



**REGULAR MEETING OF COUNCIL
AGENDA**

Monday, May 25, 2020, 7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

A. CALL TO ORDER

In light of the ongoing COVID-19 pandemic, this Regular Meeting of Council is being held electronically. Members will meet via electronic participation. Members of the public can view the meeting at: www.kingsville.ca/meetings and select the VIDEO icon.

B. 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.

C. PRESENTATIONS/DELEGATIONS

- 1. Rick Stephenson, representing the Executive for the Kingsville Tennis Association (Written presentation only)**

1

Overview/update of the investment in the partnership with the Town of Kingsville regarding the tennis courts.

D. AMENDMENTS TO THE AGENDA

E. STAFF REPORTS

- 1. Outstanding Action Items and Updates**

3

J. Astrologo, Director of Corporate Services/Clerk

Recommended Action

That Council receive the report regarding Outstanding Action Items and Updates for information.

2. **Edge Line Repair on Graham Side Road** 22
- S. Martinho, Manager of Public Works
- Recommended Action**
That Council award edge line repair work on Graham Side Road to Coco Paving Inc. for \$64,999.95 including HST and authorize the expenditure of the remaining \$35,000.05 on in-house hardtop road maintenance initiatives throughout the Town.
3. **Personnel Committee Terms of Reference** 27
- J. Galea, Human Resources Manager
- Recommended Action**
That Council adopts the Terms of Reference for the Personnel Committee, as presented.
4. **CAO Recruitment** 31
- J. Galea, Human Resources Manager
- Recommended Action**
That Council approves the updated job description for the CAO;

And That Council approves and confirms the Hiring Committee and compensation for the CAO position;

And That Council provide direction to the HR Manager to move forward with the recruitment process either internally through the HR Manager or an external Recruiter.
5. **Dark Sky Compliance Enforcement** 40
- R. Brown, Manager of Planning Services
- Recommended Action**
That Council receives the report on greenhouse dark sky compliance enforcement for information purposes.
6. **Planning Application Processing – Part II** 44
- R. Brown, Manager of Planning Services
- Recommended Action**
That Council approves proceeding with the processing of basic Planning Act applications, until restrictions on public gatherings are lifted, including:

those not subject to public notification and not the subject of a recent zoning amendment;

consent applications for lot additions, the establishment of easements or rights-of-way, the subdivision of an existing semi-detached or townhouse

dwelling and the severance of surplus dwellings;
minor variances for changes to an existing development,
all subject to the outlined meeting, public participation and notification
protocol, and final discretion of the applicable approval authority, outlined
this report.

7. Permit and Site Plan Review Processing 47

R. Brown, Manager, Planner Services

Recommended Action

That Council receives the report outlining the steps required to ensure
proper oversight and compliance with approved plans;

And Further That Council directs Administration to provide Council with
confirmation of the final implementation and completion of the Building
PPL software access and SOP changes and/or updates.

8. 183 Main St. East, Kingsville--Notice of Objection of Brotto Investments Inc., filed pursuant to s.29(5) of the Ontario Heritage Act 51

S. Kitchen, Deputy Clerk-Council Services

Recommended Action

That Council directs Administration to refer the Notice of Objection of
Brotto Investments Inc., filed pursuant to s.29(5) of the Ontario Heritage
Act, to the Conservation Review Board for a hearing.

9. 183 Main St. East, Kingsville--Application for Consent to Demolish filed by Solicitor Analee J. M. Baroudi on behalf of Brotto Investments Inc. 67

S. Kitchen, Deputy Clerk-Council Services

Recommended Action

That Council, pursuant to Subsection 34(1)(1.2), serves a notice of receipt
of the Application for Consent to Demolish received under Subsections
(30)(2) and 34(1) of the *Ontario Heritage Act* on the Applicant; And
Further That Council refers the Application for Consent to Demolish 183
Main St. East, dated April 29, 2020 (as filed by Solicitor Analee Baroudi on
behalf of her client) to the Kingsville Municipal Heritage Advisory
Committee for the purposes of the Committee providing a
recommendation to Council regarding the request.

10. Tax Adjustments Under Section 357 and 358 of the Municipal Act, 2001 75

R. McLeod, Director of Financial Services

Recommended Action

Council authorize tax reductions totaling \$10,437.12 for the 2020 taxation
year.

F. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--May 11, 2020 78
2. Regular Closed Session Meeting of Council--May 11, 2020

Recommended Action

That Council adopts Regular Meeting of Council Minutes dated May 11, 2020, and Regular Closed Session Meeting of Council Minutes dated May 11, 2020.

G. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Tourism and Economic Development Committee - March 12, 2020 90

Recommended Action

That Council receives Tourism and Economic Development Committee Meeting Minutes dated March 12, 2020.

H. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Town of Amherstburg--Correspondence dated April 24, 2020 RE: Issues Regarding the Mapping of Provincially Significant Wetlands 93
2. Town of Amherstburg--Correspondence dated April 24, 2020 RE: Suspend Time-of-Use Electricity Billing--Support from the Town of Amherstburg 95
3. Town of Amherstburg--Correspondence dated April 24, 2020 RE: Support for 100% Canadian Wines Excise Exemption 96
4. Township of Perth South--Correspondence dated April 26, 2020 RE: Provincially Significant Wetlands Designation 100
5. Township of Montague--Correspondence dated April 27, 2020 RE: Federal Assistance for Municipalities 107
6. Township of Armour--Correspondence dated April 29, 2020 RE: Support Resolution - High Speed Internet Connectivity in Rural Ontario 126
7. Town of Grimsby--Correspondence dated May 6, 2020 RE: Support for Commercial Rent Assistance Program 129
8. Township of North Frontenac--Correspondence dated May 13, 2020 RE: Framework for Reopening our Province--Residential Construction in Rural Areas 132
9. Town of Tecumseh--Correspondence dated May 14, 2020 Requesting reconsideration of the permanent closing of the Shoreline Week and its sister community weekly newspapers owned by Post Media Inc. 134

10. City of Kitchener--Correspondence dated May 15, 2020 RE: Universal Basic Income

136

Recommended Action

That Council receives Business Correspondence-Informational Items 1 through 10.

I. NOTICES OF MOTION

J. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

K. BYLAWS

1. By-law 56-2020

138

Being a by-law authorizing the entering into of a Farm Lease Agreement with Paul Repko

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

L. CLOSED SESSION

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

1. Subsection 239(2)(d) labour relations or employee negotiations; being an Update Report regarding the Kingsville Firefighters' Agreement.
2. Subsection 239(2)(2)(k); a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality; being an update Report by Mayor Santos regarding a proposal to the Town.

M. REPORT OUT OF CLOSED SESSION

N. CONFIRMATORY BY-LAW

1. By-law 57-2020

147

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its May 25, 2020 Regular Meeting

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

O. ADJOURNMENT

Communication to Town of Kingsville Council

For Council Meeting May 25, 2020

To All Councillors for the Town of Kingsville:

My name is Rick Stephenson and I am representing the Executive for the Kingsville Tennis Association. This communication is really a housekeeping issue to bring any new Councillors, or anyone who isn't aware of the rich history of tennis in Kingsville, up to date. We thank you for your time.

The Kingsville Tennis Club began in 1893 and transitioned to the Kingsville Tennis Association (KTA) as it is today. Our records start in 1968, where the Kingsville Gosfield South Tennis Association played at the Lion's Park. In 1972, KTA was officially formed and began fundraising to build new tennis courts at the arena location. By 1974, KTA made the initial investment of \$260,000 and the new courts opened. In 1976, KTA raised another \$20,000 and installed outdoor lighting and built the covered viewing area. We were very fortunate that in 1972, KTA had a Town Council with great foresight and a partnership was forged. Our partnership has continued with KTA contributing an additional \$82,000 in maintenance along with financial support from the Town of Kingsville.

Seven years ago, KTA agreed to become hosts for another group to play their sport. At that time, they didn't have the means to make any financial investment towards courts, so KTA graciously accommodated for what was to be a year or so, until they raised money to move forward. That time has past and KTA has a mandate to move forward.

KTA has been working with Tennis Canada and the Ontario Tennis Association (OTA) to begin development of programs for youth training, those with special abilities (Wheelchair Tennis) and Network Tournaments.

We want to play a part in culturing young players towards a professional career and to promote over-all elevated health in anyone wishing to participate. KTA reaches Members from Wheatley to Windsor were everyone, of varying skills, can play league matches and take weekly training/practise sessions. We plan to develop our partnership further with our Town and are doing the ground-work for a year round facility which we hope to present at a later date.

Since 1972, our partnership has worked well and our future relies on it.

We hope to see a motion put forward today to continue the partnership between the Town of Kingsville and Kingsville Tennis Association.

Thank you

Rick Stephenson (on behalf of the KTA Executive)



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Kingsville, Ontario N9Y 2Y9
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kingsvilleworks@kingsville.ca

Date: May 13, 2020
To: Mayor and Council
Author: J. Astrologo, Director of Corporate Services/Clerk
R. McLeod, Director of Financial Services/Treasurer
RE: Outstanding Action Items and Updates
Report No.: CS-2020-15

AIM

To provide Council with an update on a number of items that are currently outstanding.

BACKGROUND

On or about April 22, 2020, Deputy Mayor Queen provided correspondence to the Director of Corporate Services with a list of unfinished business items for which updates are pending.

DISCUSSION

For simplicity, the report lists out each item identified in the Deputy Mayor's correspondence, with an update as to where that matter stands.

1. Risk and Insurance

In response to increasing insurance premium renewals, Administration previously indicated an intention to "go to market" for insurance in the 2020 calendar year. Since that time, AMO has published a report on rapidly increasing municipal liability and insurance costs, which reveals this issue is not unique to Kingsville. The decision to tender municipal insurance services should be based on market conditions and the status of the Town's claim history. Accordingly, Administration will prepare a report for a future Council meeting to discuss this issue in greater depth.

2. Request for ELK to appear before Council

ELK has respectfully declined the invitation, but is open to meeting with members of Administration, the Mayor, and HydroOne (their supplier). ELK has advised that they continuously work with HydroOne for the safe and reliable provision of power.

3. Site Plan Compliance

A report will be presented to Council at the May 25 Council Meeting regarding the issues involving 200 Main St. E.

4. By-law Enforcement Options

This is an initiative originally managed by the former CAO. The CBO was directed to engage an outside law firm to review options available for enforcement and the drafting of a nuisance By-law to address the light and odor concerns. This matter was put on hold because of the increased workloads that resulted from the various orders issued by the Province following the emergency declaration.

5. Greenhouse Lights Compliance

Report will be presented to Council at the May 25 Council Meeting.

6. Fibre Optics

The Town, on its own, is not in a position to provide improved internet access for the residents and business of Kingsville. The Town relies on Internet Service Providers ("ISP") that are looking to expand their privately owned networks within the municipality. The Town can assist ISPs with streamlining and expediting approval processes under its jurisdiction, however, section 106 of the Municipal Act severely limits the Town's ability to create incentive programs for commercial enterprises. Further, from a policy perspective, it would be difficult to justify spending significant tax dollars to improve the internet service capabilities for a limited number of private property owners.

The Town of Kingsville is currently working with the County of Essex to expand high speed internet networks through the Southwestern Integrated Fibre Technology (SWIFT) program. This is a non profit, municipally-led broadband expansion project created to improve internet connectivity in underserved communities and rural areas across Southwestern Ontario.

7. Banner Pole Program

Report was presented to Council at the May 11th Council Meeting and has been addressed.

8. Short Term Rentals and B&B's

At the March 9, 2020, Council Meeting, the following motion was carried:

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.

Council recognized that some research was required to be put into this motion and while it is outstanding, Council provided Administration with a six-month timeline to conduct the necessary research and prepare a report. The Planning Department is in the process of gathering information from other municipalities.

9. Access Road Improvements behind Tim Hortons

The Director of Municipal Services will provide a supplemental, comprehensive report to address this specific inquiry by no later than June 30, 2020.

10. Bunkhouse LPAT Appeals

All timelines under LPAT are currently suspended.

There are currently two appeals to LPAT:

- i) Colasanti appeal for Road 3 E (ZBA/21/19 & ZBA/22/19)
Jeff Hewitt was retained to represent the municipality. A third party planner was not yet retained. The hearing was cancelled as a result of the pandemic and it is likely, the matter won't be heard for at least 9-12 months once LPAT resumes operations.
- ii) Mastronardi appeal for Road 4 E (SPA/19/19)
The appeal was received during the pandemic and Administration attempted to forward the documents to LPAT, however, they were returned. LPAT is not currently accepting the filing of appeal records. Given that the appeal cannot be filed with LPAT, we have not yet retained legal counsel. A hearing on this matter is likely more than 12 months away.

11. Car Wash Noise (Main and Wigle)

Administration thought the matter was close to being resolved; however, as of late that does not appear to be the case. Administration was working with the business owner to get the measurement criteria clarified up until the end of February and those efforts stalled as a result of other urgent matters and the current pandemic. The Manager of Planning Services is working with the Town's legal counsel to resume those discussions. However, if the Manager does not see progress within the next 30 days, a report to Council will be forthcoming to discuss enforcement of the site plan agreement.

12. Lakeside Park Bridge

Contractors have been contacted and the scope of work reviewed. Municipal Services is currently awaiting costing. However, Administration does not anticipate the cost of these repairs to exceed \$25,000.

13. Mettawas Park Swing

Installation of the swings will occur if/when Council approves the installation of playground equipment at the site. Alternatively, Administration could contact the donors to determine if installing a swing structure at an alternative location would be acceptable.

Please refer to the update at #14 which discusses the Mettawas Park development.

14. Mettawas Park Phase 1

During budget deliberations Council did not approve moving forward with Phase 1a (asphalt paving and servicing of the upper parking lot area) of the Mettawas Park Master Plan (Reference: Motion 96-2020). Amongst other considerations, Council requested that Administration further explore the location of the splash pad. Accordingly, apart from the Range Light re-location, no work is expected to occur this year at Mettawas Park.

With respect to the splash pad location, the Manager of Municipal Facilities and Property took a report to the Parks, Recreation, Arts and Culture Committee ("PRAC") on May 21, 2020, outlining the drawbacks and benefits three sites for the splash pad location. The next phase of this process will include public consultation.

15. Mettawas Park Expropriation

A status update will come to Council in a separate report in Closed Session at a future meeting.

16. Update on Loop and Valente Subdivision Developments

The Loop Development (Kingsville Golf Condos) has not progressed further and are currently waiting on the extension of water services to the area. There have been no changes to the development since presented to Council.

The Valente development is also awaiting water service extension. The developer completed a number of items that were part of the original approval, including storm water management, traffic study for the County and intersection design at County Road 20. A while back, there was an open house to review the proposed change in layout (the OMB approved plan lapsed) of the subdivision which was very well received. The plan proposes reducing the number of lots from 750 to 694 and the owner has had several discussions with individual land owners to resolve boundary issues. Administration expects a formal application to be brought forward once the current pandemic issues are over.

17. Road 2 to 20 Road and Waterline Project

This project information was received by Council at the May 11, 2020, Council Meeting.

18. Grants 2020 and Beyond

- (a) The grant application for Pickleball, along with the Dog Park and baseball diamond improvements, was submitted last fall by the former CAO under the “Investing in Canada: community, culture and recreation” funding stream. This is a combined initiative by the Federal and Provincial Governments. The Parks and Recreation Program Manager communicated with a representative of the Ministry of Tourism, Culture, Recreation and Leisure last week and was advised that applications were vetted provincially and have been forwarded to the Federal Government. The Town anticipates to receive a response to its application by the end of June.
- (b) The Parks and Recreation Program Manager and the Manager of Municipal Facilities and Property are currently reviewing the Parks and Recreation Masterplan with a view to putting something together. There have been preliminary discussion with PRAC.
- (c) PRAC adopted a motion earlier this year requesting that Administration look into playing arrangements for both the Pickleball and Tennis groups. Given the current pandemic and limitation of recreational facilities, the Parks and Recreation Program Manager and the Manager of Municipal Facilities and Property made a recommendation to PRAC to resurface the courts in Cottam for pickleball play, freeing up the courts at the arena for tennis play.

19. Harbour Dock Road

Concrete blocks were placed approximately 50m short of the end of the east dock as a deterrent to vehicular traffic shortly after the Tall Ships Festival last summer. The road portion of that section of the dock is in disrepair and unsafe to drive or walk on. Concrete blocks have also been placed along the western limits of the property between Southwest Sales and Mettawas park.

There is no information on file indicating that the Town was consulted prior to the blocks being placed on the dock or along the western limit of the property. The Town is currently looking into its options for removal.

20. Port Users Agreement

As of writing this report, Administration has not received the required information under the applicable agreements. This matter will be dealt with through the Town’s legal representative, as has been done in the past.

21. Port Users Meeting at Council

Administration is not aware of any communication between the Town and the Kingsville Port Users Association inviting them to appear before Council.

22. School New and Old

- (a) Since the official announcement, there have been no further updates received from the School Board in terms of the new school build.

- (b) Servicing of the new school property will be completed during the first phase of Jasperson Drive Reconstruction. This work is to start the week of May 25th, 2020 and is expected to be completed prior to September 2020. Realignment of Jasperson Drive in order to improve sight lines is also required prior to usage of the new school facility. Road realignment construction is tentatively scheduled for the summer of 2021, provided that the necessary land acquisitions can be secured. The Town is currently in negotiation with the land owner west of Kingsville Arena with intentions of purchasing the required land.
- (c) The former CAO was involved in discussions with respect to any interest the Town may have in the Migration Hall building. Administration will have to look into this matter further to determine where it left off.

23. Legal Update

Council will be provided an update at a future meeting of Council.

24. Traffic Control By-law & Zoning

The zoning by-law can be updated to reflect the addition of utility and construction trailers. A housekeeping amendment is needed to address a number of updates and this can be included as part of that update. As of writing this report, there is no timeline for bringing the housekeeping amendment to Council. All comprehensive zoning by-law amendments require public notification and given the current closure of the local newspaper, administration is exploring its options for circulation to the entire municipality to satisfy the requirements of the *Planning Act*.

25. Fire E&R Bylaw

The bylaw has been drafted and is currently with legal for review.

Schedule D to the by-law is a new addition that utilizes the template from the Office of the Fire Marshal, breaking down the services and reflecting them in the proper form. The services listed are those currently provided. Nothing has been added or subtracted from the current service levels established by Council.

26. 190 Main Street East

Refer back to item #3.

27. Doctors

There were discussions headed up by the Mayor and then-CAO back in 2016 regarding a possible financial contribution from the Town toward the operation of the new medical clinic located at 200 Main St. East. However, those discussions never materialized into any funding or grant agreement.

Subsequently, the Town entered into a funding agreement with the Leamington and Area Family Health Team (the "Team"), and granted the sum of \$59,125.00 annually for the provision of health services in the Town of Kingsville. When this agreement was negotiated, it was expected that the Team would vacate the clinic at 59 Main St. E and relocate to 200 Main St. E once that space was available for use.

Administration has no information to suggest that this expectation outlined in the agreement won't materialize once construction of that facility is complete. This agreement will expire on October 31, 2024.

28. Sidewalks and the Development Manual

An update was provided and direction given regarding this matter at the May 11, 2020 Council Meeting. A survey will be advertised to the public prior to June seeking feedback on sidewalk construction. Following review of such feedback, recommendations for any changes to the Development Manual will be presented to Council.

29. Grovedale and Other Rental Sites

A report will be forthcoming at a future meeting of Council from the Parks and Recreation Program Manager regarding the vacancy rates for all rental facilities and the marketing plan in place to advertise these facilities.

30. Cottam Ridgeview Park Access Ramp

An access ramp on the east side of the outdoor pavilion will be installed in the coming months. That installation will be coordinated with dedicated sidewalk entrance to the playground area, both of which are part of accessibility improvements for the park in 2020.

31. Main Street West and Conklin Hill

These items were addressed in the reports of the Manager of Municipal Services at the April 27 and May 11 Council meetings.

32. Water Tower Property

A new utility building is being proposed as part of the Kingsville Water Tower rehabilitation project. Although final specifications for this building have not been confirmed as of yet, the following initial design information can be shared. The size of the building is approximately 12 feet by 20 feet. The proposed location is the southwest corner of the fenced in area on this property (52 Pulford Street). The proposed building is prefabricated with a grey architectural block for an exterior finish.

33. Staffing and Organization Charts

Administration recently completed a review of the draft report prepared by the consultant. The Director of Financial Services and Director of Corporate Services will be communicating with the Consultant to move the project forward and schedule a time for the Consultant to appear before Council.

34. Highland Games Terms of Reference

The Terms of Reference have not yet been updated and warrants further discussion with Council at a future meeting.

LINK TO STRATEGIC PLAN

There is no direct link to the strategic plan.

FINANCIAL CONSIDERATIONS

There are no financial considerations as it is just an information report.

CONSULTATIONS

Senior Management Team

RECOMMENDATION

That Council receive the report regarding Outstanding Action Items and Updates for information.

Jennifer Astrologo

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

Ryan McLeod

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



28 Pulford Street, Kingsville, Ontario N9Y 1B4

April 22, 2020

Council of The Town of Kingsville

2021 Division Road North

Kingsville, Ontario

C/o

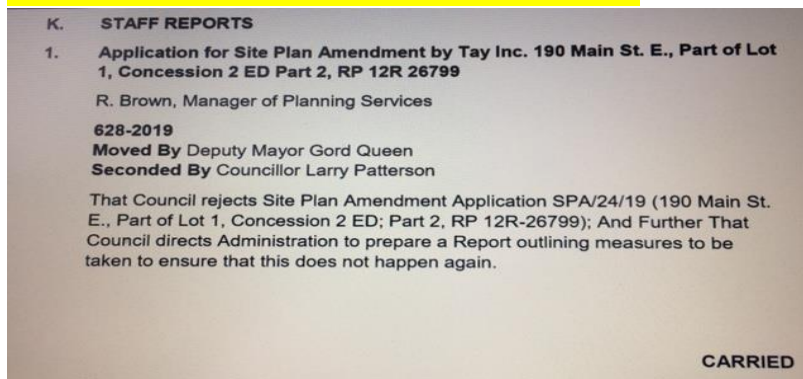
Director of Corporate Services / Clerk

Jennifer Astrologo LL B

Unfinished, and Outstanding Items

A simple summary of noted of items requested at the Council Table
With Past, Present and Anticipated

1. **Risk and Insurance.** A member of Council (Kim) last year asked at the Council table for an update regarding details on insurance. Such detail as the Loss Ratio and Claims history. The CAO at the time indicated that information would be forthcoming.
2. **ELK has been requested twice in 2019 to attend Council** in response to outage and flickers of the electrical supply within our community. Because they have refused to attend, wonder if we should:
 - a) Let our residents know of our invitations that have been rejected.
 - b) Publish the Ontario Government Web Site and Contact information for Complaints
 - c) Invite the Local Resident that Council Appointed to the ELK Board to an open public meeting to hear the concerns for their presentation directly to the ELK Board.
3. **SITE PLAN COMPLIANCE**



Council Passed a motion in respect to residents Concerns about site plan Compliance and the necessary report to ensure the lack of compliance does not happen again.

The Motion included the need for a report showing how this would prevent non-compliance in the future.

