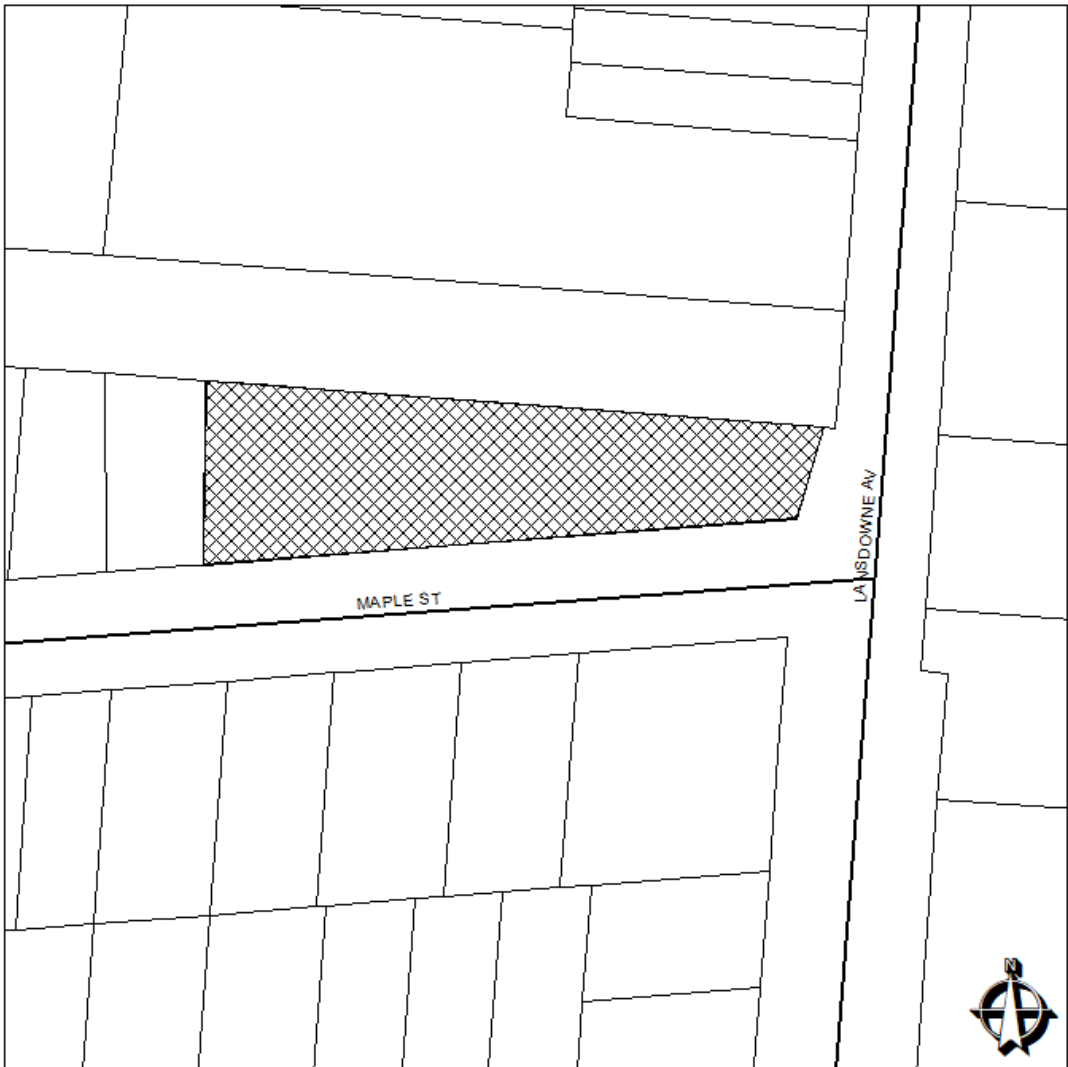
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**MAYOR, Nelson Santos**


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
**CLERK, Jennifer Astrologo**

Schedule A



**Maple St. & Lansdowne Ave.**  
**Part of Lots 5 to 8, 23 & 24 Plan 296**  
**Part 3, RP 12R 23274**  
**ZBA/05/2016**

 Meters  
0 5 10 20 30 40

 Schedule "A", Map 75 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban Exception 21 (R1.1-21)' to 'Residential Zone 2 Urban Exception 18 (R2.1-18)'.