REPORT OUTSTANDING

This was building on a request made by another member of Council (Thomas) regarding site plan compliance.

4. BY LAW Enforcement Options

In 2019 discussion regarding By Law enforcement. A member of Council (Kim) noted the comments of the Mayor that “They were looking into what Leamington and others were doing for nuisance issues, Light and order.”

Wonder when such information received may be shared with Council.

5. GREEN HOUSE LIGHTS Compliance

COUNCIL PASSED NOT ONE BUT TWO MOTIONS ON THIS SUBJECT.

Staff report following first motion:

“Staff were dispatched”.

Council did not receive feedback; a second motion was made providing a list of some of the sites known to have been approved under Site Plan requirements for dark sky compliance.

(Oct 2019)

RESPONSE from Planning was **“we were working with them”**

When will Council receive an actual report noting exactly Which Greenhouse are NOT in compliance with the site requirements for dark sky.

6. FIBRE OPTICS

Both Cindy’s Gardens, Harold Remark and BIA expressed interest in improved Internet in Town.

When will the Town be able to announce plans for improved internet in our town?

7. Banner Pole Program



In 2019 A draft Banner Pole program was presented to Council and send back for future consideration.

- a) The Input of the BIA given the fact that they purchased poles for road crossing banners east and west ends of (old) town.
- b) The input of the Legion given the Veteran's

Hence the report is still outstanding and required.

8. Short Term Rentals and B&Bs

Council requested a report regarding Short term rentals and an update on what is required now for B&B as well as Short Term rentals. Such report to consider what other towns were doing. **Report Outstanding.**

9. Access Road improvements Behind Tim's

A member of Council (Thomas) requested information regarding the possibility of gaining better access behind the Tim's and Taco Bell sites. Such information may include information regarding the possibility of expropriation with costs and details of same.

10. BUNKHOUSE LAT Appeal

We now know that two appeals have been made in respect to two farmhouses that were wanted to be used as bunkhouses. Given the zoning by-law, Council should know what legal and planning staff will be used to advance the position of the Council.

11. CAR WASH NOISE (Wigle & Main)

Given the neighbor report of increased noise and the suggestion that the office of the Ombudsmen, kindly provide Council with an update regarding the site.

12. Lakeside Park Bridge

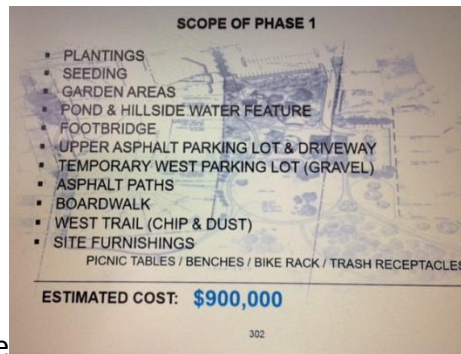


Repair was requested at the Council Table. Status of repairs requested and cost estimates if the repairs are in excess of 25 thousand. If not, fixed information required.

13. Mettawa Park Swings



When are the swings being installed?



14. Mettawa Park Phase 1 Update

What is expected this year?

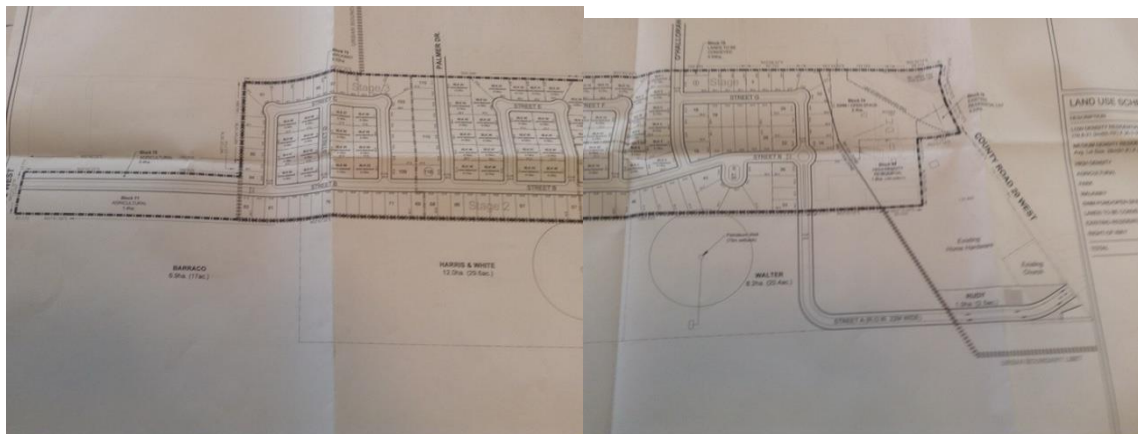
15. Mettawa Park Expropriation

Status of the Land required for the Mettawa Park with the status of the expropriation.

16. Update on Loop Development and Valente Subdivision Developments

Planning indicated that the plans are changing. What are the changes suggested in both projects? The Planning advisory Committee has had very few meetings in recent years. The Committee was originally designed to get public input. Given that we are reminded that SITE PLAN MEETING is less designed for public input, we may want to ensure the Planning Advisory Committee has the necessary opportunity to hear from others as opposed to just the developers and planners.

17. Road 2 to 20 Road and Water Line Project and Access and Expropriation



It was noted that legal assistance may be required to assist with this project, including expropriation to advance the project.

Council needs an update since this project impacts water and future development to the west.

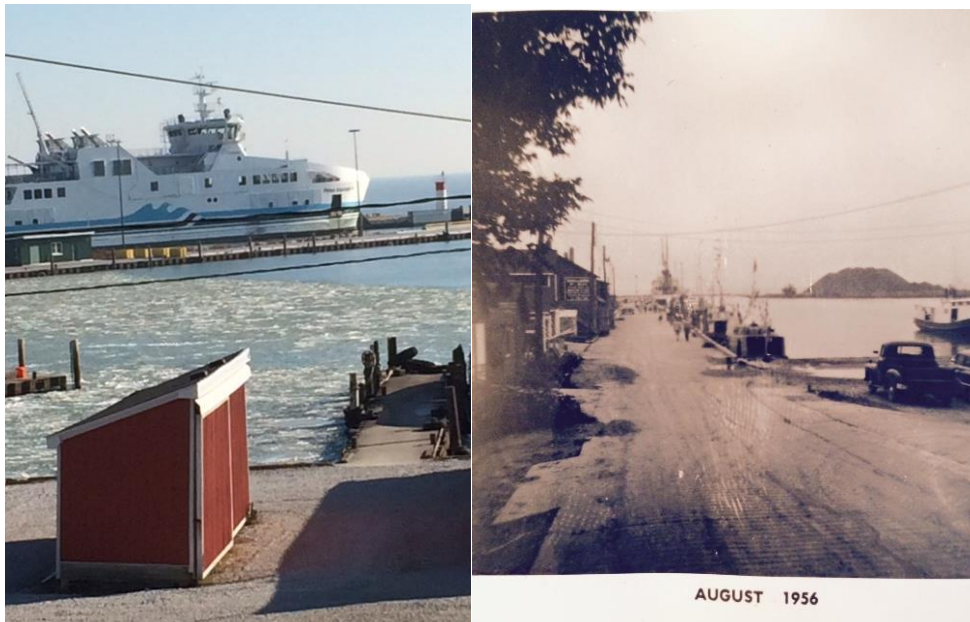
18. GRANTS 2020 and beyond

- a. In 2019 a grant application was made for pickleball courts. What is the status?
- b. Council requested that Staff prepare information for a future possible grant application.
- c. Impact on Tennis and Pickleball



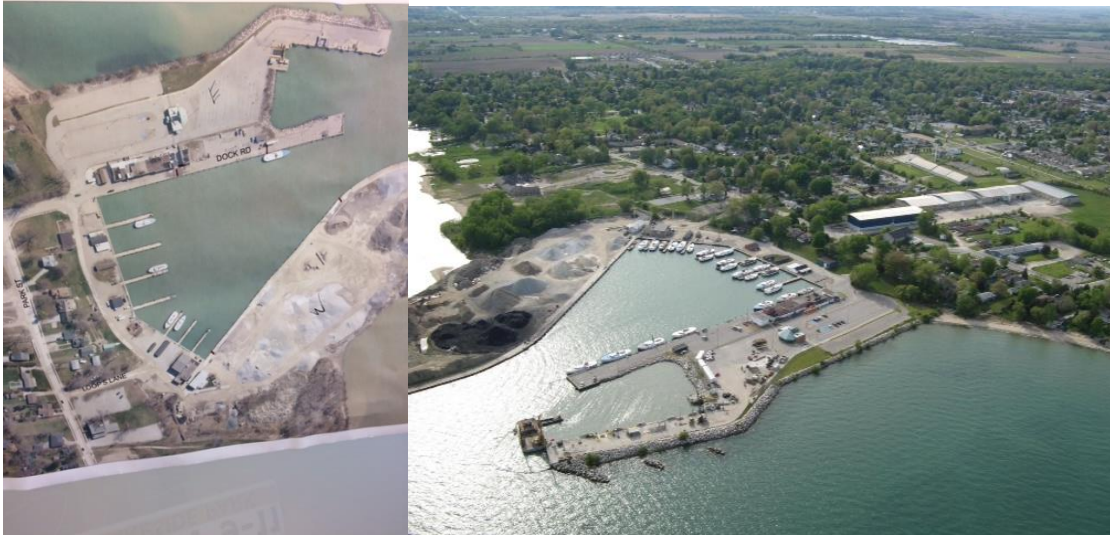
Will this (the Cottam Tennis Court) become the temporary site for Pickleball?

19. Harbour Dock Road



- a. The Dock Road is blocked part way with large yellow cement blocks. The Original agreement requires both the Port Users and The Town to agree. Since the Town has not agreed, the blockage should be removed.

20. Port Users Agreement



Reports required for sub lease, insurance, and finance reports. Has the Town received the necessary annual information?

21. Port Users Meeting at Council

- a. In 2019 The Port Users Submitted a letter to the Kingsville Reporter outlining their perspective of the Ownership and user agreement.
- b. It was suggested that they may attend Council as a Delegation. Kindly advise if any date or time has been suggested for such delegation at the Council table.

22. School New and Old

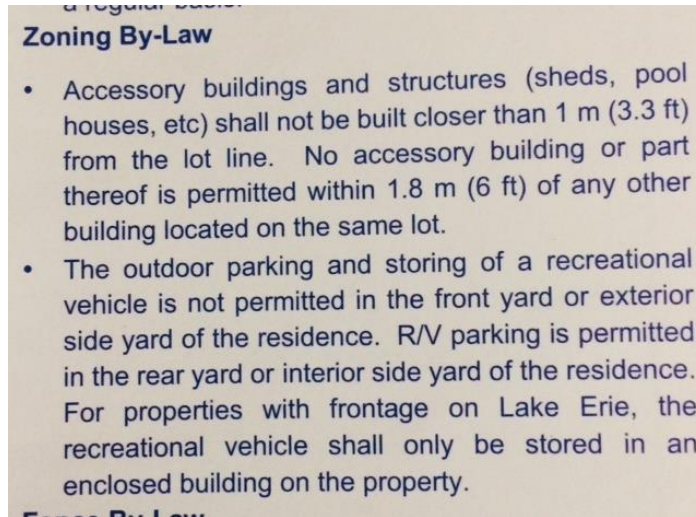
In 2019 The Greater Essex County District School Board purchased a building site on Jasperson Road.

- a) Kindly advise Council of any Updates received from the School Board in respect to this K to 12 build.
- b) Please also advise as to the details and timing of our requirements to have completed to permit this build to proceed.
- c) Migration Hall, given the proposed K12 school, kindly advise Council and involve Council in any discussion in respect to Community Use and Interest the Town may have in the Building called Migration Hall.

23. Legal

- a. Kindly provide Council with an update of all legal items outstanding against the Corporation of The Town of Kingsville.
- b. Including Present or Past Employee's
- c. Including Planning related matters that may or may not exist.

24. Traffic Control Bylaw & Zoning



- a. Update was suggested (Kim) in response to Utility and Construction Trailers to be added to the Recreation Trailer setback requirements.

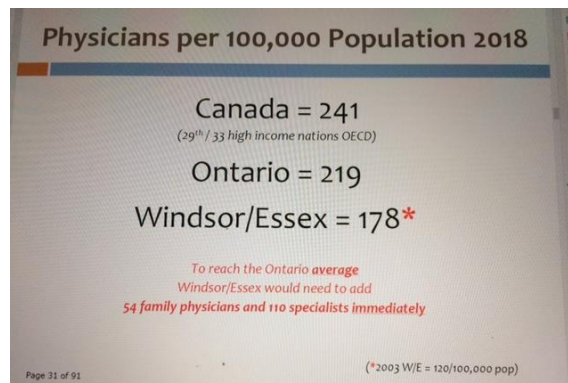
25. FIRE E&R Bylaw (Kim)

Following the Fire training workshop Kim noted the bylaw for fire services should be detailed to include exactly what is, and what is not included.

26. 190 Main Street East, Update

Reference Motion 628-2019

27. Doctors



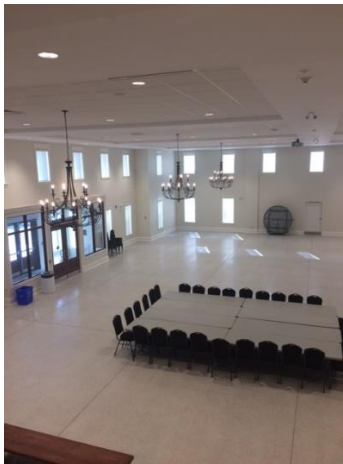
What are the details if any respecting Doctors in our Community? Has the town entered into any agreements or funding to attract Medical Family Doctors to town?

28. SIDEWALKS AND THE DEVELOPMENT MANUAL

Council in 2019 requested a study and discussion regarding the sidewalk issue. Past councils have required sidewalks and permitted delay of installations. The follow up meeting is required to address possible Changes required to the development standards Manual.

- a) a deletion of the ability to delay installation
- b) a clear list of when and if a sidewalk may not be required
- c) the Town of Kingsville Did note the need for Sidewalks

29. Grovedale and other rental sites



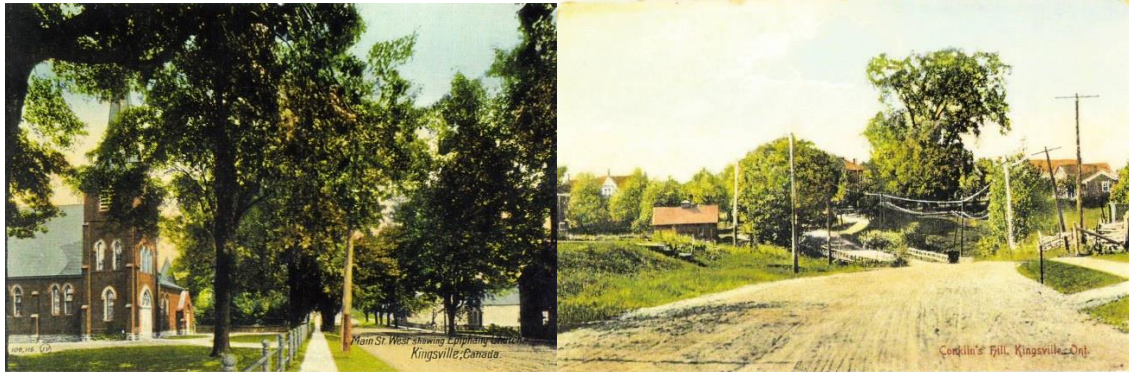
One Council member (Kim) asked for detail (by motion) regarding rentals and use of same. Given the current status, we may have to delay this response for a few months.

30. Cottam Ridgeview Park Access Ramp



It was noted that the Cottam Ridgeview Park had a fall hazard from the rear deck. A temporary ramp was installed for the Cottam Rotary Horse Show. During Budget it was noted that the problem would be solved with a cement access ramp. What is the status of the project?

31. MAIN STREET WEST AND CONKLIN HILL



In February, the Town held an information session on two roads. Jasperson and Main West.

What is the current status of these projects?

32. Water Tower Property

When the old water tower by the Public School was to be replaced the town bought land from the H.E.P.C. (Hydro Electric Power Corporation) for a new water tower site on Pulford Street (North Side).

The Union Water Board indicated and budgeted for the water tower to be repaired and painted this year or next. With that project it was indicated that a building was to be built at the base of the tower. Can our Municipal staff provide details as to the size and style, and location of such building since it would appear to be on town owned land.

33. Staffing and Organization Charts

In 2019 and with budget deliberation, funds were budgeted and spent regarding an external review of staffing and staff levels. I appreciate that our current staff may be reviewing the draft received. Given that it was to be an external review, I respectfully suggest that Council should be provided with the Draft information now. It is noted that staff will no doubt have their suggestions and recommendations that may follow.

34. HIGHLAND GAMES TERMS OF REFERENCE

The Highland Games Committee Terms of Reference indicate that the Parks and Recreation Programs Manager is the staff support person. The terms of Reference were approved by motion of Council. For the past number of months that support role (to take the minutes) has been provided by the assistant to the CAO and Mayor. Council may want to update the Terms to reflect that Change.

SUMMARY

I have no doubt missed some of the action items and Council requests. I do believe that it is important not only for the taxpayers to know what is going on, but also the Council of this great little town have knowledge and good communication regarding all the topics.

Respectfully Submitted for the Consideration of Council, that we may all have a tool to assist us in following up on Past, Current and Future Projects.

Gord Queen



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Date: May 4, 2020
To: Mayor and Council
Author: Shaun Martinho, Manager of Public Works
RE: Edge Line Repair on Graham Side Road
Report No.: MS 2020- 13

AIM

To seek Council approval to proceed with asphalt padding along the shoulder of Graham Side Road from County Road 20 to Road 2 E.

BACKGROUND

As part of the 2020 capital schedule, \$100,000.00 was budgeted for edge line rehabilitation along Graham Side Road.

| Project # | Description | Budget Amount | Funding Source |
|------------------|--------------------------------------|----------------------|--------------------------|
| PW-2020-12 | Graham Side Road- Asphalt Padding | \$100,000.00 | Roads Lifecycle Reserves |

DISCUSSION

As part of the Streetscan analysis completed in 2018, Graham Side Road between County Road 20 and Road 2 E was identified for rehabilitation. However, when reviewing its condition it was determined that surface deterioration is predominately confined to the edge of pavement (Appendix A: Picture A). This has been collaborated by residents who have expressed concerns with having to drive to close to the centre line of the road to avoid the shoulder.

In 2019, the Public Works Department completed asphalt padding along another segment of Graham Side Road to address this issue (Appendix A: Picture B). This work involves milling and removing 24 inches of surface along the shoulder and replacing it with 50 mm of surface coat asphalt. The Municipal Services Department believes this is a cost effective means of improving the life and drivability of the road.

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

Competitive quotes were requested from several local contractors including Shepley Excavating, Amico Infrastructure, and Coco Paving. However, Coco Paving is the only contractor with the required equipment to complete this type of work. Their quote is attached in Appendix B and summarized below.

| Contractor | Budgeted Amount | Quote | Balance |
|------------------|-----------------|-------------|-------------|
| Coco Paving Inc. | \$100,000.00 | \$64,999.95 | \$35,000.05 |

Municipal Services is requesting that the balance of the budget be used for other in-house road rehabilitation initiatives such as asphalt shouldering and patching.

CONSULTATIONS

Municipal Services Department

RECOMMENDATION

That Council award edge line repair work on Graham Side Road to Coco Paving Inc. for \$64,999.95 including HST and authorize the expenditure of the remaining \$35,000.05 on in-house hardtop road maintenance initiatives throughout the Town.

Respectfully Submitted,

Shaun Martinho

Shaun Martinho, H.B.Sc., C.E.T.
Public Works Manager

G.A. Plancke

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

Appendix A

Picture 1: Edge Line Failure



Picture 2: Edge Line Repair





Coco Paving Inc.

485 LITTLE BASELINE ROAD, TECUMSEH ONTARIO ,N8N 2L9
OFFICE PHONE :1-519-727-3838 FAX:1-519-727-3515

TO: Town of Kingsville **ATTN:** Shaun Martinho
Email: smartinho@kingsville.ca
RE: Quotation for Asphalt Edge Repair on Graham Side Road from County Road 20 to Road 3, Kingsville Ontario
DATE: April 23rd 2020

Quotation

Dear Sir:

The undersigned proposes to furnish all labour, material and equipment to complete all the work described below;

Scope of Work

- **Mill along both edges of the road a strip of deteriorated asphalt having depth 50 mm and width 600 mm and dispose off site
3,280 linear metres +- @ \$3.60 per linear metre**
- **Supply, place and compact 50 mm thickness of HL-3 Surface Asphalt within the milled area including tack coat at face of butt joint
250 tonnes +- @ \$210.00 per tonne**

Notes:

- H.S.T is extra
- Payment to be based on actual measured length of repair and tonnes of asphalt incorporated in the work
- Due to the ongoing Covid-19 pandemic, the lead-times, pricing, scheduling, and availability of labour may be affected and may require adjustments.
- In the event that Coco's work schedule must be modified, delayed, or halted as a result of additional health and safety measures instituted by the contracting party, Owner, Ministry of Labour, Provincial Government, Federal Government, or any Public Health Authority, after the acceptance of this Estimate, Coco shall be entitled to compensation for its reasonable additional costs incurred as a result of such modification, delay, or stoppage.
- Traffic control with flaggers included in our prices
- The warranty below **will not** apply to this work as the deteriorated condition of the existing edges may be a sign of other problems in the granular base below

Limited Warranty:

Coco Paving Inc. warrants that all work performed by it shall conform within reasonable tolerances to any stated specifications, is of good material and workmanship. Customer's remedy is limited by the timely repair or replacement by Coco Paving Inc. of any non-conforming or defective work discovered within one (1) year following substantial completion without cost to Customer. In no event shall Coco Paving Inc. be liable for Customer's incidental, consequential or delay damages. Where the terms of this quotation, as accepted, conflict with the terms of any present or future contract awarded by the Customer to Coco Paving Inc. the terms of this quotation shall prevail unless expressly excluded by such future contract.



Coco Paving Inc.

485 LITTLE BASELINE ROAD, TECUMSEH ONTARIO ,N8N 2L9
OFFICE PHONE :1-519-727-3838 FAX:1-519-727-3515

Special Note regarding pavement slope:

Coco Paving Inc. requires that the slope on the finished asphalt pavement be a minimum of 1% to ensure that Water ponding not occur. Should the Customer require less than 1% slope on pavement surfaces then there is no warranty against the ponding of water.

Payment to be made as follows:

NET 30 DAYS FROM DATE OF INVOICE. Overdue accounts will be charged interest at the rate of 2% per month, compounded monthly (26.8% per annum). Acceptance of this quotation by Coco Paving Inc. is subject to determination in our sole discretion, that satisfactory financing arrangements exist to allow for performance of the project.

The undersigned accepts your proposal. Any changes in the work and the price to be charged for same shall be made in writing. This proposal is made on the basis of current material and labour costs. A delay in acceptance of more than 30 days will require a review of the proposal and re-dating before the agreement becomes binding.

Respectfully submitted,

Joseph Sbrocca P. Eng.
Executive General Manager, Southwest Region, Coco Paving Inc.

Acceptance

Coco Paving Inc. is hereby authorised to furnish all materials and labour to complete the work mentioned in the above proposal, for which the undersigned agrees to pay the amount mentioned in said proposal, and according to the terms thereof.

Signature: _____ Date: _____
Shaun Martinho for The Town of Kingsville



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Date: May 13, 2020
To: Mayor and Council
Author: Jennifer Galea, Human Resources Manager
RE: Personnel Committee Terms of Reference
Report No.: CS-2020-12

AIM

To provide Council with the draft Terms of Reference that were endorsed by the Personnel Committee ("Committee").

BACKGROUND

On or about September 23, 2019, Council adopted the following motion, amending the composition of the Personnel Committee to include all members of council:

499-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That the composition of the Personnel Committee be amended to include all members of Council.

The by-law appointing members to the Committee was adopted October 23, 2019.

Administration was unable to locate a copy of the written Terms of Reference (the "Terms") to make the change reflecting this new composition. Therefore, draft Terms of Reference was prepared for the Committee's review and approval.

DISCUSSION

On February 12, 2020, the Committee met to consider draft Terms and a number of closed session matters. Before entering into closed session, the Committee endorsed the Terms, subject to a minor amendment to reflect the remuneration earned by its members for each meeting, and recommended Council adoption of same. The draft Terms are attached at Appendix 'A'.

LINK TO STRATEGIC PLAN

No direct link to the strategic plan.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

CONSULTATIONS

Personnel Committee

RECOMMENDATION

That Council adopts the Terms of Reference for the Personnel Committee, as presented.

Jennifer Galea

Jennifer Galea, CHRL
Human Resources Manager

Jennifer Astrologo

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

Ryan McLeod

Ryan McLeod, CPA, CA
Director of Financial Services



TERMS OF REFERENCE PERSONNEL COMMITTEE

Authorizing or Mandating Legislation: None

Procedural By-law: By-law 55-2016, as amended from time to time

Approved: [DATE]

Evaluation Date: [DATE]

Date of Formation: [DATE]

1.0 PURPOSE

- 1.1 To make recommendations to Council regarding certain personnel matters as they relate to Town operations.
- 1.2 Effectively manage corporate resources and maximize performance in day-to-day operations.

2.0 COMMITTEE PARTICULARS

2.1 **Type:** Advisory

2.2 **Resources:**

- 2.2.1 Chief Administrative Officer
- 2.2.2 Director of Corporate Services
- 2.2.3 Human Resource Manager
- 2.2.4 Number of Council Members: All of Council

2.3 **Term:** Term of Council

2.4 **Meeting Frequency:** Quarterly, or more frequently as may be necessary

2.5 **Remuneration:** \$100/meeting

3.0 SCOPE OF WORK

The Committee shall:

- 3.1 Review and make recommendations regarding the adoption of human resources policies that are brought forward by Administration.
- 3.2 Be kept informed, in regular intervals, of personnel matters generally.
- 3.3 Be consulted, with the opportunity to provide comments and recommendations, prior to any hiring or terminations decisions being made regarding employees that report directly to the CAO.

3.4 Provide feedback to be included in the C.A.O.'s annual performance evaluation.

3.5 In the Committee's discretion, act as a forum to allow employees to discuss issues that were not resolved to that employee's satisfaction and which issues are not covered by any collective agreement.

4.0 REQUIRED SKILLS

Communications

Risk Management

Critical Thinking/Analysis



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Date: April 16, 2020
To: Mayor and Council
Author: Jennifer Galea, Human Resources Manager
RE: CAO Recruitment
Report No.: CS-2020-09

AIM

To obtain council approval on the CAO job description, establishing a Hiring Committee and to allow the HR Manager to initiate the recruitment process.

BACKGROUND

On March 3, 2020, the CAO position became vacant at the Town of Kingsville. On April 6, 2020, a draft revised job description for the CAO (Appendix 'A') was presented at the Personnel Committee Meeting for comment and review.

In the past, the recruitment process consisted of a job posting, interviews, and reference and background checks. At this time, Administration anticipates the CAO recruitment will take 4 to 6 months from the time of the job posting to the first day the successful candidate starts work.

The last time the CAO position was filled (February 2016) the hiring committee was comprised of the Mayor, Deputy Mayor, one Councillor, and two members of administration from the County of Essex, being the CAO and HR Manager. The hiring process at that time consisted of interview, a report, and presentation to the Hiring Committee and reference checks. The Committee at that time was called a Search Committee and they were compensated \$100 per meeting.

DISCUSSION

At the Personnel Committee meeting on April 6, 2020, an amended job description was presented by the HR Manager for review. This job description was created based on the education, job knowledge and job responsibilities of a CAO. At this time, Administration is

seeking comment from Council regarding any additional changes to the job description and Council's adoption of the job description so the hiring process can move forward.

The Town has a vested interest in ensuring that the successful candidate for the position is recruited and as such is proposing the establishment of a CAO Hiring Committee (the "Committee"), consisting of the Mayor, Deputy Mayor and a Member of Council with assistance of the Town's HR Manager. The Director of Corporate Services and Director of Financial Services are currently tasked with the CAO responsibilities. Both Directors have indicated they will not be applying for the CAO position, but advised they would assist the Committee if Council wished for them to be involved similar to the involvement of the County CAO during the last recruitment cycle. In the interest of ensuring the transparency and integrity of the recruitment process, assistance by those Directors would preclude both of them from applying for the position.

The Committee and members of Administration that have access to confidential information collected/created during the hiring process must execute a confidentiality agreement (attached as Appendix 'B') at the outset of the process.

Recruitment Plan

There are several options that Council can choose from as it relates to the CAO recruitment process, below is a breakdown of the process for each option:

- **Option 1- Internal Recruitment with External Testing**

This option will have all aspects of the recruitment process completed internally by the HR Manager, with some assistance from an external third party for testing. Some of the internal processes that will be created will be the job posting, scoring matrix, interviews, report and presentation requirements and reference checking.

- The HR Manager will complete the job posting for the CAO position and post internally and externally for approximately 4 to 6 weeks. Resumes will be submitted to the HR Manager, who will provide a copy to the Committee for review and scoring.
- The Committee will conduct all interviews and scoring. Candidates may be brought back for additional interviews if the Committee requires it.
- Once the Committee has selected their preferred candidates, the HR Manager will conduct reference checks and a third party will engage the candidates in a psychometric testing, which will include a follow up report for review. An external third party will also be required to complete a second set of reference checks.

- **Option 2 External Recruitment with HR facilitation**

This option will have all aspects of the recruitment process completed by an external third party and the HR Manager will be utilized for facilitation of the recruitment. The Committee will be able to select the third party to complete the

recruitment. The recruiter will meet with the Committee to determine and establish the criteria Council is looking for in the next CAO.

- The recruiter estimates that it would take 3 to 4 months for the search to be completed, given the current conditions.
- The recruiter will complete the job posting for the CAO position and post internally and externally for approximately 6 to 8 weeks. Resumes will be submitted to the recruiter, who will provide at minimum the top 10 resumes to the Committee for review and scoring.
- The recruiter will also reach out to their network and contact potential candidates that may not be actively looking for employment to ensure the Town has a comprehensive list of applicants.
- The Committee will conduct all interviews and scoring, with the assistance of recruiter. Providing the interview questions and scheduling interviews. Interviews will be set up at the discretion of the Committee. The HR Manager will facilitate and liaise between the recruiter and the Committee.
- Once the Committee has selected their preferred candidate(s), the recruiter will conduct reference checks and will engage the candidates in a psychometric testing, which will include a follow up report for review.
- In the normal course, recruitment firms provide a 12 month guarantee. If, within 12 months of hiring the candidate does not work out, or if the candidate leaves, the recruiter will provide recruiting at no additional charge.
- This option can range between \$40,000 and \$60,000 depending on the starting wage of the candidate. Additional, expenses are variable, which can include travel and accommodation, advertising, and assessments.

Both options will require the Committee to be involved in the entire process. This includes the Committee providing updates to Council as may be necessary and making a recommendation for hiring. The impact on cost is less with option one, but will involve more staff and Committee time, the second will be at a higher cost but will be less involvement from staff time and may shorten the process.

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

The anticipated range of cost to hire this position will be anywhere from:

Option 1- Internal Recruitment with External Testing: the range of this recruitment will be \$10,000 to \$15,000 which includes advertising, and personality testing and external

reference checking of the top candidates. This also includes any possible transportation and accommodations for interview candidates that may be from outside of the region.

Option 2- External Recruitment with HR assistance and facilitation: the range for this option is from \$40,000 to \$57,500.00, the difference in costing is in relation to the wage the applicant will start at in the salary range i.e. 80,85,90,95 or 100%. Additionally, this amount does not include ancillary expenses, including travel and accommodation, advertising, and assessments. This does not capture any internal staffing costs required in this process.

Additional costs that present in both options will be the cost of the Committee attending any meetings relating to the hire of the CAO if Council recommends compensation for the Committee members at \$100 per meeting.

CONSULTATIONS

Director of Corporate Services
Director of Financial Services
Senior Management Team
Recruitment Firms

RECOMMENDATION

That Council approves the updated job description for the CAO;

And That Council approves and confirms the Hiring Committee and compensation for the CAO position;

And That Council provide direction to the HR Manager to move forward with the recruitment process either internally through the HR Manager or an external Recruiter.

Jennifer Galea

Jennifer Galea, CHRL
Human Resources Manager

Jennifer Astrologo

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

Ryan McLeod

Ryan McLeod, CPA, CA
Director of Financial Services



Job Specifications Chief Administrative Officer

1.0 POSITION SUMMARY

The Chief Administrative Officer (CAO) is responsible and accountable to Council in ensuring effective day-to-day management of the municipality and is a leader who is well-experienced with the nuances and complexities of local government. The CAO will create a collaborative team environment by engaging with both staff and Council, and in doing so will leverage the expertise and strengths that exist within the organization. The CAO shall be decisive, with flexibility, possessing sufficient business acumen and political savvy to assist Council with complex decisions, and shall provide guidance and leadership to Town staff. The CAO will ensure that the vision, goals, objectives and directives of Council are carried out effectively and efficiently.

2.0 RESPONSIBILITIES

Management and Leadership

- Provide leadership, guidance and advice to assist Council with developing strategic plans, goals, objectives, and annual priorities.
- Ensures that Council has all relevant information and advice necessary to make informed determinations and decisions.
- Identify and understand broad issues, problems and opportunities, and make well-informed recommendations to Council.
- Provide ongoing, consistent leadership to the senior management team and through them to the organization.
- Monitor the delivery of municipal services through the various department heads to ensure that Council's budget, and strategic and business plans are followed.
- Direct the effective and efficient implementation of Council decisions as expressed in policies, by-laws and resolutions.
- Provide oversight in the development of short and long-range plans with a focus on continuously improving the level of functional integration across all departments.
- Ensure compliance with all statutory requirements, and Town policies, procedures and standards.
- Provide visible and positive leadership through the promotion of empowerment to all employees through coaching, mentoring, excellent communication and delegation of responsibility, while identifying and removing barriers to empowerment.
- Ensure information is shared in a timely and accurate manner within the municipality, Town partners, community groups, businesses, media and the public.
- Assume the role of Economic Development Officer for the municipality and demonstrate leadership in actively pursuing strategic economic development initiatives that contribute to new sources of revenue and/or a more prosperous community.

- Ensure the effective and efficient use of Town resources (financial, physical and human).
- Establish effective and efficient operation of the municipality taking into account all legislation, regulations, policies and standard practices and guidelines.
- Establish liaisons and positive relationships with the business community and with other boards and authorities and upper levels of government and act as spokesperson on behalf of the municipality.
- Ensure there are appropriate mechanisms in place to facilitate community input and engage the public.
- Communicate and interact with the Mayor and Council and with the general public on all administrative matters as required.
- Carry out other duties as may be assigned or required.

Financial Management

- Oversee the preparation and presentation to Council the operating and capital budgets in conjunction with the Director of Financial Services/Treasurer.
- Coordinate and review operating and capital budgets in coordination with senior managers prior to submission to Council.
- Exercise general financial control over all departments to ensure that budgets are adhered to and to ensure that reports are submitted to Council when over-expenditures have or are likely to occur.
- Project and manage financial variances as part of the monthly or quarterly review; monitor and control budgets in conjunction with finance staff.

Human Resources Management

- Directly oversee the Senior Management Team and the Executive Assistant to the CAO and the Mayor.
- Determine the appropriate organizational structure; delegate and empower staff within reasonable limits; ensure the Town has appropriate succession plans in place.
- Maximize the talent of staff by ensuring adequate training, mentoring and coaching, and determine appropriate performance indicators.
- Oversee the strategic planning of human capital resources in each area.
- Motivate staff to deliver quality service and programs to ratepayers.
- Recommend to Council the appointment, suspension or dismissal of department heads, as well as providing assistance and direction regarding the hiring, suspension or dismissal of all other employees.
- Oversee the collective bargaining process, in conjunction with the Director of Corporate Services.

3.0 QUALIFICATIONS

- Post-Secondary degree in public administration or related field and a professional certificate.
- Must have experience demonstrating strong organizational and leadership skills.
- Must have minimum 10 years of progressive experience at senior management level.
- Must have minimum 10 years of experience in municipal operations.

- Excellent leadership, interpersonal, communication, planning, critical thinking, presentation, problem solving, financial and negotiation skills.
- Ability to effectively manage staff at all levels (including unionized staff) and ensure accountability for performance and results.
- Demonstrate short and long-term vision and success developing and implementing strategic and operational business plans.
- Ability to initiate/facilitate and implement change in an organization and workplace.
- Excellent verbal and written communication skills to prepare reports and minutes, make presentations to Committees and Council and to coordinate policy advice to present sound, practical recommendations to Council.

4.0 WORKING CONDITIONS

- Employed in a office environment 35 hours per week
- Required to attend Council and Committees of Council meetings
- Some travel and attendance at evening meetings is required
- Interact with employees, managers, general public, other government agencies, ministries and boards
- Regular interruptions
- Lieu time is capped at 35 hours annually

5.0 WAGE RATE

\$147,945- \$184,932 (Salary Group 12)

Comprehensive benefits package

Non-union position



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RECRUITMENT PROCESS CONFIDENTIALITY ACKNOWLEDGMENT

WHEREAS the Town of Kingsville has commenced a recruitment process for the position of _____, which requires the involvement of _____ (the "Participant");

AND WHEREAS, during the recruitment process the Participant may be exposed to Confidential Information, as defined below;

AND WHEREAS The Town of Kingsville is committed to maintaining the confidentiality of such Confidential Information to protect individual privacy and preserve the fairness and integrity of the recruitment process;

NOW THEREFORE the Participant agrees as follows:

1. "Confidential Information" shall mean all information related to the recruitment process that is not generally ascertainable from public or published information, including, but not limited to, candidate information, employee information, job requirements, interview questions, information disclosed through the job interview process, and information relating to the business, operations, and assets of The Town of Kingsville that it treats as confidential or proprietary, such as location and analysis data, environmental data, production data, personal (health) information, technology (including information technology), research, and strategies.

"Confidential Information" shall not include information which:

(i) was already known to the Participant prior to the date of disclosure by the Town of Kingsville as having been publicly available;

(ii) at the time of disclosure or thereafter becomes public knowledge through no fault or omission of the Participant; or

(iii) is required to be disclosed by law, or order of any court, administrative tribunal or governmental authority having jurisdiction over the Participant.

2. The Participant shall keep all Confidential Information in strict confidence, and shall not use or disclose, or permit the use or disclosure, of any Confidential Information other than for the purpose of facilitating the recruitment process as directed by the Town of Kingsville.

3. The Participant shall not transfer any Confidential Information to, or store any Confidential Information in, any repository, electronic database, or network not authorized by Town of Kingsville for such a purpose without the Town of Kingsville's prior written permission.

APPENDIX 'B'

4. The Participant acknowledges that all Confidential Information shall at all times be the property of the Town of Kingsville and, upon completion of the recruitment process or at such other time as the Town of Kingsville may request, the Participant shall promptly return to the Town of Kingsville all hard copy Confidential Information, whether it be in the form of blueprints, documents, or otherwise, and any and all electronic copies of data such as blueprints or documents.
5. The Participant acknowledges that the Town of Kingsville and/or individual candidates for employment or advancement could be irreparably injured by a breach of confidentiality.
6. The Participant has read, understands, and accepts the above terms.

DATED this _____ day of _____, _____.

Participant Signature: _____



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www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: May 15, 2020
To: Mayor and Council
Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services
RE: Dark Sky Compliance Enforcement
Report No.: PS 2019-032

AIM

To provide details to the Mayor and Council regarding review and enforcement activities related to greenhouse grow light usage and site plan agreement requirements for control of lighting impacts.

BACKGROUND

The use of supplemental grow lighting in greenhouses is not new to the industry. However, with the increased scale of greenhouses and the more recent expansion of local hydro, infrastructure usage has become a much more viable option. This usage has led to concerns over the impact of that lighting on the night sky and the environment as a whole.

In the fall of 2019 Council approved the investigation of area greenhouses to determine to what extent grow lighting was in use and which greenhouse operations were in compliance with their site plan agreements in terms of lighting, if applicable. At the January 13, 2020 Regular Meeting of Council Motion 25-2020 was put forward as follows: "That Council be provided with a detailed update regarding the Greenhouse Industry dark sky compliance investigations that were approved last year."

DISCUSSION

Dark Sky

It is important to note that "dark sky" is a guideline accepted globally for addressing what is viewed as unnecessary light pollution from all sources. There are many jurisdictions that have implemented regulations that follow "dark sky" guidelines in lighting by-laws or review processes such as site plan approval. Far more municipalities simply use "dark sky" as a

guide. Kingsville has since approximately 2006 included reference in site plans to dark sky or night sky protection, required photometric plans and more recently specifically outlined required protections such as shielding on lights and the use of wall and ceiling black out curtains in greenhouses using grow lights. Any of the existing development in Kingsville that predates 2006 using growing lighting or unshielded exterior lights are not considered to be non-compliant from a regulations standpoint. In these situation the Town is looking at establishing other regulatory means such as a nuisance or lighting by-law. Until this is developed our best effort will be to communicate with property owners to consider voluntary observance of the dark sky guidelines.

Enforcement Activities

Inspection of grow light usage in Kingsville started in November of 2019. Since that time there have been a total of five inspections. The initial inspection in November included a total of 85 properties with greenhouses, of those approximately 12 are utilizing grow lights.

A second inspection was also carried out in November. As a result it was determined that there were a total of four greenhouses using grow lighting that were not in compliance with the provisions related to light use in their respective site plan agreements.

Planning prepared an information letter that was circulated to all 85 property owners at the end of November outlining that if grow lighting was to be used that appropriate mitigation measures must be employed, particularly in the case of properties with site plan agreements dating from 2006/2007 forward. No feedback was received by staff from this initial circulation.

In December a further inspection was undertaken. A total of 8 were non-compliant, 3 of which are Part 2 cannabis producers in older greenhouses with no site plan approval and as such no current regulatory means to require wall or ceiling blackout curtains. The remaining five have site plan agreements in place with some form of lighting control provisions. Additional inspections were completed in January and at that time 7 greenhouses were not compliant, again 3 of those being Part 2 cannabis producers with the balance all having site plan agreements with some form of lighting control provisions.

A follow-up letter was drafted specifically to each of the inspected properties noting either the need for dark sky compliance even with the absence of site plan agreements, or specifically noting that the property had a site plan agreement in place and highlighting the requirement for lighting controls to be implemented. Approximately half of the contacted growers with site plan agreements in place contacted the Town directly to determine what was required to get into compliance. Staff indicated that proper wall and/or ceiling curtains needed to be installed as soon as possible; the general goal being by fall of 2020 but no later than the end of 2020.

The most current review was completed in March with a total of 6 properties not in compliance with dark sky. The mix was again between site plan approved sites and Part 2 cannabis growers.

Summary

Overall, based on the above information, compliance with dark sky is moving in a positive direction. Growers, with the exception of the Part 2 cannabis producers have been taking steps to move toward compliance. It is also noteworthy that at least one producer was already in the process of implementing dark sky measures on all of their facilities regardless of the age of the applicable site plan approvals on their lands. All greenhouse facilities in the last two years whether they are expansions or new builds have all had amending agreements which added the requirement for full light abatement in the form of wall and ceiling curtains. The Ontario Greenhouse Vegetable Growers (OGVG) has also provided its members with guidance on the use of lighting (see Appendix A)

Locally Kingsville is the only municipality actively pursuing dark sky compliance on its greenhouse development. I believe that the enforcement activity, contact with growers, ongoing comment from the public, and revised site plan wording has reinforced that the Town will continue to act on this issue. Based on feedback from the growers I believe that we will see ongoing improvement.

LINK TO STRATEGIC PLAN

There is no direct link to the strategic plan.

FINANCIAL CONSIDERATIONS

Regular inspections of the greenhouses have required after regular business hour scheduling of staff resources along with vehicle use, however, overall the impact is marginal.

CONSULTATIONS

Management staff

RECOMMENDATION

That Council:

Receive the report on greenhouse dark sky compliance enforcement for information purposes.

Robert Brown

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

Jennifer Astrologo

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

Interim Light Abatement Guidelines V3.0

January 3, 2019

| | New builds | Existing |
|---------------------------|--|--|
| Sidewall Abatement | 100% sidewall abatement from one hour before sunset until one hour after sunrise* | |
| Ceiling Abatement | OGVG recommends significant ceiling light abatement measures [†] be put in place between 11pm-6am | |
| Timeline | Guidelines to be followed upon build completion | <p>Abatement equipment will be ordered within three months of guideline adoption</p> <p>Abatement equipment will be installed, and guidelines followed within one year of guideline adoption</p> |
| Exemptions | Abatement may be ceased when the roof is snow covered to ensure efficient removal of snow | |

* As determined by National Research Council Canada's Sunrise/sunset calculator (using your closest city): <https://www.nrc-cnrc.gc.ca/eng/services/sunrise/index.html>

[†] These measures will be quantified, and new final guidelines will be put in place by April 1, 2019.



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

Date: May 15, 2020
To: Mayor and Council
Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services
RE: Planning Application Processing – Part II
Report No.: PS 2020-033

AIM

To provide the Mayor and Council with details on the suggested process to continue the approval of Planning Act applications.

BACKGROUND

At the April 27, 2020, Regular Meeting of Council the Manager of Planning of Services outlined a number of options for Council to consider for the continued processing and approval of Planning Act applications. The option that Council endorsed, subject to further details on the process, was option three, “proceed with basic applications utilizing an electronic or virtual format.”

One concern expressed about this option was the potential discretionary nature of what would be considered basic. This would include applications which are not subject to public notice such as site plans (not associated with recent zoning changes) and part lot control exemptions. It could also include more routine severance applications for items such as lot additions, easements/rights-of-way and surplus dwelling severances. Minor variance applications would also be potentially considered. There are three safeguards in place to address any concern related to discretion on any application:

- i) During the review process and after public notice is issued it may be determined that the application(s) have underlying issues that warrant delaying the application(s) until the regular public meeting process returns, at which point the Manager would advise the applicant and re-schedule the application for a later date.