# **THE CORPORATION OF THE TOWN OF KINGSVILLE**

## **BY-LAW 28-2020**

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### **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. Schedule "A", Map 25 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, known municipally as 605 Road 11, in Part of Lot 22, Concession 11, as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
23<sup>rd</sup> DAY OF MARCH, 2020.**

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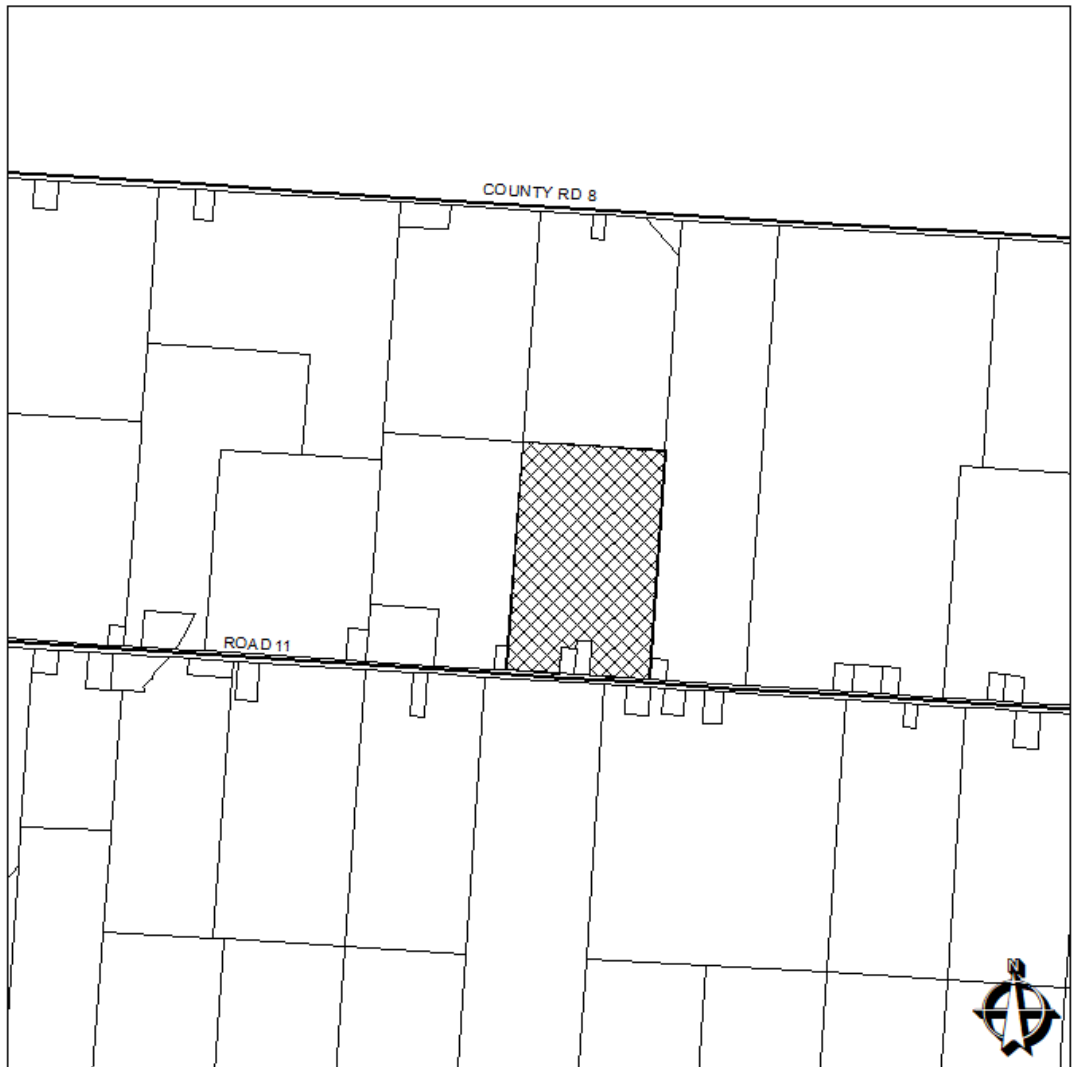
**MAYOR, Nelson Santos**

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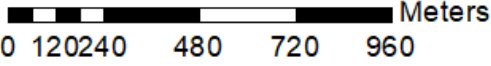
**CLERK, Jennifer Astrologo**




Schedule A



**605 Road 11**  
**Part of Lot 22, Concession 11**  
**ZBA/24/2019**



Meters  
0 120240 480 720 960



Schedule "A", Map 25 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 2 - Restricted (A2)'.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 33-2020

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**Being a By-law authorizing the Mayor and the Clerk to enter into a Lease Extension Agreement with John Ivanisko and Michelle Ivanisko to Extend the Tenancy Lease of O.P.P. Cottam location, 116 County Rd 34**

**WHEREAS** Section 9 of the *Municipal Act, 2001*, S.O. c. 25 confers natural person powers on municipalities which include the power to enter into agreements with individuals and corporations;

**AND WHEREAS** The Corporation of the Town of Kingsville (the "Town") passed By-law no. 20-2001 authorizing the entering into of a Lease Agreement with John Ivanisko for the premises known municipally as 116 County Rd 34, in the Town of Kingsville.

**AND WHEREAS** the parties have agreed to extend the Lease Agreement to December 31, 2021.

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

1. **THAT** the Town enters into and executes with John Ivanisko and Michelle Ivanisko a Lease Extension Agreement attached hereto as Schedule "A" and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Lease Extension Agreement attached as Schedule "A".
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 23<sup>rd</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

**LEASE EXTENSION AGREEMENT**  
(the "Agreement") **MADE** as of the 1<sup>st</sup> day of April, 2020.

**BETWEEN:**

**JOHN IVANISKO AND MICHELLE IVANISKO**  
(the "Landlords")

-AND-

**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
(the "Tenant")

**WHEREAS:**

1. The Landlords leased to the Tenant certain premises located at 116 County Road 34, Cottam, Ontario pursuant to a Lease Agreement dated the 1<sup>st</sup> day of January, 2001 and extensions thereto (collectively the "Lease Agreement"), a copy of which is attached hereto as Schedule A and the term was to expire on December 31, 2014;
2. The term of the Lease Agreement expired on December 31, 2014.
3. Since January 1, 2015, the Landlords have rented the premises to the Tenant on a month to month basis;
4. The parties have agreed to extend the terms, covenants and conditions of the Extension Agreement until December 31, 2021.

**NOW THEREFORE WITNESSETH THAT** in consideration of the mutual covenants and obligations set forth and of the payment of Two (\$2.00) Dollars, the sufficiency and receipt of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1. The recitals as set out above are true in substance and in fact.

2. The Extension Agreement commences April 1, 2020 and ends on December 31<sup>st</sup>, 2021, a term of 21 months.
3. The Tenant acknowledges and agrees that as of the date of execution of this Extension Agreement, they have no claims against the Landlords in respect of any default or obligation of the Landlords pursuant to the terms of the Lease Agreement.
4. The Tenant will pay monthly rent of Six Hundred (\$600.00) dollars, including H.S.T. and utilities, on the first day of each and every month commencing on the 1<sup>st</sup> day of April, 2020 and ending with the last payment due on the 1<sup>st</sup> day of December 2021.
5. The parties confirm that in all other respects the terms, covenants and conditions of the Lease Agreement remain unchanged and in full force and effect, except as modified by this Extension Agreement. It is understood and agreed that all terms and expressions when used in this Extension Agreement shall, unless a contrary intention is expressed herein, have the same meanings as ascribed to them in the Lease Agreement.
6. This Extension Agreement shall enure to the benefit of and be binding upon the parties and their respective heirs, successors and permitted assigns as the case may be.