- ii) The approval authority, Council or Committee of Adjustment, based on several different factors, can defer an application to a later date when public meetings return to the standard format.
- iii) Applications that are submitted and not consistent with local, County or Provincial policy are generally not presented to the applicable approval authority.

DISCUSSION

At present, the method for holding meetings is via electronic format using the video streaming through e-Scribe and the use of Zoom for Council and presenters to interact. To date, only matters not subject to public notice have been addressed using this method. This could be extended for use to hear basic applications as outlined above for Council. Notices of public meeting would be circulated as per the Planning Act requirements. In order to enhance public access to information on any given application the following is suggested:

- i) that circulated notices include expanded details;
- ii) notice be circulated earlier than mandated by the Planning Act;
- iii) all notices continue to be posted on the Town website;
- iv) that the final reports be prepared earlier for circulation to Council and posted to the website;
- v) the public be encouraged to forward comment in advance to be included with reports, circulated to Council as received and included with the final agenda;
- vi) those still wishing to speak would be invited to participate via Zoom, and
- vii) participation electronically would follow the similar rules and regulations for in-person attendance.

Any in-person attendance by Council or the public will be subject to the regulations in place at the time for public gatherings.

Committee of Adjustment meetings would operate as follows:

- i) that circulated notices include expanded details;
- ii) notice be circulated earlier than mandated by the Planning Act;
- iii) all notices be posted on the Town website;
- iv) that the final reports be prepared earlier for circulation to Committee members and posted to the website;
- v) the public be encouraged to forward comment in advance to be included with reports, circulated to Committee members as received and included with the final agenda;
- vi) those still wishing to speak would be invited to participate via Zoom, and
- vii) participation electronically would follow the similar rules and regulations for in-person attendance.

The one difference with Council versus Committee is that streaming via e-Scribe is not currently available so viewing and participation are limited to Zoom via invitation. This

would be highlighted in the public notices. In-person attendance will be subject to the regulations in place at the time for public gatherings.

Until public gathering restrictions are no longer in place, it is recommended that Planning Advisory Committee meetings not be held as PAC is not an approval authority. Applications before PAC generally tend to be of considerable public interest which is currently not realistically manageable via electronic participation.

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

There are no financial implications resulting from this report.

CONSULTATIONS

Management staff

RECOMMENDATION

That Council:

Approve proceeding with the processing of basic Planning Act applications, until restrictions on public gatherings are lifted, including:

those not subject to public notification and not the subject of a recent zoning amendment;

consent applications for lot additions, the establishment of easements or rights-of-way, the subdivision of an existing semi-detached or townhouse dwelling and the severance of surplus dwellings;

minor variances for changes to an existing development,

all subject to the outlined meeting, public participation and notification protocol, and final discretion of the applicable approval authority, outlined this report.

Robert Brown

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

Jennifer Astrologo

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



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
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Date: May 15, 2020
To: Mayor and Council
Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services
RE: Permit and Site Plan Review Processing
Report No.: PS 2020-031

AIM

To provide the Mayor and Council with information on revised steps in the processing of building permits and site plan review to ensure proper oversight and compliance with approved plans.

BACKGROUND

This report addresses the second part of Council's motion made on December 9, 2019 as it relates to the requested site plan amendment application for the medical clinic currently under development at 200 Main St. E. The specific question to be answered is how does administration ensure that the same issue with compliance does not occur in the future. The Personnel Committee was provided with an independent report on what occurred and recommendations on how to prevent a similar occurrence moving forward.

DISCUSSION

The issue that occurred with the permitting at 200 Main St. E. from the prospective of Planning is as follows:

- i) There were two separate permit submissions.
- ii) The initial submission was reviewed by Planning, and was determined to be consistent with the approved site plan and in compliance with the applicable zoning.

- iii) The second submission was **not** provided to Planning for review and although it was in compliance with the applicable zoning was **not** consistent with the approved site plan.
- iv) When the question of height was first raised Planning staff reviewed the initial permit submission and confirmed that it was consistent with the approved site plan. This determination was made since Planning staff was not aware of the second permit submission.
- v) Once staff was aware that a second storey was indeed under construction the applicant's architect was immediately contacted and asked why a site plan amendment application had not been submitted as directed by staff several months earlier.

Since the issue was a missed review step the solution was to reinforce that all permits, regardless of the request, are required to be forwarded to Planning for review to determine if there are any applicable issues such as setback, site plan approval or zoning compliance. In addition, all changes that are required as part of the permit review process or initiated by the applicant are re-circulated to Planning to ensure that the initial review remains valid. This increased communication and circulation between Planning and Building and confirmation that Planning has stamped all site plan submissions, on their own, should safeguard against future issues.

An additional recommendation, prior to completion of the outside investigation, was for Planning to implement the same electronic file management system that Building had adopted in 2019. This was presented to Council as part of the 2020 budget and funding for the software was approved. Implementation of this system takes approximately 9 to 12 months with staffing needs that are not currently available for that entire timeframe.

Alternatively, during consultation with staff, it was suggested that access to the current Building PLL system be provided to Planning staff. The current system already has a safeguard which requires confirmation that a permit has an approved site plan and has been reviewed for compliance. This potentially could be modified to permit only Planning staff to input confirmation. This would be in addition to the physical review and stamping of all permit site plans. Without the confirmation from Planning the permit process cannot move forward and a permit cannot be issued. Subject to confirmation from the software provider this could be implemented in a much shorter timeframe than full implementation of the new Planning PLL software. The only technical issue that is still problematic is the issue of resubmission on existing permits. Once a permit is started and once Planning staff have reviewed and determined the approved plan can move forward there would also need to be a method to ensure that any resubmission or change is reviewed in comparison to the original permit submission and the approved site plan before moving forward again.

The recommended action to address this would include an update to any applicable SOP in both Planning and Building and the use of existing warning tools in the PLL software that highlight to the user there has been a resubmission or change and that Planning staff must re-review the new plans.

The Building Code Act outlines the mandated timeframes in which each type of building permit must be issued once a complete application is received. Staff at all times take this

very seriously and strive to maintain compliance with those timeframes. With any approval process, whether it is planning or building, the management of expectations must also be considered. Every permit that is submitted is unique and everyone directly or indirectly involved has an expectation that permits will be issued in a timely manner. Depending on the time of year, workload can vary considerably and the complexity of each project can further add to the time needed to review all of the necessary information. Realistic expectations lead to a solid review process that prevents oversight. Unrealistic expectations contribute to stress on the review process which increases the likelihood of mistakes and oversights regardless of safeguards.

Summary

The following steps outline what safeguards will help ensure compliance and maintain oversight in the future:

- i) Regular communication via inter-departmental meetings particularly on large multi permit projects;
- ii) Recirculation of changes on **all** permits;
- iii) No release of permits without all applicable reviews completed and signatures in place;
- iv) Management of timeline expectations from all involved parties;
- v) Implementation of access for Planning staff only to confirm site plan submission compliance within the current Building PLL software;
- vi) Eventual full expansion and integration of the PLL system between the Building and Planning Departments;
- vii) Make any necessary SOP updates in Building and Planning to reflect and reinforce the compliance review steps;
- viii) Recognition that reduction of mandated timelines carry potential for errors;
- ix) Recognition that staffing levels have to be reflective of work volumes.

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

There may be some software licensing costs to grant additional access to Planning staff however this can be covered through the existing 2020 Planning budget.

CONSULTATIONS

Management staff

RECOMMENDATION

That Council:

Receive the report outlining the steps required to ensure proper oversight and compliance with approved plans.

Direct administration to provide Council with confirmation of the final implementation and completion of the Building PPL software access and SOP changes and/or updates.

Robert Brown

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

Jennifer Astrologo

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



2021 Division Road North
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Date: May 15, 2020

To: Mayor and Council

Author: Sandra Kitchen, Deputy Clerk-Council Services

RE: 183 Main St. East, Kingsville—Notice of Objection of Brotto Investments Inc. filed pursuant to s.29(5) of the Ontario Heritage Act

Report No.: CS-2020-13

AIM

To update Council regarding its stated intention to designate the property at 183 Main St. East, Kingsville.

BACKGROUND

As Council will recall, at its Regular Meeting held March 9, 2020 (after consultation with the Kingsville Municipal Heritage Advisory Committee, and as per the requirements of the *Ontario Heritage Act*, herein the “Act”), Notice of Intention to Designate the property municipally known as 183 Main St. East was authorized via Council Motion 198-2020. For reference, an excerpt of the Minutes of that Meeting is attached as Appendix “A”.

Subsequently, the Notice of Intention to Designate (the “Notice”) was prepared and served on the property owners and upon Ontario Heritage Trust according to the provisions of Part IV, Section 29 of the Act. A copy of the Notice is attached as Appendix “B”.

The Notice was published in The Kingsville Reporter, a newspaper having general circulation in the municipality, on April 7, 2020. Objections to designation were required to be served on the Clerk within thirty (30) days after publication.

DISCUSSION

On April 29, 2020 a Notice of Objection was served upon the Clerk by Ms. Analee J. M. Baroudi via email. A hard copy of the Notice of Objection was also received by the Clerk on May 1, 2020 (Appendix “C”). Ms. Baroudi filed the Objection on behalf of Brotto Investments Inc. (the “Objector”), both on the Objector’s own behalf and acting as agent for Donna and Will Krahn, the owners of the property. The Notice of Objection was duly

filed within the thirty-day period, and no further objections were received by any other person or party.

Because an Objection has been filed within the thirty-day period, Council must refer the the objection to the Conservation Review Board (CRB) for a hearing. The Act mandates this tribunal to conduct hearings and make recommendations to Council regarding objections to proposals to designate, as well as other Council decisions under Part IV of the Act. Following the hearing, the CRB writes a report to Council with its recommendation on whether or not the property should be designated. Council is not bound to follow the recommendation of the CRB. After considering the CRB recommendation, Council may decide to go ahead with the designation, or withdraw its intention to designate. A Flowchart summarizing the steps of Designation by Municipal By-law under Section 29 of the Act is attached as Appendix “D”.¹

LINK TO STRATEGIC PLAN

None.

FINANCIAL CONSIDERATIONS

If the Town obtains a solicitor to represent the Town at the hearing, there will be costs for such representation. Presently, the Board is conducting hearings by teleconference, so there will be no associated travel expenses.

CONSULTATIONS

Director of Corporate Services J. Astrologo

RECOMMENDATION

That Council directs Administration to refer the Notice of Objection of Brotto Investments Inc., filed pursuant to s.29(5) of the *Ontario Heritage Act*, to the Conservation Review Board for a hearing.

Sandra Kitchen

Sandra Kitchen, Deputy Clerk-Council Services

Jennifer Astrologo

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

¹ Ontario, Ministry of Culture, “Designating Heritage Properties”, Ontario Heritage Tool Kit (Ontario: Queen’s Printer for Ontario 2006) at 34.

¹ Ontario, Ministry of Culture, “Designating Heritage Properties”, Ontario Heritage Tool Kit (Ontario: Queen’s Printer for Ontario 2006) at 34.

APPENDIX “A”

The Corporation of the Town of Kingsville

Excerpt of the Regular Meeting of Council Minutes, dated March 9, 2020.

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 Jasperson 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.

| Recorded | For | Against |
|----------------------------|------------|----------------|
| 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 | |
| Results | 6 | 1 |

CARRIED (6 to 1)

**APPENDIX “B”—Notice of Intention to Designate 183 Main St. East,
Kingsville, Ontario dated April 1, 2020**



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

IN THE MATTER OF THE *ONTARIO HERITAGE ACT*, R.S.O. 1990, c. O.18, AS AMENDED, AND IN THE MATTER OF THE PROPERTY MUNICIPALLY KNOWN AS 183 MAIN STREET EAST, IN THE TOWN OF KINGSVILLE

NOTICE OF INTENTION TO DESIGNATE

TAKE NOTICE THAT the Council of The Corporation of the Town of Kingsville intends to designate 183 Main Street East as a property of cultural heritage value or interest under Part IV, Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended.

Description of Property:

The Esther Jasperson Campbell House, 183 Main St. East, Kingsville.

The Esther Jasperson Campbell House, constructed circa 1925, is a 2 ½ -storey brick dwelling in the Neo-Georgian (also known as Colonial Revival) style, located on the South side of Main Street East, in the Town of Kingsville.

The legal description of the subject property is:

PT LT 2 CON 1 EASTERN DIVISION GOSFIELD (KINGSVILLE) AS IN R1027697; KINGSVILLE

Statement of Cultural Heritage Value or Interest: The property's cultural heritage value lies in its association with Bonzano Jasperson, one of Kingsville's leading citizens, and his family. Bon Jasperson, as he was known, was the grandson of a fur trader who settled in the Detroit area in 1813 and who at one time owned land that stretched from the Detroit River to Tecumseh Road in Windsor along what is now Walker Road. Bon Jasperson's mother was the granddaughter of John Weigele (Wigle), a German who was one of the Kingsville area's first settlers. Bon Jasperson's father, Lewis Frederick Jasperson, was a Detroit merchant trader, who with his wife, Nancy Jane Wigle, moved to Kingsville in 1849 and set up what was believed to be the first general store in town.

Bon Jasperson (1869-1947) was one of Kingsville's leading citizens. He was an entrepreneur who owned companies involved in all aspects of local life. He and his father and brothers cleared virgin lumber from Pelee Island in the 1880s and ran a saw mill in Romney. He owned a grain warehouse and was a grain and seed dealer. He was Kingsville's first private banker. He brought a canning factory to town, later sold to Canadian Cannery. He also had a business interest in the Essex Tobacco Company, later called the Hodge Tobacco Company. He and David Conklin purchased the Electric Light Plant in 1899, later selling it to the Detroit Edison Company. He purchased a lot at 14 Division Street South on which stood a harness shop and constructed an office block. He owned a brick and tile business in Coatsworth, and farming operations throughout the area. He owned extensive tracts of land and was a pioneer of the area's oil and gas industry. He managed the Kingsville Natural Gas and Oil Company, he developed gas fields in Kent County and started an oil business on Pelee Island, the Pelee Gas & Oil Company.

Bon Jasperson had the home at 171 Main Street East constructed as a wedding gift to his only daughter, Esther Gertrude. Esther Jasperson (1897-1973) was a

member of the Church of the Epiphany where she sang in the choir. She was the first president of the Evening Guild and a member of the Imperial Order Daughters of the Empire (IODE) during both world wars. In 1916, when the first group of Girl Guides was formed in Kingsville, Esther was one of the first leaders.

Esther married Dr. Thomas Donald Campbell, who at times in Kingsville's history was the town's only dentist. Dr. Campbell served in the dental corps in Canada and England during the First World War and he rescued Kingsville's boy scouts from oblivion in 1925 by becoming Scoutmaster.

Esther's mother, Gertrude Jaspersen (1872-1966), led the choir at the Church of the Epiphany. She was a charter member of the IODE and she did charitable work involving the welfare of young people.

Esther's brother, Frederick Kent Jaspersen (1900-1982), was a lawyer and the commander of the Essex Scottish Regiment during the ill-fated raid on Dieppe during the Second World War. After the war where he had been taken prisoner, he returned to Essex County where he was named a local magistrate.

The design of the Esther Jaspersen Campbell House is featured on the cover of the 1913 Aladdin Houses catalogue, where it was called "The Brentwood," and in the 1920 annual catalogue of the Canadian Aladdin Company where it was called "The Lockwood." Aladdin, a kit-home company founded in Bay City, Michigan in 1906, used premium lumber for its framing and finishes. The home was advertised as "an exclusive design that will not be sold to more than one customer in any community without the previous consent of the first owner." It is the only home of its design on Kingsville's register of properties of cultural heritage value or interest.

Description of Heritage Attributes:

The Esther Jaspersen Campbell House embodies many elements of fine craftsmanship and design:

Brick façade with uncut fieldstone foundation;

Half-hipped roof with deep eaves;

Centred door;

Single-storey, enclosed verandas at the east and west ends;

Second-storey windows that from east to west are comprised of French doors leading to a balcony; three adjoining double-hung, 9-over-9 windows centred above the front door; and two sets of double-hung windows comprised of two, 12-over-12 windows each;

Two sets of adjoining windows comprised of three, 12-over-12 windows each on either side of the front door on the front façade;

Three windows on each gabled end of the building, two on the second storey and one in the half-storey under the hipped roofline;

Frieze board on enclosed verandas;

A mostly flat, front façade excepting a bumped-out wall to the west of the front door covered by a shallow roof accented with a frieze board.

The Esther Jaspersen Campbell House is a stately building which has landmark status in the Town of Kingsville. It is assessed as a Class 1 building that exceeds the established threshold for designation.

Further information respecting this proposed designation is available from the Town of Kingsville. Any inquiries may be directed to Sandra Kitchen, Deputy Clerk-Council Services at 519-733-2305, ext. 223, or by email at skitchen@kingsville.ca.

Notice of an objection to the proposed designation may be served on the Town Clerk, 2021 Division Road North, Kingsville, Ontario, N9Y 2Y9, within thirty days after the date of publication of this Notice of Intention to Designate.

Section 29(5) of the Ontario Heritage Act provides: A person who objects to a proposed designation shall, within thirty days after the date of publication of the notice of intention in a newspaper having general circulation in the municipality, serve on the clerk of the municipality a notice of objection setting out the reason for the objection and all relevant facts.

The last date to file a notice of objection is May 8, 2020.

DATED at Kingsville, this 1st day of April, 2020.

Jennifer Astrologo, Director of Corporate Services/Clerk
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario N9Y 2Y9

**APPENDIX “C”—Notice of Objection to Conservation Review Board
under the *Ontario Heritage Act*, dated April 29, 2020**

April 29, 2020

Delivered via email and courier to: jastrologo@kingsville.ca

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

Dear

**RE: 183 Main Street East, Kingsville;
Notice of Objection to Conservation Review Board under the *Ontario Heritage Act***

This Notice of Objection relates to a Notice of Intent to Designate property known municipally as 183 Main Street East, Kingsville, Ontario (“the Subject Property”) dated April 1, 2020. This Notice is being filed pursuant to s.29(5) of the *Ontario Heritage Act*.

I am the Lawyer for Brotto Investments Inc. (“the Objector”). The Objector hereby files this Objection both on its own behalf and acting as agent for Donna and Will Krahn, the owners of property (“the Owners”).

Please accept this letter as a Notice of Objection to the Notice of Intent to Designate the Subject Property as a property of cultural heritage value or interest.

The reasons for the Objection and the relevant facts are as follows:

Context

1. The Objector is the Purchaser in an Agreement of Purchase and Sale of the Subject Property and therefore has a direct interest in this matter.

BAROUDI LAW PROFESSIONAL CORPORATION
Tel: (519)438-3776 Fax: (519)432-6707
analee@baroudilaw.ca

2. The Objector and the Owners have openly and publicly opposed the designation of the Subject Property.
3. The Subject Property is currently occupied by a vacant single detached dwelling. The Objector has applied to the Municipality for a Zoning By-law Amendment to permit development of two four storey, 20 unit residential apartment buildings and surface parking. A decision has not yet been rendered on the application for Zoning By-law Amendment.
3. The Owners have appointed the Objector as their agent to deal with all matters relating to opposing designation of the Subject Property and requesting demolition of the vacant single detached dwelling located on the Subject Property.
4. The evaluation of the Subject Property carried out by the Kingsville Municipal Heritage Committee (“the Evaluation”) was not completed using Regulation 9/06 of the *Ontario Heritage Act*, thereby rendering the Notice of Intent to Designate invalid and premature.
5. The Evaluation is speculative. It is based on incomplete information and irrelevant information.
6. The Subject Property does not meet the prescribed criteria for designation as set out in Regulation 9/06 or elsewhere in the *Ontario Heritage Act*.
7. The Statement of Cultural Value or Interest and the Evaluation overly focus on Bon Jasperson, an individual whose achievements relate to a neighbouring designated property at 171 Main Street East, not the Subject Property.
8. The Statement of Cultural Value or Interest contains errors in property addresses.

9. The achievements of Esther (Jasperson) and Thomas Campbell, residents of 183 Main Street, should not be considered outstanding. These individuals were not significant to the community to the degree intended by the prescribed regulation to meet the test for designation.
10. The Statement of Cultural Heritage Value or Interest refers to Gertrude Jasperson and Frederick Kent Jasperson. These individuals appear to have had no connection to the Subject Property.
11. The dwelling is not a “Neo-Georgian style”, as claimed in the Notice of Intent to Designate.
12. There is no solid evidence to support the finding in the Evaluation that this is a true Aladdin kit home. A full review of the structure, interior and exterior, was not completed.
13. The conclusion that this is a true kit house cannot be made based solely on its exterior appearance. A review of the interior would be required in order to reach that conclusion. Based on a preliminary review by the Owners, there is no evidence of such things as stamped lumber or logos on fixtures that would indicate this is a true kit house.
14. The list of heritage attributes is overly broad and is not supported by evidence. There is no basis for concluding that the heritage attributes are original to the structure.
15. There is no evidence or justification for concluding that the structure at 183 Main Street East is a stately building which has “landmark” status in the Town of Kingsville.
16. The Municipality is pursuing designation of the Subject Property for political reasons, rather than as a result of a thorough and proper evaluation in accordance with the prescribed criteria. Neighbouring owners have placed significant pressure on Municipal Council to designate this property in a veiled attempt to stop the Objector’s proposed development for reasons unrelated to legitimate heritage concerns.

17. The Objector reserves the right to expand on these reasons or provide further reasons in the event the Objector carries out its own full architectural review of the property as well as a proper review in accordance with Regulation 9/06.

18. The Objector, as agent for the Owners, has submitted a request to demolish the single detached dwelling on the Subject Property. Should the demolition request ultimately be appealed to the Local Planning Appeal Tribunal, a consolidated hearing with this Objection will be requested.

In light of the foregoing, my Client objects to the designation of the Subject Property as a property of cultural heritage value or interest and requests a hearing before the Conservation Review Board pursuant to subsection 29(7)-(8) of the *Ontario Heritage Act*.

A hard copy of this Notice of Objection will be delivered via overnight courier.