**IN WITNESS WHEREOF** this Extension Agreement has been executed by the parties hereto:

**THE CORPORATION OF THE TOWN  
OF KINGSVILLE (the Tenants)**

Per: \_\_\_\_\_  
Nelson Santos  
Mayor

Per: \_\_\_\_\_  
Jennifer Astrologo  
Director of Corporate Services/  
Clerk

We have authority to bind the Corporation

\_\_\_\_\_  
**Witness**

\_\_\_\_\_  
**John Ivanisko (the Landlord)**

\_\_\_\_\_  
**Witness**

\_\_\_\_\_  
**Michelle Ivanisko (the Landlord)**

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 35-2020

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**Being a by-law to amend By-law 101-2004, being a By-law to Appoint Officers and Management Staff for The Corporation of the Town of Kingsville, and to Repeal By-law 21-2016**

**WHEREAS** sections 8 and 9 of the *Municipal Act, 2011 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 229 of the Act provides that a municipality may appoint a chief administrative officer;

**AND WHEREAS** the municipality deems it advisable to delete certain appointments contained in By-law 101-2004, and to repeal By-law 21-2016, being a By-law to appoint the Chief Administrative Officer of The Corporation of the Town of Kingsville.

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

1. **THAT** By-law 21-2016, enacted on the 22<sup>nd</sup> day of February, 2016, being a By-law to appoint Peggy Van Mierlo-West as the Chief Administrative Officer of The Corporation of the Town of Kingsville, is hereby repealed.
2. **THAT** paragraph 1 of By-law 101-2004 be amended by deleting Dan DiGiovanni as Chief Administrative Officer.
3. **THAT** all other terms set out in By-law 101-2004 and amendments thereto shall remain in full force and effect.
4. **THAT** this By-law comes into force and takes effect on the date of passing hereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

# APPENDIX “A”

## THE CORPORATION OF THE TOWN OF KINGSVILLE

### BY-LAW 36 - 2020

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#### Being a By-law to amend By-law 55-2016, being a By-law to Govern the Calling, Place and Proceedings of Council and Committees

**WHEREAS** Subsection 238 (3.1) of the *Municipal Act, 2001* allows that a municipality’s procedure by-law (for governing the calling, place and proceedings of meetings) may also provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law;

**AND WHEREAS** the *Municipal Emergency Act, 2020* amends the *Municipal Act, 2001* by adding subsections 3.3 and 3.4 to the *Municipal Act, 2001*, which sections expand on the ability of municipal councils to conduct electronic meetings in the wake of a declared emergency under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*;

**AND WHEREAS** the Council of The Corporation of the Town of Kingsville hereby deems it expedient to amend its procedure By-law 55-2016, for the reason of electronic participation during an emergency.

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

1. **THAT** By-law 55-2016 is hereby amended under Section 1 – **Definitions**, to add the following definition:

“1.t) “Electronic Participation” shall mean participation in a Meeting by means of telecommunication instruments including but not limited to telephone and video conferencing.”

2. **THAT** By-law 55-2016 is hereby amended on page 4 by the addition of a Subheading titled Electronic Participation to include the following:

#### **“Electronic Participation**

14.1. During any period where an emergency has been declared to exist in all or part of the Municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* Members of Council may participate in Meetings electronically, subject to the following:

- a) Notification for Electronic Participation must be given to the Clerk 8 hours prior to the meeting unless the circumstances do not permit such notice, at which point the Member shall provide the Clerk with notice of his/her need for Electronic Participation as soon as possible;
- b) Members participating electronically shall be counted in determining quorum;
- c) Members may participate electronically in a Meeting that is closed to the public;
- d) Members participating electronically in a Meeting closed to the public must ensure that they are participating from a location that ensures the privacy and confidentiality of the closed meeting discussion;
- e) The chair of the Meeting, regardless of whether open or closed to the public, may not participate electronically and must be present in the meeting room scheduled for the Meeting with the Clerk;
- f) The Meeting chair, in consultation with the Clerk, shall rule on and determine the applicable meeting processes as may be adapted to a meeting with electronic participants, which processes shall be

consistent with the Procedure By-law and in accordance with the Act.”

3. THAT By-law 55-2016 is hereby amended on page 8 under the heading **Conduct of Members** to include the following:

“50.1. The following practices will be followed when a Member is participating in a Meeting electronically:

- a) The Member shall be available at least thirty (30) minutes before the beginning of the meeting to assist staff in establishing the necessary electronic connection;
  - b) The Member will mute his or her electronic device when he or she is not speaking;
  - c) The Chair will canvass the Member about their intention to speak to a matter on the floor and will notify the Member when it is his or her turn to speak;
  - d) After putting a motion to a vote, the Member will be required to identify verbally how he or she wishes to vote;
  - e) A member shall inform the Chair about his or her intentions to leave the meeting either on a temporary or permanent basis;
  - f) A member will be deemed to have left the meeting when they are no longer electronically connected to the meeting;
  - g) In the case of a loss of connection, or any connection issue which impedes the ability of a Member to participate in the meeting in real time, the meeting will continue without attempts by either staff or the member(s) to reconnect, reconnection efforts by staff or the Member may be made during a recess.”
4. THAT all other terms set out in said By-law 55-2016 of The Corporation of the Town of Kingsville shall remain in full force and effect.
5. THAT this By-Law shall come into effect upon third reading and being finally passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**



# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 37-2020

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**Being a By-law authorizing the entering into of an Agreement with Nevan Construction Inc. for the construction of the Sumac Drive Watermain Replacement for The Corporation of the Town of Kingsville (N. J. Peralta Engineering Ltd. Project No.: E-19-057)**

**WHEREAS** Section 9 of the *Municipal Act, 2001*, S.O. c. 25 confers natural person powers on municipalities which include the power to enter into agreements with individuals and corporations.

**WHEREAS** The Corporation of the Town of Kingsville (the “Town”) deems it expedient for the Town to enter into an Agreement with Nevan Construction Inc. for the construction of the Sumac Drive Watermain Replacement for The Corporation of the Town of Kingsville.

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

1. **THAT** the Town enters into and executes with Nevan Construction Inc. the Agreement attached hereto as Schedule “A” and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Agreement attached as Schedule “A”.
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 23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

T H I S   A G R E E M E N T   made in triplicate this

16 day of March, A.D. 2020

BETWEEN:

CORPORATION OF THE TOWN OF KINGSVILLE

(hereinafter called the "OWNER")

OF THE FIRST PART:

- and -

NEVAN CONSTRUCTION INC.

(hereinafter called the "CONTRACTOR")

OF THE SECOND PART.

WHEREAS the Tender of the CONTRACTOR respecting the Construction work, hereinafter referred to and described, was accepted by the OWNER on the 10th day of March, 2020.

THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the covenants hereinafter contained, the Parties hereto agree as follows:

1. The Contractor hereby covenants and agrees to provide and supply at its expense, all and every kind of labour, machinery, equipment and materials for, and to undertake and complete in strict accordance with its Tender dated the 28th day of February, 2020, and the Contract Documents (consisting of the General Conditions of Contract, Drawings, Specifications, Information to Tenderers, Special Provisions of Contract, if any, including all modifications thereof and incorporated in the said documents before their execution) prepared by N.J. PERALTA

ENGINEERING LTD., Consulting Engineers, all of which said documents are annexed hereto and form part of this Agreement to the same extent as if fully embodied herein, the construction of the **SUMAC DRIVE WATERMAIN REPLACEMENT FOR THE CORPORATION OF THE TOWN OF KINGSVILLE** for the sum of

One Hundred and Thirty Six Thousand Nine Hundred Dollars  
and Zero Cents (\$136,900.00)

2. The Contractor further covenants and agrees to undertake and complete the said Work in a proper workmanlike manner under the supervision and direction and to the entire satisfaction of the said Consulting Engineers and Owner, within the specified time in its Tender. Time shall be deemed the essence of the Contract.