Yours Truly,

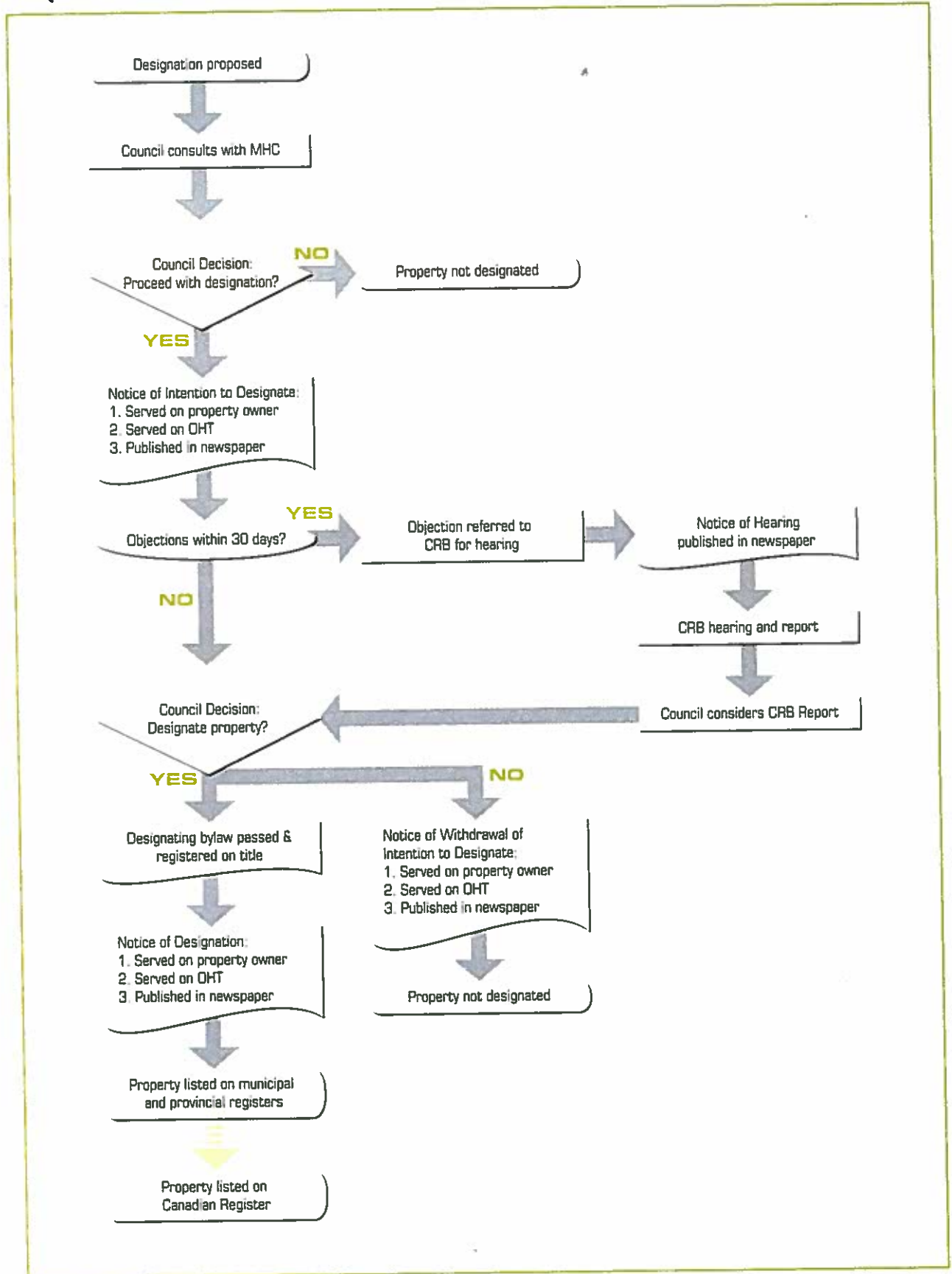
BAROUDI LAW



Analee J.M. Baroudi

**APPENDIX “D”—Flowchart RE: Designation by Municipal By-law
(Section 29 of the Ontario Heritage Act)**

1. Designation by Municipal Bylaw (Section 29 of the Ontario Heritage Act)





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

Date: May 15, 2020

To: Mayor and Council

Author: Sandra Kitchen, Deputy Clerk-Council Services

RE: 183 Main St. East, Kingsville--Application for Consent to Demolish
filed by Solicitor Analee J. M. Baroudi on behalf of Brotto Investments
Inc.

Report No.: CS-2020-14

AIM

To inform Council of the receipt of an Application to Council for Consent in Writing to Demolish the dwelling located on 183 Main St. East, Kingsville (the "property").

BACKGROUND

As Council is aware, an Application for a Permit to Demolish was submitted under the *Building Code Act* by Brotto Investments Inc., as authorized agent for the property owners, Donna and Will Krahn, on or about February 13, 2020.

In response to that Application, Council referred the matter to the Kingsville Municipal Heritage Advisory Committee. The Committee researched and scored the property, presented its formal Report to Council at its March 9, 2020 Regular Meeting, and recommended that Council issue a Notice of Intention to Designate. Council initiated that process, which is now proceeding under the *Ontario Heritage Act*.

DISCUSSION

By correspondence received on April 29, 2020 from Analee J. M. Baroudi (Solicitor for Brotto Investments Inc.), Brotto Investments Inc. has applied to Council for consent in writing to demolish the property pursuant to Subsections 30(2) and 34(1) of the Act (Appendix "A").

Subsection 30(2) of the Act states:

Interim control of alteration, demolition or removal

30(2) Sections 33 and 34 apply with necessary modifications to property as of the day notice of intention to designate the property is given under subsection 29(3) as though the designation process were complete and the property had been designated under section 29.

Subsection 34(1) of the Act states:

Demolition or removal of structure:

34(1) No owner of property designated under Section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal.

Council has ninety (90) days to review the application and seek the advice of its Municipal Heritage Committee. Within the 90-day period¹ and after considering the advice of the Committee, Council must decide whether to refuse the application, consent to it, or consent with terms and conditions. At minimum, Council should require full documentation of a heritage building or structure prior to its demolition, as well as documentation of any other heritage resources on the property that may be affected.

Council notifies the applicant and the Ontario Heritage Trust of its decision. Council also publishes its decision in a local newspaper. An owner may appeal Council's decision to deny the permit, or to consent to it with conditions, to the Ontario Municipal Board (OMB). A detailed flowchart outlining the demolition application process is provided as Appendix "B" to this report².

LINK TO STRATEGIC PLAN

None.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

CONSULTATIONS

Director of Corporate Services

¹Failure of council to notify the owner within 90 days shall be deemed consent.

²Ontario, Ministry of Culture, "Designating Heritage Properties", Ontario Heritage Tool Kit (Ontario: Queen's Printer for Ontario 2006) at 40

RECOMMENDATION

That Council, pursuant to Subsection 34(1)(1.2), serves a notice of receipt of the Application for Consent to Demolish received under Subsections (30)(2) and 34(1) of the *Ontario Heritage Act* on the Applicant; And Further That Council refers the Application for Consent to Demolish 183 Main St. East, dated April 29, 2020 (as filed by Solicitor Analee Baroudi on behalf of her client) to the Kingsville Municipal Heritage Advisory Committee for the purposes of the Committee providing a recommendation to Council regarding the request.

Sandra Kitchen

Sandra Kitchen
Deputy Clerk-Council Services

Jennifer Astrologo

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

**Appendix “A” – Correspondence from
Analee J. M. Baroudi, Solicitor for
Brotto Investments Inc., dated April 29, 2020**



April 29, 2020

via email: jastrologo@kingsville.ca and skitchen@kingsville.ca

Mayor and Council
c/o Jennifer Astrologo, Clerk and Sandra Kitchen, Deputy Clerk-Council Services
Town of Kingsville
2021 Division Road North
Kingsville, ON N9Y 2Y9

Re: 183 Main St. E. Kingsville – Application for Consent to Demolish

I am the Lawyer for Brotto Investments Inc. who is acting as agent for Donna and Will Krahn, owners of 183 Main Street East, Kingsville Ontario (“the Property”). The Municipality has served a Notice of Intent to Designate 183 Main Street East pursuant to the *Ontario Heritage Act*. The Notice of Intent to Designate is dated April 1, 2020.

Pursuant to sub-sections 30(2) and 34(1) of the *Ontario Heritage Act*, my Client hereby applies to Council for consent in writing to demolish the dwelling located on 183 Main Street East, Kingsville Ontario. An application for a demolition permit was previously submitted to the Town and my Client has confirmed that Application remains open and active.

Please ensure I am notified of all Council and Committee meetings concerning this matter.

BAROUDI LAW PROFESSIONAL CORPORATION
Tel: (519)438-3776 Fax: (519)432-6707
analee@baroudilaw.ca

I look forward to hearing from you.

Yours Truly,
BAROUDI LAW



Analee J.M. Baroudi

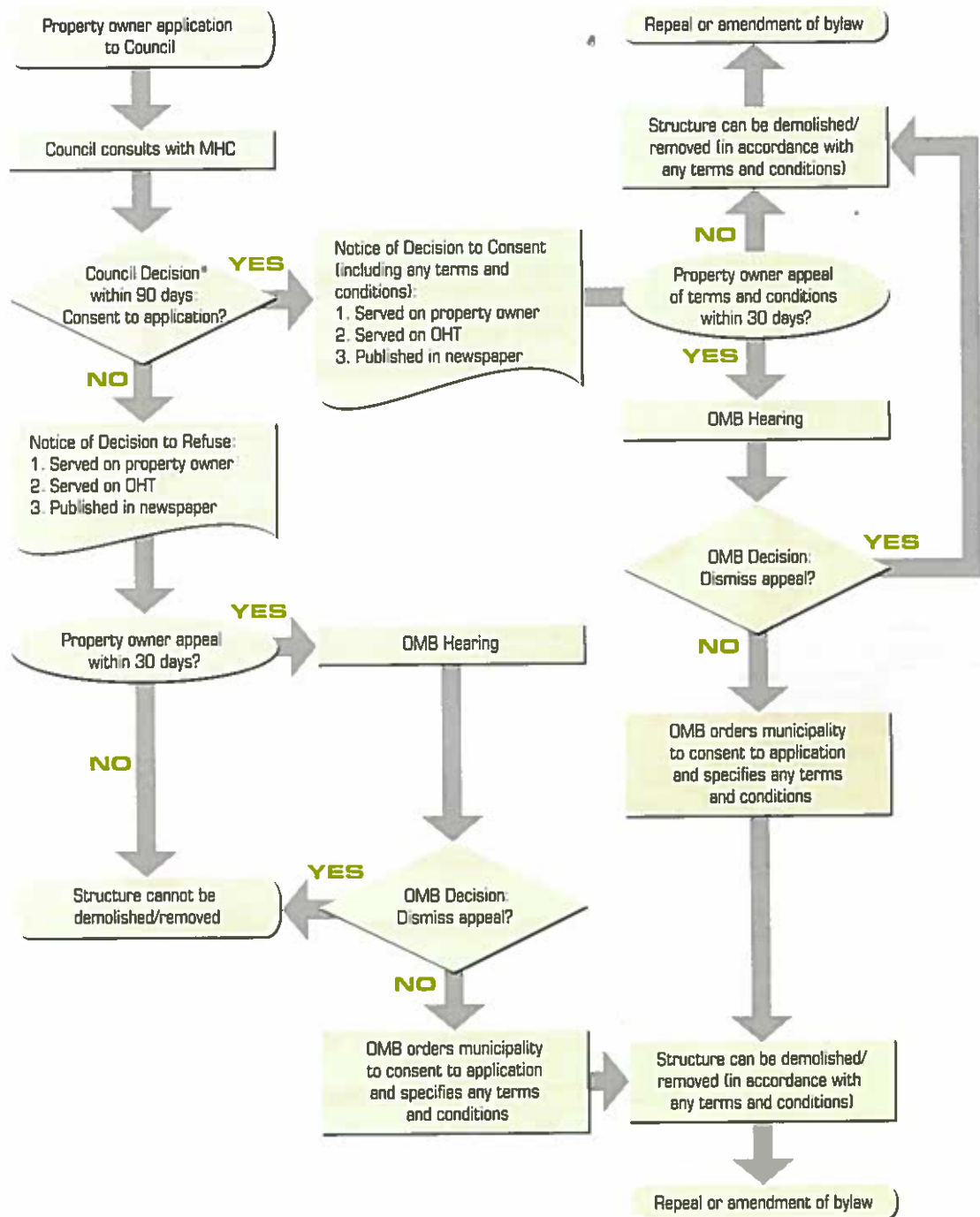
c.c. Christian LeFave, Brotto Investments Inc. via email
Mary-Ann Keefner, Shibley Righton LLP via email
Peter Valore, Chief Building Official, Town of Kingsville via email
Jared Dykstra and Heather Garrett, Zelinka Priamo Ltd. via email

BAROUDI LAW PROFESSIONAL CORPORATION
Tel: (519)438-3776 Fax: (519)432-6707
analee@baroudilaw.ca

**Appendix “B” – Flowchart RE: Demolition or Removal of Structure
(Section 34, 34.1 and 34.3 of the Ontario Heritage Act)**

7. Demolition or Removal of Structure

(Section 34, 34.1 & 34.3 of the Ontario Heritage Act)



* Failure of council to notify the owner within 90 days shall be deemed consent.



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

Date: May 15, 2020
To: Mayor and Council
Author: Vicky Sawatzky, Tax Collector
RE: Tax Adjustments Under Section 357 and 358 of the Municipal Act, 2001
Report No.: FS-2020-09

AIM

Obtain council authorization to process property tax adjustments for the 2017, 2018, 2019 and 2020 tax years under Sections 357 and 358 of the Municipal Act.

BACKGROUND

Under Section 357 of the Municipal Act ratepayers are entitled to a property tax adjustment for the *current year and one year prior* for the following reasons:

- Property became exempt.
- Property is deemed damaged and substantially unusable due to fire, demolition or otherwise.
- Repairs or renovations prevented normal use (minimum 3 months).
- Tax classification change or change in use.
- Property became vacant or excess land.
- Mobile unit was removed.
- Gross or manifest error occurred in the preparation of the assessment roll.

Under Section 358 of the Municipal Act ratepayers are entitled to a property tax adjustment for *two years prior* resulting from an overcharge caused by a gross manifest error in the preparation of the assessment roll that is clerical or factual in nature.

DISCUSSION

The properties on the attached listing have applied for a tax reduction under Sections 357 and 358 of the Municipal Act.

LINK TO STRATEGIC PLAN

Not applicable.

FINANCIAL CONSIDERATIONS

The municipal portion of the expense is \$5,350.29, which is within the 2020 budget limits.

CONSULTATIONS

The Municipal Property Assessment Corporation has reviewed each application and provided assessment information to aid in the tax adjustment calculation.

RECOMMENDATION

Council authorize tax reductions totaling \$10,437.12 for the 2020 taxation year.

Vicky Sawatzky

Vicky Sawatzky, BBA
Tax Collector

Ryan McLeod

Ryan McLeod, CPA, CA
Director of Financial Services

TOWN OF KINGSVILLE SECTION 357 & 358 APPLICATIONS

LISTING OF PROPERTIES ELIGIBLE FOR REBATE - May 2020

| ROLL NUMBER | MUNICIPAL ADDRESS | MUNICIPAL TAXES | COUNTY TAXES | EDUCATION TAXES | BIA | TOTAL REFUND | TAX YEAR | SECTION | REASON FOR WRITE-OFF |
|---------------|------------------------|--------------------|--------------------|--------------------|-------------|---------------------|----------|---------|--|
| 090-000-06300 | 37 Pearl St W | \$ 162.59 | \$ 113.19 | \$ 37.73 | | \$ 313.51 | 2019 | 357 | Pool Removed |
| 090-000-06300 | 37 Pearl St W | \$ 155.72 | \$ 108.97 | \$ 38.88 | | \$ 303.56 | 2018 | 358 | Pool Removed |
| 090-000-06300 | 37 Pearl St W | \$ 147.06 | \$ 104.74 | \$ 39.93 | | \$ 291.73 | 2017 | 358 | Pool Removed |
| 100-000-06900 | 36-42 Division Rd N | \$ 78.96 | \$ 54.97 | \$ 18.32 | | \$ 152.26 | 2019 | 357 | Demolished Triplex |
| 280-000-02800 | 1913 Heritage Rd | \$ 13.08 | \$ 9.10 | \$ 3.03 | | \$ 25.21 | 2019 | 357 | Damaged Due to House Fire |
| 280-000-02800 | 1913 Heritage Rd | \$ 696.69 | \$ 482.18 | \$ 151.47 | | \$ 1,330.34 | 2020 | 357 | Damaged Due to House Fire |
| 290-000-22125 | Queens Valley Dr | \$ 958.63 | \$ 667.34 | \$ 222.45 | | \$ 1,848.42 | 2019 | 357 | Property became exempt. Municipal Property |
| 290-000-22126 | Road 2 E | \$ 76.14 | \$ 53.01 | \$ 17.67 | | \$ 146.82 | 2019 | 357 | Property became exempt. Municipal Property |
| 290-000-22127 | Road 2 E | \$ 598.29 | \$ 416.50 | \$ 138.84 | | \$ 1,153.63 | 2019 | 357 | Property became exempt. Municipal Property |
| 290-000-22128 | Road 2 E | \$ 116.94 | \$ 81.41 | \$ 27.14 | | \$ 225.48 | 2019 | 357 | Property became exempt. Municipal Property |
| 290-000-22221 | Villacanal Dr | \$ 503.11 | \$ 350.24 | \$ 116.75 | | \$ 970.10 | 2019 | 357 | Property became exempt. Municipal Property |
| 310-000-04600 | 965 Briarwood Cres | \$ 1,057.00 | \$ 735.83 | \$ 245.28 | | \$ 2,038.11 | 2019 | 357 | House renovations |
| 340-000-02500 | 1270 Road 3E | \$ 282.62 | \$ 196.74 | \$ 65.58 | | \$ 544.94 | 2019 | 357 | Demolished House |
| 340-000-08205 | 1775 Road 4 E | \$ 131.02 | \$ 91.21 | \$ 30.40 | | \$ 252.62 | 2019 | 357 | Demolished House |
| 350-000-02400 | 267 Road 3 E | \$ 180.65 | \$ 125.76 | \$ 41.92 | | \$ 348.33 | 2019 | 357 | Surplus Dwelling Removed |
| 390-000-05200 | 1246-1250 County Rd 34 | \$ 10.56 | \$ 7.31 | \$ 2.30 | | \$ 20.16 | 2020* | 357 | Demolished Barn |
| 430-000-00300 | 120 Road 4 W | \$ 6.52 | \$ 4.52 | \$ 123.96 | | \$ 135.00 | 2020* | 357 | No longer using CT area |
| 530-000-01000 | 211 Road 8 W | \$ 174.72 | \$ 121.63 | \$ 40.54 | | \$ 336.89 | 2019 | 357 | Demolished House |
| | | | | | | \$ - | | | |
| | | | | | | \$ - | | | |
| | TOTAL | \$ 5,350.29 | \$ 3,724.63 | \$ 1,362.19 | \$ - | \$ 10,437.12 | | | |



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, May 11, 2020
6:30 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
 T. Iacobelli, Manager of Information Technology
 S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Director of Financial Services

A. CALL TO ORDER

Mayor Santos, in attendance at the Council Chambers, called the Regular Meeting to order at 6:30 p.m. All other members of Council participated in the meeting through video conferencing technology from remote locations.

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.

C. CLOSED SESSION

304-2020

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council at 6:32 p.m. pursuant to Section 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following items:

1. Section 239(2)(c) a proposed or pending acquisition of land by the municipality or local board; being a proposed lease of municipal lands described as Part Lot 3, Concession 2, Eastern Division, Gosfield, being Part 1 on PL 12R27383, Kingsville; and
2. Section 239(2)(d) labour relations or employee negotiations, being a Report of Human Resources Manager J. Galea RE: Non-union salary compensation report.

CARRIED

Upon rising from Closed Session at 6:47 p.m., Mayor Santos called for a brief recess, and the meeting reconvened at 7:00 p.m. with all Members of Council in attendance (electronic participation).

The following Members of Administration were in attendance (electronic participation): Director of Corporate Services J. Astrologo, Director of Financial Services R. McLeod, Manager of Municipal Services T. Del Greco, Public Works Manager S. Martinho, Manager of Information Technology T. Iacobelli, and Deputy Clerk-Council Services S. Kitchen.

D. BYLAWS

Director Astrologo presented proposed Amending By-law 54-2020, being a By-law to amend the Town's procedure by-law to add the option of allowing for votes by a show of hands during electronic meetings, in addition to the roll call method allowing for verbal voting during electronic meetings.

1. By-law 54-2020

305-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 54-2020 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 a first, second and third and final time.

CARRIED

E. REPORT OUT OF CLOSED SESSION

Mayor Santos reported that Council had entered into Closed Session earlier this evening to address two items. Firstly, an item pursuant to Section 239(2)(c) a proposed or pending acquisition of land by the municipality; specifically a proposed lease of municipal lands described as Part 3, Concession 2, Eastern Division, Gosfield, being Part 1 on PL 12R27383, Kingsville. He reported that the municipality will be entering into a farm lease of that property for this growing season.

Secondly, he reported that Council addressed an item pursuant to Section 239(2)(d) labour relations or employee negotiations; being a Report of Human Resources Manager J. Galea RE: Non-union salary compensation report.

F. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one Notice of Motion, and Councillor Patterson added one announcement.

G. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended April 30, 2020 being TD cheque numbers 0072701 to 0072939 for a grand total of \$1,335,901.09**

306-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

That Council receives Town of Kingsville Accounts for the monthly period ended April 30, 2020, being TD cheque numbers 0072701 to 0072939 for a grand total of \$1,335,901.09.

CARRIED

H. STAFF REPORTS

- 1. Kingsville Banner Policy**

S. Martinho, Manager of Public Works

307-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council directs that one amendment be made to the draft Banner Policy #MS-018, authorizing Administration to put back one (1) additional Over-the-Road Banner location on Main Street East as part of the departmental review.

CARRIED

308-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council directs Administration to explore the cost for the future contracting out of the Veteran Banner Project banner installations; And Further That Council directs that a placeholder be included in the draft 2021 Municipal Budget in the estimated amount of \$10,000.00, for 2021 review and deliberation.

CARRIED

309-2020

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

That Council adopts Policy #MS-018, being the Banner Policy, regulating the design, approval, installation and maintenance of banners, as amended to add the installation of one (1) additional Over-the-Road Banner location on Main Street East.

CARRIED

2. Impact of COVID-19 on Capital Works

T. Del Greco, Manager of Municipal Services

310-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives the Report of Manager of Municipal Services T. Del Greco dated May 4, 2020 RE: Impact of COVID-19 on Capital Works; And Further That Council asks Administration to consider the comments made at the Council table this evening, with the aim to resolve some of the issues sooner than later.

CARRIED

3. 2020 Final Tax Levy By-Law

R. McLeod, Director of Financial Services

311-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Laura Lucier

Council authorizes By-law 51-2020 for the establishment of rates for the levy and collection of property taxes in the Town of Kingsville for the year 2020.

CARRIED

4. 2020 Folk Festival Funding Contribution

R. McLeod, Director of Financial Services

312-2020

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

That Council directs Administration to provide the full funding contribution of \$20,000.00 to the Sun Parlour Folk Music Society, subject to the receipt of additional information from the Society in terms of their expenses and lost revenues and an update report to be brought back to Council for consideration.

CARRIED

313-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council directs Administration to obtain updates from 2020 Town of Kingsville Community Grant recipients, such update report to be considered at a future Regular Meeting of Council.

CARRIED

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

- 1. S. Sacheli, Chair--Kingsville Municipal Heritage Advisory Committee-
Correspondence dated April 29, 2020 RE: 1520 Road 5 East**

314-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council authorizes the removal of the property municipally known as 1520 Road 5 East from the Town of Kingsville's heritage register as a property of heritage interest, as recommended by individuals, rather than a Committee.

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

- 1. Regular Meeting of Council--April 27, 2020**
- 2. Regular Closed Session Meeting of Council-April 27, 2020**
- 3. Special Meeting of Council--May 1, 2020**
- 4. Special Closed Session Meeting of Council--May 1, 2020**
- 5. Special Meeting of Council--May 4, 2020**

Ms. DeYong noted a typographical correction to be made to the April 27, 2020 Regular Meeting of Council Minutes at Section L-4, Announcements (to correct the name as stated therein from 'Patterson' to 'Peterson').

315-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes dated April 27, 2020, as amended, Regular Closed Session Meeting of Council Minutes dated April 27, 2020, Special Meeting of Council Minutes dated May 1, 2020, Special Closed Session Meeting of Council Minutes dated May 1, 2020, and Special Meeting of Council Minutes dated May 4, 2020.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Parks, Recreation, Arts and Culture Committee - February 20, 2020

316-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated February 20, 2020 together with Minutes of the following sub-committees: Communities in Bloom - November 7, 2019; Fantasy of Lights - November 26, 2019; Migration Festival - November 26, 2019; Mettawas Park Fundraising - January 7, 2020.

CARRIED

2. Police Services Board - February 26, 2020

317-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated February 26, 2020.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Amherstburg--Correspondence dated March 19, 2020 RE: Addressing Growing Municipality Liability and Insurance Costs.**
- 2. Town of Amherstburg--Correspondence dated April 24, 2020 RE: Active Transportation in the Town of Amherstburg--The Cozmic Queenz**
- 3. Town of Thesalon--Correspondence dated April 20, 2020 RE: Support of Kingsville Resolution requesting electricity billing relief during the COVID-19 pandemic**
- 4. Town of Gravenhurst--Correspondence dated April 22, 2020 RE: Province of Ontario add Community Gardens, Garden Centres and Nurseries as essential services during the COVID-19 Pandemic SEE: District Municipality of Muskoka Resolution of April 20, 2020**
- 5. City of Hamilton--Office of the Mayor--Correspondence dated April 23, 2020 RE: Request to Regulate and Enforce Odour and Lighting Nuisances Related to the Cultivation of Cannabis Plants**
- 6. Office of the Solicitor General--Correspondence from The Honourable Sylvia Jones dated April 24, 2020 RE: Update regarding the Community Safety and Well-Being (CSWB) plan and process.**

318-2020

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives Business Correspondence-Informational items 1 through 6.

CARRIED

RE: Informational Item L-1

Town of Amherstburg Correspondence dated March 19, 2020 RE: Addressing Growing Municipal Liability and Insurance Costs.

319-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council supports Town of Amherstburg Resolution passed January 13, 2020 supporting the Association of Municipalities of Ontario (AMO) Submission

to the Attorney General of Ontario titled "Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs".

CARRIED

RE: Informational Item L-5

City of Hamilton--Office of the Mayor--Correspondence dated April 23, 2020 RE: Request to Regulate and Enforce Odour and Lighting Nuisances Related to the Cultivation of Cannabis Plants

320-2020

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

That Council endorses City of Hamilton Resolution Request to Regulate and Enforce Odour and Lighting Nuisances related to the Cultivation of Cannabis Plants, as contained in correspondence of Hamilton Mayor Fred Eisenberger, dated April 23, 2020;

And Further That Council directs that similar separate correspondence also be provided directly by this Municipality to the Minister of Justice and Attorney General of Canada, to the Premier of Ontario and to The Attorney General requesting the federal and provincial governments to regulate and enforce odour and lighting nuisances related to the cultivation of cannabis plants; and request that the Province extend authority to municipalities to enforce odour and lighting nuisance complaints stemming from licensed and unlicensed cannabis cultivations within its jurisdiction.

CARRIED

RE: Informational Item L-2

Town of Amherstburg Correspondence dated April 24, 2020 RE: Active Transportation in the Town of Amherstburg--The Cozmic Queenz

Councillor Neufeld recognized and congratulated The Cozmic Queenz First Lego League Team and their bike parking system aimed to promote active transportation. As a County region, we are trying to encourage more active transportation, and the Town should be providing the infrastructure to do it; not only the hard surfaces, but also items such as bike racks and storage units.

M. NOTICES OF MOTION

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

321-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council authorizes that \$1,000.00 of Councillor Neufeld's allotted conference budget be donated to the Kingsville Food Bank as a cash donation.

CARRIED

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

322-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council directs that the Mayor and Deputy Mayor of Kingsville, being voting members of Essex County Council, request that a controlled lighted intersection for County Road 20 and County Road 23 be moved to a top priority.

CARRIED

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

That Council receive and discuss email from Jeff Casey, Owner/Publisher snapd Windsor, dated May 1, 2020.

323-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives the email from J. Casey, Owner/Publisher snapdWindsor, and Further That Council directs Administration to have a discussion with Mr. Casey to obtain additional information as to what snapdWindsor has to offer.

CARRIED

Councillor Patterson commented on the recent closure of the local newspaper, The Kingsville Reporter, by Postmedia Network Inc.

Mayor Santos declared an interest, because he was a former employee of Postmedia Network Inc. Mayor Santos vacated his Chair.

Deputy Mayor Queen assumed the Chair, and the following motion was then made.

324-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council directs Administration to prepare and send a letter to Postmedia Network Inc. expressing our displeasure with their decision to cease publication of our 144 year community newspaper, The Kingsville Reporter, with a copy of such letter to be provided to the Office of the Prime Minister and each of the local MPs.

CARRIED

After the passage of the motion, Mayor Santos assumed the Chair.

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Councillor Patterson thanked the Building Department staff for their quick response to fence and secure the dwelling at 1520 Road 5 East.
2. Councillor Patterson thanked the whole community for everything they've been doing during this global pandemic, including service groups for their hours of volunteer time, residents for participating in local restaurant take-out, and businesses for offering free meals, vegetables, hand sanitizers, etc. He acknowledged the fantastic nature and building photographs that residents have posted on social media, which offer a positive distraction during these times.
3. Mayor Santos provided an update re: COVID-19 provincial legislative information. As of last week, municipal and private marina operators were notified to get prepared for opening. He advised that Town staff provided communications to the local marina, seasonal slip owners, and residents of Montego Bay with the appropriate information. At present, boats can go in the water. He stated that the Town is anticipating additional announcements from the Province in regard to public and private boat launches.

O. BYLAWS

1. By-law 51-2020

325-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council reads By-law 51-2020, being a By-law to provide for the establishment of rates for the levy and collection of property taxes in the Town of Kingsville for the year 2020 pursuant to the provisions of the Municipal Act, a first, second and third and final time.

CARRIED

P. CONFIRMATORY BY-LAW

1. By-law 55-2020

326-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 55-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its May 11, 2020 Regular Meeting a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

327-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council adjourns this Regular Meeting at 8:45 p.m.

CARRIED



MINUTES

**TOURISM AND ECONOMIC DEVELOPMENT COMMITTEE
THURSDAY, MARCH 12, 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 5:35 p.m. with the following persons in attendance:

Members:

B. Durward
M. Somerville
S. Lowrie
T. Gaffan
M. Law
D. Hunt

Members of Administration:

Executive Assistant to the Mayor and CAO, T. Hewitt
BIA Coordinator, C. Bedal
BIA Coordinator, S. Haeffling
Tourism Coordinator, N. Cobby

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 March 2020 – N. Cobby

N. Cobby provided an overview of recent tourism initiatives. She stated she is working on a new backdrop and banners. The remaining passports will be handed out at the I heart Beer & Taco Fest on March 21st. Go Wild Grow Wild will take place on the April 18th. The tourism maps are on schedule to be delivered by April 27th. N. Cobby presented a mock-up of the new map. She will change the "Food & Drink" section to "Wineries & Breweries". The category "other" will be changed to "services". The categories will be simplified to "Shop", "Dine", "Discover". The cost of the ad was discussed and it was determined the intent is to break even. The committee viewed potential photographs for the design.

12-2020 Moved by M. Somerville seconded by M. Law to receive the report.

CARRIED

2. Budget vs. Actuals ending February 29, 2020 – N. Santos

N. Santos directed committee's attention to the budget vs. actuals. It was suggested to add a MyKingsville advertisement to the rink at the arena.

D. MINUTES OF THE PREVIOUS MEETING

1. Tourism/Economic Development Committee Meeting Minutes—February 13, 2020

13-2020 Moved by B. Durward seconded by D. Hunt to approve the minutes of the Tourism/Economic Development Committee Meeting dated February 13, 2020.

CARRIED

E. NEW AND UNFINISHED BUSINESS

1. Mariposa Folk Festival

T. Hewitt and M. Law will discuss the possibility of the Town sharing booth costs and volunteers with the Kingsville Folk Fest at the Mariposa Folk Festival.

2. BIA Update – C. Bedal

C. Bedal introduced S. Haeffling, the new BIA Coordinator. She provided an update on the AGM last month. She stated her membership will be asked to fill out surveys after events.

3. BR+E Update – N. Santos

N. Santos presented an update on the BR+E study. He stated it must be completed by the end of April. D. Hunt and C. Bedal volunteered assistance.

4. Business Recognition Awards Update

T. Hewitt presented an update on the Business Recognition Awards including sponsors and nominations received. It was decided to scale back the video production from last year and have them completed in-house.

F. TOURISM ACTION PLAN WORK SHOP

The team workshopped and finalized the vision and mission statements for the Tourism Action Plan Workshop. T. Hewitt will circulate the finalized verbiage to the committee.

G. NEXT MEETING DATE

1. The next meeting of the Tourism and Economic Development Committee is on Thursday, April 9, 2020 at COMMITTEE ROOM A, 2021 DIVISION RD N. @ 5:30 p.m.

H. ADJOURNMENT

14-2020 Moved by S. Lowrie seconded by B. Durward to adjourn this Meeting at 7:22 p.m.

CARRIED

CHAIR, Nelson Santos

RECORDING SECRETARY, T. Hewitt



The Corporation of The Town of Amherstburg

April 24, 2020

Att: Ontario Municipalities

VIA EMAIL

Re: Issues Regarding the Mapping of Provincially Significant Wetlands (PSW's)

At its meeting of March 23rd, 2020, Amherstburg Town Council passed the following:

“That Administration BE DIRECTED to send correspondence in support of Norfolk County's resolution regarding their request that the process for mapping of Provincially Significant Wetlands (PSWs) be significantly improved to allow for transparency and better land owner engagement.”

Motion Carried

encl: Norfolk County correspondence

Regards,

Tammy Fowkes
Deputy Clerk

cc:

The Honourable Steve Clark, Min. of Municipal Affairs and Housing
Association of Municipalities of Ontario (AMO)
Taras Natyshak, MPP, Essex
Chris Lewis, MP, Essex



Norfolk County Office of the Mayor

March 1, 2020

Ontario Municipalities

Dear Heads of Council and Councillors:

Re: Issues regarding the mapping of Provincially Significant Wetlands (PSWs)

Norfolk County Council is working to address significant issues that have come to our attention regarding the mapping of Provincially Significant Wetlands (PSWs).

Following the Ministry's updated mapping related to PSWs, the County updated its Official Plan to bring its policies in line with the new mapping. Following that, the County planning staff introduced a Zoning By-Law amendment to update the zoning to reflect the new mapping and to provide consistency between the Zoning By-Law and the Official Plan. Though the mapping is wholly outside the County's process and control, the zoning by-law amendment was not approved by Council, flowing from significant public concern about the updated mapping affecting people's properties. In some cases, some of these changes were very significant.

The County submitted comments to the province as part of the review of the Provincial Policy statement requesting that the process for PSW mapping be significantly improved to allow for transparency and better land owner engagement, including, for example, a right of appeal or formal dispute resolution process. This will allow for land owners to be properly informed and engaged where land use designations that affect their property may result. The current process appears to be severely underfunded and without any meaningful way for affected residents to engage.

The County is seeking support from other rural municipalities who may be affected by this to address this issue with the province.

Thank you for your consideration of this matter.

Yours Truly,

A handwritten signature in black ink that reads "Kristal Chopp".

Mayor Kristal Chopp
Norfolk County

cc. The Honourable Steve Clark,
Minister of Municipal Affairs and Housing



The Corporation of The Town of Amherstburg

April 24, 2020

Att: Premier Doug Ford
premier@ontario.ca

VIA EMAIL

Re: Suspend Time-of-Use Electricity Billing – Support from the Town of Amherstburg

At its meeting of March 23rd, 2020, Amherstburg Town Council passed the following:

“That Administration BE DIRECTED to send correspondence to the Ontario Energy Board and Essex Power Lines in support of the Premier's recommendation to suspend time-of-use electricity billing.”

Motion Carried

Regards,

Tammy Fowkes
Deputy Clerk

cc:
Ontario Energy Board (OEB)
Essex Powerlines



The Corporation of The Town of Amherstburg

April 24, 2020

The Right Honourable Justin Trudeau
pm@pm.ga.ca

VIA EMAIL

Re: Support for 100% Canadian Wines Excise Exemption

At its meeting of March 23rd, 2020, Amherstburg Town Council passed the following:

“That Administration BE DIRECTED to send correspondence in support of Grey County's resolution regarding 100% Canadian Wines Excise Exemptions.”

Motion Carried

encl: Grey County correspondence

Regards,

Tammy Fowkes
Deputy Clerk

cc:

Ontario Municipalities

Taras Natyshak, MPP, Essex

Chris Lewis, MP, Essex

The Honourable Andrew Scheer, Leader of the Official Opposition: Andrew.scheer@parl.gc.ca

Jagmeet Singh, Leader of the New Democratic Party of Canada: jagmeet.singh@parl.gc.ca

Jo-Ann Roberts, Interim Leader of the Green Party of Canada: leader@greenparty.ca

The Honourable Mary Ng, Minister of Small Business, Export Promotion, and International Trade:
mary.ng@parl.gc.ca

Federation of Canadian Municipalities (FCM) info@fcm.ca

Association of Municipalities of Ontario (AMO) amo@amo.on.ca

Vintner's Quality Alliance: info@canadianvintners.com

Ontario Craft Wineries: info@winecouncilofontario.ca; info@ontariocraftwineries.ca

Ontario Craft Cider Association: info@ontariocraftcider.com

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 x 1223 / 1-800-567-GREY / Fax: 519-376-8998

March 16, 2020

The Right Honourable Justin Trudeau
By email only: pm@pm.gc.ca

Dear Prime Minister:

Re: Grey County Council Resolution Supporting 100% Canadian Wines Excise Exemption

At the March 12, 2020 session of Grey County Committee of the Whole, resolution CW60-20 was passed by Grey County Council as follows:

Whereas, Canada's federal excise tax currently exempts 100% Canadian wines; and

Whereas, Australia has asked the World Trade Organization (WTO) to rule that this exemption is discriminatory; and

Whereas, if the WTO were to rule with Australia, Canadian wineries making 100% Canadian wine would no longer be exempt; and

Whereas, the present value of the excise exemption is \$39 million annually across Canada; and

Whereas, in the 13 years since this exemption was created, the production of 100% Canadian wine has increased by almost 30 million litres, representing an additional annual contribution of \$2.7 billion to the Canadian economy; and

Whereas, Grey County, specifically the municipalities of Meaford and Town of Blue Mountains, is home to a number of successful, award winning, boutique wineries;

Now Therefore, Be It Resolved That, the County of Grey supports the excise exemption for 100% Canadian wines; and

That, the County of Grey appeals to the Federal government to ensure the exemption remains in place by reaching an agreement

with Australia prior to the WTO ruling; and

That, this motion be forwarded to: The Right Honourable Justin Trudeau, Prime Minister of Canada; The Honourable Andrew Scheer, Leader of the Official Opposition; Yves-François Blanchet, Leader of the Bloc Québécois; Jagmeet Singh, Leader of the New Democratic Party of Canada; Jo-Ann Roberts, Interim Leader of the Green Party of Canada; The Honourable Mary Ng, Minister of Small Business, Export Promotion, and International Trade; Alex Ruff, Member of Parliament for Bruce-Grey-Owen Sound; AMO Member Municipalities; FCM Member Municipalities; Vintner's Quality Alliance; Ontario Craft Wineries; Ontario Craft Cider Association; and

That this resolution be forwarded prior to County Council approval as per Section 25.6 of Procedural By-law 5003-18.

Yours truly,



Heather Morrison

Clerk

(519) 372-0219 x 1227

heather.morrison@grey.ca

www.grey.ca

/kn

cc.

The Honourable Andrew Scheer, Leader of the Official Opposition: Andrew.scheer@parl.gc.ca

Yves-François Blanchet, Leader of the Bloc Québécois: yves-francois.blachet@parl.gc.ca

Jagmeet Singh, Leader of the New Democratic Party of Canada: jagmeet.singh@parl.gc.ca

Jo-Ann Roberts, Interim Leader of the Green Party of Canada: leader@greenparty.ca

The Honourable Mary Ng, Minister of Small Business, Export Promotion, and International Trade: mary.ng@parl.gc.ca

Alex Ruff, Member of Parliament for Bruce-Grey-Owen Sound: alex.ruff@parl.gc.ca

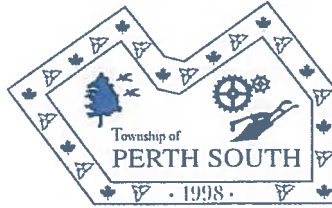
AMO Member Municipalities

FCM Member Municipalities

Vintner's Quality Alliance: info@canadianvintners.com

Ontario Craft Wineries: info@winecouncilofontario.ca; info@ontariocraftwineries.ca

Ontario Craft Cider Association: info@ontariocraftcider.com



Corporation of the Township of Perth South

3191 Road 122
St. Pauls, ON N0K 1V0
Telephone 519-271-0619
Fax 519-271-0647
lscott@perthsouth.ca

April 16, 2020

Sent by Email

Honourable Doug Ford
Premier of Ontario
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7Z 1A1

Honourable Premier Ford;

Re: Provincially Significant Wetlands Designation

At the regular meeting of Perth South Council held on March 17, 2020 correspondence was received from the Municipality of West Nipissing, the Village of Merrickville-Wolford and Norfolk County (attached hereto) regarding the above noted issue. As a rural municipality, we share the same concerns raised and thoroughly support the resolutions passed and information provided by these municipalities.

Thank you for your consideration of this matter and please contact our office if you require any further information.

Regards,

Lizet Scott
Clerk

Attachments



West Nipissing Ovest

Joie de vivre

The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ovest
101-225, rue Holditch Street, Sturgeon Falls, ON P2B 1T1

P/T (705) 753-2250 (1-800-263-5359)

F/TC (705) 753-3950

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


J. Douglas Struthers, Mayor



Norfolk County Office of the Mayor

March 1, 2020

Ontario Municipalities

Dear Heads of Council and Councillors:

Re: Issues regarding the mapping of Provincially Significant Wetlands (PSWs)

Norfolk County Council is working to address significant issues that have come to our attention regarding the mapping of Provincially Significant Wetlands (PSWs).

Following the Ministry's updated mapping related to PSWs, the County updated its Official Plan to bring its policies in line with the new mapping. Following that, the County planning staff introduced a Zoning By-Law amendment to update the zoning to reflect the new mapping and to provide consistency between the Zoning By-Law and the Official Plan. Though the mapping is wholly outside the County's process and control, the zoning by-law amendment was not approved by Council, flowing from significant public concern about the updated mapping affecting people's properties. In some cases, some of these changes were very significant.

The County submitted comments to the province as part of the review of the Provincial Policy statement requesting that the process for PSW mapping be significantly improved to allow for transparency and better land owner engagement, including, for example, a right of appeal or formal dispute resolution process. This will allow for land owners to be properly informed and engaged where land use designations that affect their property may result. The current process appears to be severely underfunded and without any meaningful way for affected residents to engage.

The County is seeking support from other rural municipalities who may be affected by this to address this issue with the province.

Thank you for your consideration of this matter.

Yours Truly,

A handwritten signature in cursive script that reads "Kristal Chopp".

Mayor Kristal Chopp
Norfolk County

cc. The Honourable Steve Clark,
Minister of Municipal Affairs and Housing



April 27th, 2020

The Right Honourable Justin Trudeau via email
Prime Minister of Canada
Langevin Block
Ottawa, Ontario, K1A 0A2

Re: Federal Assistance for Municipalities

Dear Prime Minister:

Municipalities across Canada are working hard to respond to the ongoing international crisis. On a day-to-day level, Canadians depend on municipal services including fire and emergency services, essential road maintenance, garbage and recycling, bylaw enforcement, and building permits. However, municipalities need help from our federal partners to deliver these services while also supporting their residents.

At the Regular Meeting of April 21st, 2020, the Council of the Township of Montague passed the following motion:

MOVED BY: J. Carroll
SECONDED BY: I. Streight

RESOLUTION NO: 88-2020
DATE: April 21, 2020

That the Township of Montague supports the proposal in principle from the Town of Midland, for the federal government to provide grant funding municipalities to forgive tax payments.

And that the motion be sent to all municipalities across Ontario; local MPs and MPPs and AMO

CARRIED

Please find the attached letter from the Town of Midland detailing a potential funding arrangement. The Township of Montague supports this, or the proposed funding arrangement recommended by the Federation of Canadian Municipalities through the Gas Tax Fund, also attached.

Thank you,

Jasmin Ralph
Clerk Administrator

Cc: Association of Municipalities of Ontario
Cc: All Ontario Municipalities



March 23, 2020

By Fax to: 613.941.6900 & Twitter @CanadianPM, @JustinTrudeau

The Right Honourable Justin Trudeau
Prime Minister of Canada
Langevin Block,
Ottawa, Ontario, K1A 0A2

Dear Prime Minister:

Re: Direct Payment of Federal Funds to Municipalities to Waive Property Taxes for the Year 2020 - Financial help to alleviate the suffering from COVID-19 Pandemic

It is trite to repeat the human and financial toll of the COVID-19 Pandemic. Similarly, the commitment of the federal, provincial and municipal governments toward alleviating the suffering of Canadians does not require repeating.

We, at the Town of Midland, in the Province of Ontario, are proposing what we believe to be a simple but effective solution to facilitate the delivery of our common and shared commitment to the financial and psychological well-being of all Canadians.

Proposal:

1. Residential Properties (primary residence only)

- a. Waive 100% of the 2020 property taxes for all residential properties currently assessed at or below \$ 500,000.00 by each governing provincial property assessment body; and
- b. Waive 50% of the 2020 property taxes for all residential properties currently assessed below \$ 1,000,000.00; and
- c. Waive 25% of the 2020 property taxes for all residential properties currently assessed above \$1,000,000.00.

2. Industrial, Commercial and Farm Properties

- a. Waive 100% of the 2020 property taxes for all; industrial, commercial and farm properties currently assessed at under \$ 10,000,000.00; and
- b. Waive 50% of the property taxes for the year 2020 for all industrial, commercial and farm properties currently assessed between \$10,000,000.00 and \$ 50,000,000.00; and
- c. Waive 25% of the property taxes for the year 2020 for all industrial, commercial and farm properties assessed above \$50,000,000.00.

3. Federal Transfer Payment to Canadian Municipalities

- a. In lieu of the annual municipal property taxes, the Federal Government transfers funds to municipalities across Canada, as a one-time grant.

Advantages of the Proposal:

1. Quick and timely relief;
2. Direct relief to all Canadian homeowners and the business community;
3. Directly protects Canadians who although may be solvent, are unable to easily meet the financial pressures beyond their personal capacity due to COVID-19;
4. No additional resources required to assess individual need and delivery of the relief;
5. Negligible overhead costs for the disbursement of the relief. In fact, it may cut-down on some of the work for municipal staff; and
6. The financial stimulus received from the federal government will come into circulation immediately and will stay in the community.