3. The Contractor further covenants and agrees that he will at all times, indemnify and save harmless, the OWNER, the CORPORATION OF THE TOWN OF KINGSVILLE, the COUNTY OF ESSEX and N.J. PERALTA ENGINEERING LTD., along with their respective officers, servants and agents, from and against all loss and damages whatsoever which may be made or brought against the above listed by reason or in consequence of the non-execution or negligent execution thereof by the Contractor, its servants, agents, or employees.

4. The Contractor further covenants and agrees to furnish, in accordance with the Contract Documents, a Performance and Maintenance Bond in an amount equivalent to One Hundred Per Cent (100%) of the Tender Price, in such form and issued by such surety as may be approved by the Consulting Engineers and/or the Owner's solicitor, guaranteeing the faithful performance of the said Work in accordance with the terms of this Agreement.

5. The Owner hereby covenants and agrees that if the said Work is duly and properly executed and materials are provided as aforesaid, and if the said Contractor carries out, performs and observes all of the requirements and conditions of this Agreement, the Owner will pay to the Contractor, the price set forth in its Tender, such payment or payments to be made in accordance with the provisions of the General Conditions of the Contract referred to above.

6. This Agreement and everything herein contained shall inure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns, respectively.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals, if any, duly attested by the signature of their proper officers in that behalf, respectively.



Witness as to Signature  
of Contractor



Contractor's Signature & Seal

Walter Branco

Contractor's Name

950 Seacliff Drive  
Kingsville, Ontario N9Y 2K9

Contractor's Address

CORPORATION OF THE  
TOWN OF KINGSVILLE.

Owner



Nelson Santos  
Mayor



Clerk

2021 Division Road North  
Kingsville, Ontario N9Y 2Y9

Owner's Address

**APPENDIX “B”**  
**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
**BY-LAW 38-2020**

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**Being a By-law to authorize the delegation of authority to the  
Director of Corporate Services/Clerk and to  
the Director of Financial Services  
for certain acts during the Provincially declared state of emergency  
under *the Emergency Management and Civil Protection Act***

**WHEREAS** on March 17, 2020 Premier Ford declared a state of emergency in the Province of Ontario under the *Emergency Management and Civil Protection Act* as the Province tries to rapidly slow the spread of COVID-19;

**AND WHEREAS** The Town’s Procurement Policy currently requires Council’s approval for all contracts awarded in excess of \$50,000.00;

**AND WHEREAS** Subsection 23.1 of the Act provides that a municipality may delegate its powers and authority subject to the restrictions as set out in such Subsection 23.1;

**AND WHEREAS** Council deems it expedient to delegate authority to the Director of Corporate Services and the Director of Financial Services during this provincially declared state of emergency to jointly approve contracts up to Five Hundred Thousand Dollars (\$500,000.00), provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget.

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

1. **THAT** Council delegates authority to Director of Financial Services R. McLeod and to Director of Corporate Services J. Astrologo during this provincially declared state of emergency to jointly approve contracts up to Five Hundred Thousand Dollars (\$500,000.00), provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget.
2. **THAT** the delegated authority as outlined in Section 1 above shall take effect and be limited to the period during the provincially declared state of emergency under the *Emergency Management and Civil Protection Act*, which declaration was made on March 17, 2020, by Premier Ford, and which declaration may be extended, renewed or re-declared.
3. **THAT** notwithstanding the pre-condition outlined in Section 2, the delegated authority shall remain in force and effect if the Mayor of the Town of Kingsville declares a state of emergency for the municipality and that declaration remains in effect following the expiry or removal of the emergency declaration ordered by the province.
4. **THAT** prior to the exercise of the delegation of authority outlined in Section 1 and 2 above:
  - i) The Director of Financial Services and the Director of Corporate Services will consult with the relevant Departmental Director/Manager on such contracts; and that
  - ii) The Director of Financial Services will advise Council in writing of the exercise of the authority prior to that authority being exercised.

## **APPENDIX “B”**

5. This By-law shall come into force and effect upon its final passage and shall continue until such time as the Province and Municipality lift the aforementioned state of emergency declaration(s).

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 39-2020

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### Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 23, 2020 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 March 23, 2020 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  
23<sup>RD</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**