There are a multitude of other direct and indirect financial and non-financial benefits that will result from the implementation of this proposal. The biggest non-financial impact is that Canadians will see an immediate financial relief respecting the pressures to make their property tax payments and be better positioned to address other essential needs. In turn, removing this added stress will provide some relief to the already strained financial and health systems.

As you are aware, Canadians are entering this time of crisis with a very high amount of house-hold debt and a great deal of financial fragility. Taking this simple step should alleviate some of those pressures. At the same time, it will keep your municipal governments, and school boards primed for continued productivity and forward momentum to address the fallout from COVID-19.

Thanking you in anticipation of a favourable response.

Sincerely,

The Corporation of the Town of Midland



Stewart Strathearn,
Mayor
ssrathearn@midland.ca



Amanpreet Singh Sidhu,
Chief Administrative Officer
asidhu@midland.ca

c: Town of Midland Council
Association of Municipalities of Ontario
Province of Ontario

Protecting vital municipal services

Urgent federal recommendations to
address the financial crisis in our cities
and communities due to COVID-19

April 23, 2020

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6

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8

Proposed
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10

Eyes on
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This is a crisis

A message from FCM's president

In a matter of weeks, the COVID-19 pandemic has turned life upside down. We now face a public health and economic challenge unlike anything we've seen in our lifetime. As municipalities across the country work to support frontline action and ready essential response services, the financial impact to our operations has created a crisis—and threatens to put the Canadians we serve at further risk.

Across Canada, cities and communities are seeing their finances drift toward collapse. This crisis exposes the cracks in an outdated model that is fundamentally misaligned with the modern reality of the role of local governments. Revenues are plummeting. Unanticipated costs are rising. With few fiscal tools available—and no legal ability to run operating deficits—local leaders face stark choices. Protecting essential services now requires support from other orders of government.

Today, FCM is making that urgent request on behalf of cities and communities across the country. We are calling for emergency operating funding for municipalities—to keep essential services running and Canadians safe and protected.

Canadians are depending on the vital services their local leaders provide, from ensuring tap water is clean to sending paramedics to help the sick to safely sheltering our most vulnerable residents. Cutting back services in the middle of a pandemic would put Canadians at further risk. Instead, municipal leaders must continue to help lead the way, supporting people and businesses through this public health and economic storm. To ensure this work continues with the urgency required—on the ground, where Canadians live—direct emergency federal funding is the only option.

Our federal-municipal partnership has delivered remarkable results. Deepening that partnership now will protect Canadians through this pandemic. And when the time comes, local leaders will be ready to help lead Canada's recovery, so this country can prosper and thrive once again.

Bill Karsten
FCM President

Local leaders on the front lines

Our cities and communities are the front lines of the COVID-19 pandemic. These are the places where Canadians go to work, buy homes, start families, launch businesses, and build the future of this country. As the governments closest to daily life, municipal leaders are mobilizing urgently to keep Canadians safe, and to help people and businesses weather the economic storm.

Municipalities of all sizes are taking extraordinary measures to support Canadians—including our most vulnerable—through this unprecedented public health and economic challenge. They're turning arenas into shelters for the homeless. They're setting up portable hygiene stations. They're deferring property taxes and utility bills for struggling families.

Municipalities are also working day and night to keep essential services running. Bus drivers, paramedics, firefighters, social workers and countless other frontline staff are putting themselves at risk every day to keep Canadians safe and to provide the services people rely on.

In the face of this challenge, essential workers and local leaders are stepping up together as champions for their communities, and this country.

As the national voice for local governments, FCM is fully engaged in this nationwide crisis. We're bringing together communities across the country to help protect people and businesses. Through regular touchpoints with our members—from FCM's Big City Mayors' Caucus and Rural Forum to our provincial-territorial municipal association partners and others—we're convening local expertise, sharing resources and coordinating frontline response efforts.

We're also working directly with federal departments, agencies and decision-makers to help inform Canada's pandemic response. That includes regular scheduled calls with the deputy prime minister and key ministers. This unprecedented engagement is bringing local realities to new federal initiatives—from the Canada Emergency Response Benefit to the Canada Emergency Wage Subsidy—to ensure they meet the needs of Canadians on the ground.

Municipalities in action

The **City of Edmonton, AB** has waived transit fares on all routes and has deployed larger buses to encourage physical distancing, while ensuring essential workers have a safe and reliable way to get to work.

The public library in the **Town of Halton Hills, ON** is using 3D printers to make face shield parts for frontline health care workers. It's also left its Wi-Fi on—despite being closed—so residents without Internet access can apply for provincial and federal resources.

The municipality of **Canton De Gore, QC** has set up a home delivery service for seniors and vulnerable residents—staffed by volunteers—to bring groceries and prescriptions to people confined to their homes.

For more examples of municipal action during the pandemic, go to fcm.ca/COVID19.

Vital municipal services at a glance

COVID-19 is shining a spotlight on the vital role municipalities play in daily life. Now more than ever, Canadians are depending on their local leaders to keep essential services running—to keep people safe and secure through this pandemic. That includes:

- ▶ Local police, ambulance and fire services
- ▶ Maintenance of roads, bridges and other essential infrastructure
- ▶ Safe public transit for essential workers
- ▶ Clean water and wastewater services
- ▶ Garbage collection and recycling
- ▶ Local social services and housing for vulnerable residents
- ▶ Local public health agencies
- ▶ Sustainability and environmental initiatives



Paramedics are on the frontlines providing life-saving services including emergency and non-emergency pre-hospital care to residents. *Photo: City of Toronto*

When the time comes, municipalities will also be ready to lead Canada's recovery, along with our federal partners. Local leaders are already delivering frontline results for Canadians. And they are exceptionally well-placed to deliver stimulus funding quickly—to create jobs and get the economy going. Deepening the federal-municipal partnership even further will help Canada thrive and prosper once again.

Anatomy of our financial crisis

At the best of times, Canada's municipal governments manage a razor-thin fiscal balance to deliver for residents. On the revenue side, they have scant ground to till beyond property taxes and user fees. On the expense side, operating and capital, they must be tremendously cost-efficient with every dollar available. With no legal standing to carry operating deficits, they diligently maintain reserves to carry our communities through cyclical shifts and disruptions.

But these are *historically challenging times*. Municipalities are incurring deep losses due to COVID-19—a combination of foregone revenues (from property taxes and user/utility fees) and unanticipated costs (including public safety measures and support for vulnerable populations). This is not limited to a cash flow challenge; this is a crisis of non-recoverable losses. To continue delivering essential services, many are drawing down limited reserves that were not designed for a crisis of this scale or duration.

Today's crisis exposes cracks in the fundamentally outdated fiscal framework in which municipalities are still forced to operate. And as we now approach a tipping point, our next steps will reverberate

through the lives of Canadians. Insolvency is not an option. Bridge loans cannot address this crisis of permanent losses. Cutting essential services is not an acceptable option, not when Canadians need us most. This is why we are turning to our federal partners for emergency operating funding—to sustain municipal operations and essential services through these extraordinary times.



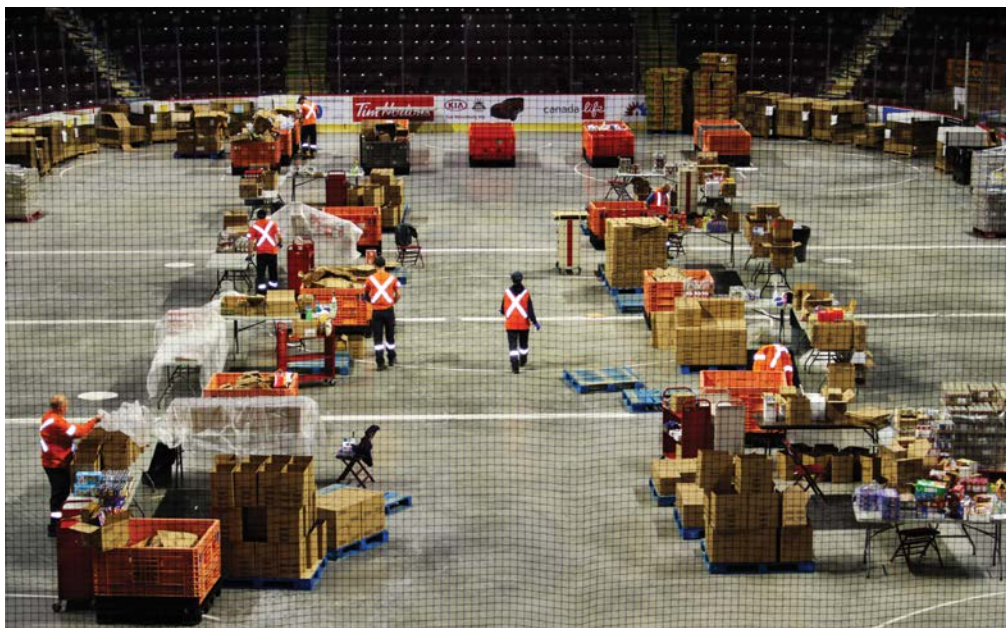
Municipal waste collection operators are keeping municipalities clean and green, while delivering essential services so residents can stay at home.

Photo: City of Toronto

This action will protect essential services Canadians rely on. No one should have to worry if their tap water is clean, whether their garbage will stay on the curb, or when a fire truck or ambulance will arrive.



To keep drivers and riders safe, the City of Selkirk, MB, installed Plexiglas shields and closed off alternating rows inside the buses to encourage physical distancing.
Photo: City of Selkirk



The City of Windsor's WFCU Centre, home of the Windsor Spitfires Junior-A hockey club, has been transformed into a make-shift foodbank to help those in need during the pandemic. *Photo: City of Windsor*

This action will protect the most vulnerable among us. We must continue deploying extraordinary measures to protect people who face enormous challenges staying safe—in our shelters, on our streets.

This action will support Canada's economic recovery. Municipalities will need to hit the ground running to turn stimulus funds into outcomes—and not be cancelling even *existing* capital projects.

Like never before, our municipal-federal partnership has been building better lives for Canadians. Our partnership is grounded in our respective strengths—local leaders are delivery experts closest to people's real needs, the federal government has the fiscal heft to drive nationwide progress. Today, right now, this partnership is the key to carrying Canadians through this pandemic into better days ahead.

Protecting property taxpayers

Covering municipal losses through a one-time property tax levy is not a viable alternative to federal emergency funding given the significant impact it would have on households trying to weather the economic downturn. Bridging municipalities' 2020 fiscal shortfalls without cutting services—assuming six months of physical distancing—would require dramatic residential property tax levies:

| | |
|-------------|-----|
| Toronto | 56% |
| Calgary | 23% |
| Vancouver | 22% |
| Montreal | 18% |
| Mississauga | 17% |

Fiscal impacts of COVID-19

The fiscal impacts of COVID-19 have been swift and dramatic. Non-recoverable municipal losses driven by falling revenues and rising costs have led to an unprecedented financial crisis. To absorb this staggering hit in the near term, we are calling for a federal operating infusion of \$10–15 billion over the next six months. This crisis may compound as physical distancing measures continue, and depending on the timing and pace of future economic recovery.

FCM continues to develop insight on the scale of losses that municipalities may face on the road ahead. The extent and nature of losses vary widely by community, depending on multiple factors:

- ▶ Municipalities with **public transit systems** face significant revenue losses at the fare box—estimated at \$400 million per month nationwide. This accounts for 30–50 percent of monthly net losses for these municipalities. In Metro Vancouver, Translink is losing \$75 million monthly. The Toronto Transit Commission reports a \$23.5 million weekly burn rate—with an 85 percent revenue drop in April alone. Critically, transit is an essential service for frontline workers in this pandemic, but with limited ability to reduce operating expenditures, many transit systems are already scaling back service to ensure solvency.
- ▶ Municipalities are deferring **property taxes, utility and other fees** to support struggling residents in the near-term—another major revenue hit. Even after these deferral programs end, there remains a significant risk of property tax delinquency. With even a 10 percent increase in property tax and utility bill delinquencies, the cities of Vancouver and Toronto estimate revenue losses in 2020 of \$130 million and \$684 million, respectively.
- ▶ Municipalities reliant on **hard-hit industries** face compounding pressures. In tourism-driven Banff, Alberta, 85 percent of workers have been laid off. Tourism Calgary has temporarily laid off more than half of its staff, and the city could lose the \$540 million economic impact of the Calgary Stampede. Agriculture: meat plants in High River, Alberta, and in Montreal have closed temporarily, impacting a third of Canada's beef processing capacity and most pork exports. Natural resources: Western Canadian Select is trading at negative prices, and sawmill closures have put thousands out of work, jeopardizing pulp mill jobs in northern and remote communities.



Like many municipalities, the City of Yorkton has converted one of their public rinks into a temporary site run by public health to help alleviate the impact on local hospitals and emergency rooms. *Photo: City of Yorkton*

- ▶ The loss of **user fees from parking and community, culture, and recreation facilities** is another source of foregone revenue. Many municipalities have already temporarily laid off staff at these facilities to reduce costs. The City of Mississauga estimates lost revenue from recreation facilities to reach \$23.3 million by the end of June. The City of Toronto is losing almost \$17 million monthly from foregone parking fees alone. Smaller communities, at relative scale, stand to take a significant hit as well. Prince George, B.C., estimates a monthly loss of \$15–20 per capita.
- ▶ Without emergency operating funding, municipalities will need to reduce planned **capital expenditures** in 2020 to make up for lost revenues. This will further slow economic activity across the country and increase future repair costs. And this scaling-back is enormously counter-productive to the coming need to drive Canada's economic recovery through new capital investment in municipal assets, including core infrastructure and housing.



The Gatineau Police Department controls movement at the entrance to the territory. *Photo: City of Gatineau*

- ▶ **Rural and small communities** face their own unique economic challenges. The agriculture sector has been hit hard. Some municipalities have begun laying off staff—despite having so few to begin with. With limited access to broadband Internet, many rural Canadians are unable to work from home. New Brunswick's Francophone municipalities are facing a total monthly loss of \$10.5 million. Even before the pandemic hit, eight percent of Atlantic Canada's workforce was already depending on Employment Insurance benefits.

Summary of recommendations

With plummeting revenues, rising expenses and a legal proscription against running operating deficits, municipalities are at imminent risk of having to cut essential services to Canadians to remain solvent. The acceptable alternative is emergency operating funding for municipalities, provided by our stable, trusted, national partner: the Government of Canada.

This section summarizes FCM's urgent recommendation. This is based on the best available data on the projected financial impact of COVID-19—amounting to a near-term gap of \$10–15 billion for municipalities nationwide. It assumes that physical distancing directives substantially persist for six months, with direct municipal revenue impacts continuing through the end of 2020 and possibly into 2021 depending on the pace of economic recovery.

The core of our recommendation is an allocation-based formula to deliver a base level of support to all local governments. This is supplemented by targeted measures to meet distinct needs of municipalities as they continue to keep Canadians fully served and protected.

Immediate action

1. **Deliver at least \$10 billion in targeted emergency operating funding to all local governments as direct allocations—with a new hybrid formula modelled on both the proven federal Gas Tax Fund (GTF) and a ridership-based allocation for municipalities that operate transit systems.**
 - ▶ Specifically, allocate at least \$7.6 billion of the fund using a GTF-style allocation formula for all local governments, and \$2.4 billion based 100% on transit ridership.
 - ▶ For municipalities that operate transit systems, provide a single blended transfer.
 - ▶ Immediately provide advance payments to municipalities facing urgent liquidity issues.
 - ▶ Leverage the administrative infrastructure of the federal Gas Tax Fund, where possible, to expedite the rollout of dedicated emergency operating grants.



Municipal road maintenance staff are working around the clock to keep roads safe and accessible for those delivering essential services. *Photo: City of Toronto*

2. **Deliver additional emergency operating funding to individual local governments facing unique financial pressures related to COVID-19 that are not fully met by the hybrid formula above.** Our largest urban centres face distinct challenges supporting self-isolation, sanitation and good health among populations struggling with homelessness and mental health challenges. Smaller communities face unique challenges, starting with access to health care services that can support isolation requirements and urgent care. These and other unique cost drivers will continue to require targeted supports for the full duration of this crisis.



Selkirk, MB Mayor Larry Johansson stopped at a resident's window to admire children's drawings showing their appreciation for essential workers. *Photo: City of Selkirk*

Medium-term action

3. **Commit to revisit the need for additional operating funding within four months.**
 - ▶ Monitor trends in property tax delinquencies and consider additional supports for individuals and businesses that may not be able to pay property taxes after the expiry of short-term municipal deferral programs.
 - ▶ Depending on the duration and severity of the COVID-19 crisis, prepare for possible additional operating funding assistance in both 2020 and 2021.
4. **Provide local governments with the ability to transfer unused allocations** to the federal Gas Tax Fund program for capital expenditures as part of Canada's COVID-19 economic recovery plan.

Proposed funding model

This section presents additional guidance for the emergency operating funding outlined in recommendation #1. Our proposed model features two components: a base allocation for all municipalities, and a supplementary allocation for municipalities that own and operate transit systems. To function—efficiently and nationwide—its design must be straightforward, direct and flexible.

Base allocation *(for all municipalities)*

- ▶ At least \$7.6 billion based on the federal Gas Tax Fund formula.
- ▶ Assumes average of \$35 per capita per month, and six months of physical distancing (starting March 2020).

Supplementary allocation *(for municipalities that own and operate transit systems)*

- ▶ \$2.4 billion based entirely on 2019 transit ridership (population not included in formula).
- ▶ Based on Canadian Urban Transit Association needs assessment (\$400 million/month for six months) and validated through individual city estimates.

Design considerations

- ▶ Municipalities should receive a single transfer that combines the base and supplementary allocation (except in the case of provincially-owned transit systems, such as BC Transit and Metrolinx).
- ▶ This single transfer should provide maximum flexibility to local governments to apply funds towards all operating impacts (foregone revenue and/or unanticipated costs) related to the COVID-19 pandemic.

- ▶ No provincial or municipal matching funds should be required.
- ▶ Requiring provincial matching could cause delays given the varied fiscal capacities of provincial/territorial governments. However, provinces and territories continue to have an important role to play in providing targeted supports for local governments including, but not limited to:
 - ▷ direct support for COVID-19 emergency response and support for vulnerable populations;
 - ▷ expansion or backstop of property tax deferral programs (especially long-term deferment programs that will delay taxes beyond a single fiscal year);
 - ▷ block operating grants for local governments.
- ▶ Given significant downside risks—including the likelihood of future pandemic waves that require physical distancing, and the potential for property tax delinquencies—it is likely that the full allocation under an emergency operating grant will be fully utilized by local governments.



The Vulnerable Person's Registry is a critical program where the elderly and people with special needs are contacted daily, making sure that they are safe and their needs are being met. *Photo: Regional Municipality of Wood Buffalo*

- ▶ Any limited unused funding could be reserved for additional COVID-19-related operating shortfalls in 2020 or 2021, or transferred to the federal Gas Tax Fund to be used for incremental capital expenditures as part of Canada's COVID-19 recovery plan.

Potential impact *(all numbers rounded and approximate):*

| Municipality | Preliminary net losses* | Base allocation (GTF formula) | Supplementary allocation (transit) | Total allocation |
|-------------------|-------------------------|-------------------------------|------------------------------------|------------------|
| City of Toronto | \$1.690B | \$575M | \$575M | \$1.150B |
| Metro Vancouver** | \$900M | \$510M | \$290M | \$795M |
| City of Calgary | \$400M | \$255M | \$115M | \$370M |

* preliminary estimates assuming full year impact of six months of physical distancing

** extrapolation of data provided by City of Vancouver (local government not including transit) and TransLink (transit)

Eyes on the future

Right now our focus is on tackling the public health and economic crisis in our cities and communities—and ensuring local leaders can continue to deliver the essential services Canadians rely on. But we're also keeping an eye on the future—for when Canada is ready to move from response to recovery.

Across the country, municipalities have already begun taking steps to help drive the massive nation-building effort that will be required when the pandemic ends—from getting local businesses back on their feet to implementing job-creating stimulus projects. FCM is supporting this work by collecting and analyzing on-the-ground data that will inform recommendations for Canada's recovery. From housing, to infrastructure, to green, sustainable and resilient projects, cities and communities have a long track-record of delivering results efficiently and effectively. Municipalities will be essential partners in rebuilding the economy we want for the future.

But as with any crisis, it will be just as important to learn lessons from this pandemic. We will honour and celebrate how Canadians and their governments came together in common cause. We will also need to take a critical look at the foundational cracks that have been more harshly exposed in how we approach the role of local governments. In clear view are the outdated tools and authorities granted to municipal leaders, and how they simply do not match the modern role cities and communities play in supporting Canadians and driving our economy. When the time is right, FCM and local leaders will be ready to have that conversation.

In the immediate, we will continue working flat-out, as partners on the front lines, to keep Canadians as safe as possible, and ready our economy for the comeback we're confident we can collectively drive. We're all in this together.



FCM.ca



DISTRICT OF PARRY SOUND

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Website: www.armourtownship.ca

April 29, 2020

Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Re: Support Resolution - High Speed Internet Connectivity in Rural Ontario

At its meeting held on April 28, 2020, the Council of the Township of Armour passed Resolution #6 supporting our Councillor Rod Ward's letter regarding the need to make substantial investments in high-speed internet connectivity in the rural areas of Ontario.

A copy of Council's Resolution #6 dated April 28, 2020 and Councillor Ward's letter is attached for your consideration.

Sincerely,

Charlene Watt
Deputy Clerk

Cc: MPP Norm Miller, MP Scott Aitchison and Ontario Municipalities

Enclosures



CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: April 28, 2020

Motion # 6

That the Council of the Township of Armour supports the letter, dated April 15, 2020 from Councillor Rod Ward, on the need to make substantial investments in high-speed internet connectivity in rural areas. Furthermore, that this resolution and the letter be circulated to Scott Aitchison, MP for Parry Sound-Muskoka, Norm Miller, MPP for Parry Sound-Muskoka and all Ontario municipalities requesting their support.

Moved by:

| | |
|-----------------|-------------------------------------|
| Blakelock, Rod | <input type="checkbox"/> |
| Brandt, Jerry | <input checked="" type="checkbox"/> |
| MacPhail, Bob | <input type="checkbox"/> |
| Ward, Rod | <input type="checkbox"/> |
| Whitwell, Wendy | <input type="checkbox"/> |

Seconded by:

| | |
|-----------------|-------------------------------------|
| Blakelock, Rod | <input checked="" type="checkbox"/> |
| Brandt, Jerry | <input type="checkbox"/> |
| MacPhail, Bob | <input type="checkbox"/> |
| Ward, Rod | <input type="checkbox"/> |
| Whitwell, Wendy | <input type="checkbox"/> |

Carried / Defeated

Declaration of Pecuniary Interest by:

Recorded vote requested by:

Recorded Vote:

Blakelock, Rod
Brandt, Jerry
MacPhail, Bob
Ward, Rod
Whitwell, Wendy

| For | Opposed |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

April 15, 2020

To whom it may concern,

The COVID-19 pandemic in Ontario has highlighted both our positive responses to a crisis, and some definite shortcomings in infrastructure, systems and services which need to be addressed on a long-term basis. Setting priority on solving these issues will be a challenge, given the differing agendas and the strained budgets. Solving fundamental issues should focus on the most basic needs as a starting point. One of the clear needs in a rural community such as the Almaguin Highlands, highlighted further by recent events, is the need for proper high-speed internet connectivity. Healthcare and education are both going down a path where appropriate connectivity is assumed. Like many models that move outward from metropolitan areas, this assumption is lost on rural areas. For the vast majority of households in our community, true high-speed connectivity simply does not exist. For the vast majority of future strategies in healthcare and education, there is an assumption that it does exist.

Even in areas in the Almaguin Highlands which have 'high-speed' internet, the overall infrastructure is still limited. It is certainly not designed to deal with a sudden huge peak in demand. Whereas the capacity in large urban centres is built to handle the added throughput, there are clear limitations here. The best way to explain it is a comparison to hydro. Imagine if everyone went home at the same time and turned their lights on, but because there wasn't enough hydro capacity overall, all lights were 50% dimmer than normal and some appliances simply didn't work. We no longer have to imagine what happens with internet speed during peak usage. Suddenly during the COVID pandemic, people are working from home who have never worked from home. Kids are trying to do courses on-line. People who are not working are turning on-line to stay connected. Video-conferencing, which was a totally foreign concept to many, is now part of daily routine. Any idea how much internet bandwidth video uses? It's no wonder we hit a wall.

The future of healthcare sees patients being monitored and cared for in their own homes, through the use of technology. The future of education sees students doing much of their learning on-line. The future of business and commerce sees the ability to function outside the 'bricks and mortar' of an office location. Malls disappear and on-line shopping is the norm. For some, that future has already arrived. Our area has already been drastically affected by cutbacks in the area of healthcare and education through gradual decreases in budgets and services. Technology offers us the ability to level the playing field to a great extent. High-speed connectivity cannot be seen as a luxury or a nice-to-have, any more than hydro should be seen that way. In order to solve some other problems (i.e. skyrocketing budgets in healthcare and education) the wise investment is in providing connectivity for every resident in the province.

A handwritten signature in dark ink, appearing to read 'Rod Ward', with a stylized flourish at the end.

Rod Ward
Councillor
Armour Township



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

May 6, 2020

SENT VIA EMAIL

The Honourable Justin Trudeau
Prime Minister of Canada
80 Wellington Street
Ottawa, ON K1A 0A2

The Honourable William Francis Morneau
Minister of Finance
90 Elgin Street
Ottawa, ON K1A 0G5

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Prime Minister Trudeau, Minister of Finance Morneau and Premier Ford:

Re: Support for Commercial Rent Assistance Program

At its meeting of May 4, 2020, the Town of Grimsby Council passed the following resolution:

Moved by Councillor Ritchie; Seconded by Councillor Vaine;

*Whereas these are unprecedented times that have not been seen in generations;
and,*

*Whereas on April 16, 2020 the Canadian Federal Government announced a new
program called the Canada Emergency Commercial Rent Assistance; and,*

*Whereas this program is to be developed in unison with the Provincial and
Territorial counterparts; and,*



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

*Whereas this program is to provide relief to small business (in Grimsby and throughout Canada) with their rent for the months of April, May, and June; and,
Whereas many Provincial programs have been announced to date but have generally aimed at the residential, rather than the commercial, rent markets; and,
Whereas many small businesses in the Town of Grimsby have been affected financially due to COVID-19, thus making rent payments difficult;*

Therefore be it resolved that the Town of Grimsby endorse this program whole heartedly, and request the Federal Government of Canada to work with its Provincial and Territorial Partners to expedite this program and offer this program as soon as possible; and,

Be it further resolved that the Town of Grimsby ask the Federal Government, and Provincial and Territorial Partners look at the possibility of extending this program if the impacts of COVID-19 continue past the month of June; and,

Be it further resolved that the Town of Grimsby ask the Federal Government and its Provincial, and Territorial Partners to make this program 100 percent forgiving to the small businesses effected; and,

Be it further resolved that this motion be distributed to the Right Honourable Prime Minister of Canada, the Honourable Minister of Finance, the Honourable Premier of Ontario, and all municipalities in Ontario

Regards,

Sarah Kim
Town Clerk

SK/dk

Cc: Ontario Municipalities



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

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May 13, 2020

Honourable Doug Ford
Premier of Ontario
Room 281
Legislative Building – Queen's Park
Toronto ON M7A 1A1

Via Email: doug.fordco@pc.ola.org

Dear Premier Ford,

Re: Framework for Reopening our Province - Residential Construction in Rural Areas

Please be advised the Council of the Township of North Frontenac passed the following Resolution at the May 8, 2020 Meeting:

Moved by Councillor Hermer, Seconded by Councillor Perry #191-20

Whereas on March 17, 2020 the government of Ontario announced that it was declaring a state of emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act* so that the Province could use every power possible to protect the health and safety of all individuals and families during the COVID-19 pandemic;

And Whereas on Friday, April 3, 2020, the government of Ontario gave notice of changes to Ontario Regulation 82/20 being the Order for the temporary closure of places of non-essential business made under subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*, which reduced the list of essential businesses permitted to continue operation during the provincial state of emergency;

And Whereas Section 30 of the new Schedule 2 of Ontario Regulation 82/20 has been generally interpreted to prohibit residential construction where a building permit had not been issued prior to April 4, 2020;

And Whereas residential construction represents a significant number of jobs in rural Ontario and forms an integral part of the rural Ontario economy through considerable direct, indirect and induced impacts;

And Whereas on Monday, April 27, 2020 the government of Ontario released A *Framework for Reopening our Province*, which outlines the criteria Ontario's Chief Medical Officer of Health and health experts will use to advise the government on the loosening of emergency measures, as well as guiding principles for the safe, gradual reopening of businesses, services and public spaces;

And Whereas Stage 1 of the *Framework* will consider the opening of workplaces that can immediately meet or modify operations to meet public health guidance and occupational health and safety requirements;

And Whereas residential construction in rural areas is characterized by single-family dwelling types situated on large lots, which are attended by a very limited number of

tradespersons and contractors at any given time, and are being constructed for specific clientele with planned occupancy dates;

Now Therefore Be It Resolved That the Council of the Township of North Frontenac requests that the government of Ontario consider lifting the prohibition on residential construction where no building permit had been issued prior to April 4, 2020, in all instances where such construction can take place in accordance with the principles outlined in the government's *Framework for Reopening our Province* at its earliest opportunity in order to alleviate the economic hardships being experienced by rural Ontario's construction sector and the residents and families which it serves; **And That** this Resolution be forwarded to the Office of the Honourable Doug Ford, Premier of Ontario and the Honourable Steve Clark, Minister of Municipal Affairs and Housing;

And Further That a copy of this Resolution be sent to the Association of Municipalities of Ontario (AMO), the Eastern Ontario Warden's Caucus (EOWC), and to all rural Ontario municipalities, requesting their support.

If you have any questions or concerns, please do not hesitate to contact me.

Yours truly,



Tara Mieske
Clerk/Planning Manager
TM/bd

c.c. Steve Clark, Minister of Municipal Affairs and Housing
Association of Municipalities of Ontario (AMO)
Eastern Ontario Wardens Caucus (EOWC)
Rural Ontario Municipalities



The Corporation of the Town of Tecumseh

May 14, 2020

Postmedia Network Inc.
365 Bloor Street East
Toronto, Ontario M4W 3L4

Attention: President, Andrew MacLeod

Dear Mr. MacLeod,

The Council of the Town of Tecumseh, at its regular meeting held Tuesday, May 12, 2020, gave consideration to a motion put forth by Deputy Mayor Joe Bachetti, requesting reconsideration of the permanent closing of the Shoreline Week and its sister community weekly newspapers owned by Post Media Inc.

At their meeting, Tecumseh Council passed the following resolution:

“Whereas community newspapers, including Shoreline Week, provide the only print source of local coverage and information in their communities, and facilitates pride and a sense of community that residents and businesses are proud of;

And Whereas the Shoreline Week maintains a strong readership and a valuable media source that residents go to for their local news;

And Whereas the Shoreline Week often provides the only voice for residents to facilitate involvement on local issues that ultimately shape our community, or to celebrate and acknowledge the Town's rich history, businesses and its people;

And Whereas community newspapers fulfill a major gap in local news coverage, where media coverage originating from larger municipalities is minimal or scarce;

And Whereas the permanent closure of operations for Shoreline Week, and other community newspapers will have a devastating effect on informing residents of news and events in small and rural communities, and shut down a community voice for discussion on local decisions;

And Whereas community newspapers are vital communications to area residents by municipalities and marketing tool for businesses in small and rural communities;

Now Therefore Be It Hereby Resolved that the permanent closure of **Shoreline Week and its sister** community weekly newspapers owned by Postmedia Network Inc. will hinder the ongoing efforts of the Town of Tecumseh to effectively reach and inform all residents of key Council decisions that affect their community and opportunities to participate in local community events;

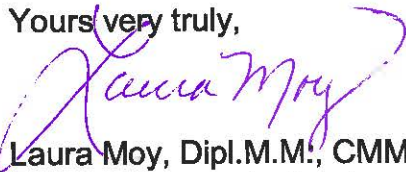
And that Postmedia Network Inc. reconsider their decision to permanently close Shoreline Week and other local community weekly newspapers in an effort to preserve an open forum for accountability and transparency in local government and continue to facilitate community engagement;

And that Postmedia Network Inc. consider the introduction of alternative models to maintain local news coverage in communities such as Tecumseh, such as continuing online community newspapers with portals such as those provided by Metroland Media Group;

And further that this resolution **be circulated** to Postmedia Network Inc. president Andrew MacLeod, and area municipalities for support.

Thank you in advance for your consideration of Tecumseh Council's request.

Yours very truly,



Laura Moy, Dipl.M.M., CMMIII HR Professional
Director Corporate Services & Clerk

LM/kc

CC: Town of LaSalle, arobertson@lasalle.ca
Town of Leamington, bpercy@leamington.ca
Town of Kingsville, jastrologo@kingsville.ca
Town of Lakeshore, knewman@lakeshore.ca
Town of Amherstburg, pparker@amherstburg.ca
Town of Essex, rauger@essex.ca
County of Essex, mbirch@countyofessex.ca



JEFF BUNN
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jeff.bunn@kitchener.ca
TTY: 519-741-2385

May 15, 2020

The Right Honourable Justin Trudeau, Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister Trudeau:

This is to advise that City Council, at a special electronic meeting held on May 11, 2020, passed the following resolution regarding universal basic income:

"WHEREAS The World Health Organization (WHO) on March 11, 2020 declared COVID-19 a pandemic, pointing to the growing number of cases of the coronavirus illness around the world and the sustained risk of further global spread; and,

WHEREAS in response to the COVID-19 pandemic, the Province of Ontario and the City of Kitchener have declared a state of emergency under the Emergency Management and Civil Protection Act; and,

WHEREAS the City of Kitchener has approved the Early Economic Support Plan, which provides financial and economic support measures to help reduce the financial strain on citizens and businesses during the COVID-19 pandemic; and,

WHEREAS Statistics Canada has reported that the unemployment rate has risen to 7.8 per cent, with 1,011,000 jobs lost in March 2020, and that the COVID-19 pandemic has impacted the employment of 3.1 million Canadians; and,

WHEREAS the Federal government has announced \$82 billion in relief funding for the COVID-19 Economic Response Plan, utilizing tax deferrals, subsidies, loans, and credits to support citizens, businesses, and industries; and,

WHEREAS according to a 2018 Parliamentary Budget Office report, a Canada-wide basic income of the type previously piloted in Ontario would have an annual net cost of \$44 billion; and,

WHEREAS a universal basic income would likely have many positive effects, including reducing poverty, reducing strain on health care and social assistance systems, supporting businesses and the economy, reducing crime, as well as reducing administrative complexity and creating efficiencies for those in need of financial and economic support measures;

THEREFORE BE IT RESOLVED that the Council of the City of Kitchener urges the Ontario Provincial government to pursue a partnership with the Federal government for the establishment of a universal basic income;

BE IT FINALLY RESOLVED that this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of Children, Community and Social Services; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Local Members of Provincial Parliament; the Region of Waterloo; all Municipalities within the Province of Ontario; and, the Federation of Canadian Municipalities.”

Yours truly,



J. Bunn
Manager, Council & Committee Services/
Deputy City Clerk

- c. Honourable, Doug Ford, Premier
Honourable Amy Fee, M.P.P.
Honourable Belinda Karahalios, M.P.P.
Honourable Catherine Fife, M.P.P.
Honourable Laura Mae Lindo, M.P.P.
Honourable Mike Harris, M.P.P.
Honourable Todd Smith, Minister of Children, Community & Social Services
Honourable Steve Clark, Minister of Municipal Affairs and Housing
Monika Turner, Association of Municipalities of Ontario
Kris Fletcher, Regional Clerk, Region of Waterloo
Bill Karsten, Federation of Canadian Municipalities
Ashley Sage, Clerk, Township of North Dumfries
Danielle Manton, City Clerk, City of Cambridge
Dawn Mittelholtz, Director of Information and Legislative Services / Municipal Clerk, Township of Wilmot
Grace Kosch, Clerk, Township of Wellesley
Olga Smith, City Clerk, City of Waterloo
Val Hummel, Director of Corporate Services/Clerk, Township of Woolwich
All Ontario Municipalities

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 56 - 2020

Being a By-law authorizing the entering into of a Farm Lease Agreement with Paul Repko

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") deems it expedient for the Town to enter into a Farm Lease Agreement with Paul Repko for the 2020 farming season.

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

1. **THAT** the Town enters into and executes with Paul Repko a Farm Lease 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 25TH DAY OF MAY, 2020.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

FARM LEASE AGREEMENT

THIS AGREEMENT made this ____ day of May,

BETWEEN:

THE CORPORATION OF THE TOWN OF KINGSVILLE

(the "Landlord")

-and-

PAUL REPKO

(the "Tenant")

WHEREAS the Landlord is the owner of the property legally described as Part Lot 3, Concession 2, Eastern Division, Gosfield, being part 1 on PL 12R27383, Kingsville (collectively the "Land");

AND WHEREAS the Tenant wishes farm the Land, or a portion of the Land, for the 2020 farming season;

AND WHEREAS the Landlord is agreeable to permitting the Tenant to farm the Land in accordance with the terms and conditions of this Farm Lease Agreement (the "Agreement");

IN CONSIDERATION of the rents, covenants and agreements contained in this Agreement, and in the spirit of mutual understanding and security, the parties to this Agreement agree as follows:

1. LEASED PROPERTY

- 1.1. The Landlord hereby leases to the Tenant the Land, being 3.2 acres, as described in Schedule "A", attached hereto ("Leased Property").

2. TERM OF THE LEASE

- 2.1. This Agreement will be in effect beginning on the 12th day of May, 2020 (the "Commencement Date") and ending on the 23rd day of October, 2020 (the "Termination Date") unless terminated in accordance with the provisions of this Lease.
- 2.2. Under no circumstances that the term of this Agreement be extended beyond the Termination Date.

3. RENT

- 3.1. The Tenant shall pay to the Landlord the sum of \$150.00 per acre, plus applicable taxes, for a total of \$480.00 (the "Rent"). This sum shall be payable on or before October 1, 2020.

- 3.2. The Rent shall be exclusive of property taxes, which shall be the responsibility of and paid by the Landlord.

4. LANDLORD'S REPRESENTATIONS AND WARRANTIES

- 4.1. The Landlord makes no representations or warranties regarding the Leased Property, nor does the Landlord represent or make any warranties that any of the land which is the subject of this Agreement is cultivated and/or suitable for farming. The Tenant acknowledges that it relies upon its own estimate and judgement.

5. COVENANTS

- 5.1. The Landlord and Tenant covenant and agree as set out in Schedule "B", attached hereto.

6. TERMINATION

- 6.1. The parties agree that in the event that the Landlord's pending grant application necessitates that the Landlord take certain steps to preserve the funding before the Termination Date and such steps would interfere with the farming of the Land, the Landlord may, at its sole discretion, terminate this Agreement by providing the Tenant with seven days' notice. For clarity, nothing in this section prohibits the Tenant from removing his crop within the seven-day notice period.
- 6.2. If the Tenant makes any assignment for the benefit of his creditors or becomes bankrupt or insolvent, or shall take the benefit of any Act that may be enforced for bankrupt or insolvent debtors, then in such event the Tenant's rights hereunder shall cease forthwith and the balance of the term shall hereof shall revert to the Landlord. Neither this Lease nor any interest of the Tenant herein nor any estate hereby created will pass or ensure to the benefit of any trustee in bankruptcy or any receiver or any assignee for the benefit of creditors of the Tenant or otherwise by operation of law.
- 6.3. The Landlord may terminate this Agreement upon the occurrence of any of the following events:
- 6.3.1. The Tenant fails to pay Rent or other sums due hereunder when due, and such Rent or other sums are not paid within fifteen (15) days after notice is given by the Landlord of such non-payment; or,
- 6.3.2. The Tenant fails to observe, perform and keep each and every of the covenants, agreements and conditions herein contained to be observed, performed and kept by the Tenant and persists in the failure after seven (7) days' notice by the Landlord requiring the Tenant to remedy, correct, desist or comply (or such longer

period as may be reasonably required to cure the breach given the nature of same).

7. INSURANCE AND INDEMNITY

- 7.1. The Tenant shall maintain comprehensive general liability insurance applying to all operations of the Tenant and against claims for bodily injury, including death and property damage or loss arising out of the use or occupation of the Leased Property and against any liability to third parties arising from or in relation to the Tenant's use or occupancy of the Leased Property, in at least the amount of Two Million (\$2,000,000.00) Dollars combined single limit. This policy of insurance shall contain the provision that it shall not be cancelled without the insurer providing the Landlord thirty (30) days' written notice stating when such cancellation shall be effective. Evidence satisfactory to the Landlord of such policy of insurance shall be provided to the Landlord upon request.
- 7.2. The Tenant shall identify and save harmless the Landlord and its agent and employees from any and all liabilities, damages, costs, claims, suits or actions growing or arising out of:
- a) Any breach, violation or non-performance of any covenant, condition or agreement in this Agreement set forth and contained on the part of the Tenant to be fulfilled, kept observed and performed: and,
 - b) Any injury to person or persons, including death, resulting at any time from anything occurring in or about the Leased Property.

8. GENERAL

- 8.1. The parties hereto expressly disclaim any intention to create, and nothing in this Agreement shall be deemed to create, a partnership or joint venture between them and neither of the parties hereto shall have any authority to act for or to assume any obligation or responsibilities on behalf of the other except as otherwise expressly provided herein.
- 8.2. The Landlord or his agent or employee may, upon the provision of a reasonable notice period, enter the Leased Property to inspect same.
- 8.3. The Tenant shall not assign or sublet his interest in this Agreement, or any part of his interest in this Agreement, nor grant any license or part with possession of the Leased Property or transfer any other right or interest under this Agreement without the Landlord's prior written consent, which may be unreasonably withheld.
- 8.4. The terms "Landlord" and "Tenant" shall include their heirs, executors, administrators, successors and approved assigns in the singular or plural number, and all the covenants shall be construed as being joint several.

- 8.5. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the parties hereto submit to the jurisdiction of the Courts in the Province of Ontario.
- 8.6. The Tenant agrees not to register this Agreement without the prior written consent of the Landlord, which consent may be unreasonably withheld.
- 8.7. Any demand, notice, direction or other communication to be made or given hereunder (in each case, "Communication") shall be in writing and shall be made or given by personal delivery, by courier, or sent by regular/registered mail, charges prepaid, addressed as follows:

Landlord

The Corporation of the Town of Kingsville
2021 Division Road N
Kingsville, ON N9Y 2Y9
Attention: J. Astrologo, Director of Corporate Services

Tenant

Paul Repko
400 Road 2 East, RR #1
Kingsville, ON N9Y 2E4

- a) A Communication will be considered to have been given or made on the day that it is delivered in person or by courier or, if mailed, five (5) days after the date of mailing.

- 8.8. No alterations or amendment of this Lease shall take effect unless the same is in writing duly executed by each of the parties in the same manner at this Lease.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

The Corporation of the Town of Kingsville

Per: _____
Mayor, Nelson Santos

Per: _____
Clerk, Jennifer Astrologo

We have authority to bind the organization.

SIGNED, SEALED AND DELIVERED

In the presence of

)
)
)
)
)

Paul Repko

Witness

Print Name:

SCHEDULE "A"

Part Lot 3, Concession 2, Eastern Division, Gosfield, being part 1 on PL 12R27383, Kingsville

SCHEDULE "B"
COVENANTS

9. LANDLORD'S COVENANTS

9.1. The Landlord covenants and agrees with the Tenant:

- a) That the Tenant shall be provided with quiet enjoyment of the Leased Property/Land; and,
- b) To observe and perform all the covenants and obligations of the Landlord herein.

10. TENANT'S COVENANTS

10.1. The Tenant covenants and agrees with the Landlord:

- a) To pay Rent in accordance with paragraph 3.1,
- b) To use the Leased Property only for the purpose of farming legal crops on the Leased Property/Land,
- c) Not allow any public use of the Leased Property,
- d) Not to build any structure, barn, shed, fuel storage facility,
- e) To make all decisions with respect to growing crops on the Leased Property in accordance with good farming practices and with the provisions of this Lease,
- f) To comply with present and future laws, regulations and orders relating to the occupation or use of the Leased Property/Land which shall include, but not be limited to, all activities related to groundwater contamination, the application of pesticides and commercial fertilizers, the cultivation of crops and the compliance thereof, and the storage and/or disposal of any hazardous waste,
- g) To be responsible for maintaining nutrient and PH levels on the Land as mutually agreed upon with the Landlord,
- h) To do what is reasonably necessary to control soil erosion and to abstain from any practice which will cause damage to the Land,
- i) To not remove sand, gravel, topsoil, or minerals from the Leased Property;
- j) To not permit or allow the accumulation of any waste material, debris, refuse or garbage on the Leased Property,
- k) To not allow any site contamination such as, but not limited to, chemicals, oil spills, hydrocarbons, or any other waste material on the Leased Property or adjacent water bodies,
- l) To maintain a three (3) meter buffer strip of grasses and clover alongside the municipal drain,
- m) To perform all acts required to be done under any Act or by regulations or by-laws with respect to weed control, and the Tenant will not sow, or permit to be sown any

- grain infected by smut or containing any foul seeds or noxious weed, and will not suffer or permit any such foul seeds or noxious weeds to go to seed,
- n) To store, use and dispose of agricultural chemicals, including pesticides, herbicides, and fertilizer, in accordance with label directions and federal, provincial and municipal legislation and recommendations,
 - o) To keep the mouths of all underdrains on the Leased Property open and free from obstruction and in good running order at all times during the Term and will not suffer or permit such drains or the water-courses in any open ditches on the Leased Property, to become obstructed, but will keep them free and clear for the escape of the water flowing therein; and
 - p) To observe and perform all the covenants and obligations of the Tenant herein.

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 57-2020

**Being a By-law to confirm the proceedings of the
Council of The Corporation of the Town of Kingsville at its
May 25, 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 May 25, 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
25th day of May, 2020.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo